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The duty to investigate in situations of armed conflict: an examination under international humanitarian law, international human rights law, and their interplay

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The Duty to Investigate in Situations of Armed Conflict

The duty to investigate in situations of armed conflict

An examination under international humanitarian
law, international human rights law, and their
interplay

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It was during my exchange semester in Sydney, when during a lecture by Yuval Shany I first jotted down ‘thesis idea: IHL and human rights?’. Little did I know, this would – after working a case on investigations into human rights violations during armed conflict while interning at Böhler Advocaten – grow into a research proposal and dissertation which I wrote at Leiden University, and ultimately finished when working with the Netherlands Ministry of Foreign Affairs.

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ACHR	American Convention on Human Rights
ACHPR	African Charter on Human and Peoples' Rights
ACmHPR	African Commission on Human and Peoples' Rights
AP I / AP II	Protocols to the 1949 Geneva Conventions
Appl No	Application Number
ARSIWA	ILC Articles on the Responsibility of States for Internationally Wrongful Acts
art	article
c.s.	<i>cum suis</i> (and associates)
CA	Common Article (to the Geneva Conventions)
CAR	Central African Republic
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CDDH	<i>Comité directeur pour les droits de l'homme</i> (Council of Europe Steering Committee for Human Rights)
CED	International Convention for the Protection of All Persons from Enforced Disappearance
cf.	confer
CIA	US Central Intelligence Agency
CIL	customary international law
CoE	Council of Europe
Comm. No.	Communication Number
CtAT	Committee against Torture
CtED	Committee on Enforced Disappearances
CtEDAW	Committee on the Elimination of Discrimination against Women
CtRC	Committee on the Rights of the Child
dec.	decision
DNA	Deoxyribonucleic acid
doc	documents
DoD	United States Department of Defence
Dr.	doctor
ECHR	European Convention on Human Rights
ECmHR	European Commission on Human Rights
ECOSOC	Economic and Social Council
ECtHR	European Court of Human Rights
edn	edition
eds	editors
e.g.	<i>exempli gratia</i> (for example)
et al.	<i>et alia</i> (and others)

etc	et cetera
ETS	European Treaty Series
FARC	<i>Fuerzas Armadas Revolucionarias de Colombia</i> (Colombian Revolutionary Armed Forces)
ff	and following
fn	footnote
FT	Floris Tan
FYROM	Former Yugoslav Republic of Macedonia
GC	1949 Geneva Convention
[GC]	Grand Chamber
HRC	Human Rights Committee
IAC	international armed conflict
IACmHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
ibid	ibidem
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICJ / I.C.J.	International Court of Justice
ICL	international criminal law
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IED	improvised explosive device
IHFFC	International Humanitarian Fact-Finding Commission
IHL	international humanitarian law (also, the law of armed conflict)
IHRL	international human rights law
ILA	International Law Association
ILC	International Law Commission
I.L.M.	International Legal Materials
IMT	International Military Tribunal
IRA	Irish Republican Army
IS	Islamic State
ISAF	International Security Assistance Force
LOAC	law of armed conflict
LOIAC	law of international armed conflict
Mr.	mister
MRTA	<i>Movimiento Revolucionario Túpac Amaru</i> (Túpac Amaru Revolutionary Movement)
n	footnote
NATO	North Atlantic Treaty Organization
NB	nota bene
NGO	non-governmental organisation
NIAC	non-international armed conflict
no	number
NSAG	non-State armed group
OAS	Organization of American States
OAU	Organisation of African Unity

OSCE	Organisation for Security and Co-operation in Europe
p.	page
para.	paragraph
PCIJ	Permanent Court of International Justice
PIL	public international law
PKK	Partiya Karkerên Kurdistanê (Kurdistan Workers' Party)
POW	prisoner of war
Res	Resolution
RoE	rules of engagement
SAS	UK Special Air Service
ser.	series
St.	Saint
TCIDT	torture or cruel, inhuman or degrading treatment or punishment
TRNC	Turkish Republic of Northern Cyprus
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UKTS	United Kingdom Treaty Series
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
UNTS	United Nations Treaty Series
US / USA	United States of America
USD	US Dollar
v	versus
VCLT	Vienna Convention on the Law of Treaties
VRS	Army of the Republika Srpska

