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## The specificities of humanitarian law / Georges Abi-Saab

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Abstract:	<p>The author identifies the characteristics that distinguish contemporary IHL from other branches of international law. These characteristics reflect the substantive rules of IHL and the context in which they apply. The author outlines how these rules have evolved from a 19th century, inter-state contract model of reciprocity into a form of universal international legislation. The adoption of the Geneva Conventions and the Additional Protocols constitutes a radical departure from the classic model of IHL: they provide for the humanitarian protection of individuals and instill in every state the responsibility to defend the common interests of the international community. These protections have now reached the level of jus cogens. In the second half of the article, the author outlines the evolution of IHL through the progressive codification of the customary laws of war. Each successive treaty supplements the legal framework established by pre-existing legal instruments; once a particular norm is widely accepted it may never be rolled back. To remain effective, the scope of IHL must continually be expanded and the requirements must be continually tightened in response to the evolution of war and the changing dictates of humanitarian principles. The author concludes by examining the ICRC's role in the development of IHL. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]</p>
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