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### International law preventing armed conflicts and international law of armed conflict : a combined functional approach / Knut Ipsen

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Abstract:	The author argues that there is a need for a functional approach to public international law that rejects the existing rigid distinction into two areas: the "Hague Law" regulating methods and means of warfare and the "Geneva Law" regulating the humanitarian protection of the civilian population. Due to increasing threats and use of force in international politics, international law has to simultaneously address normal relations between States, prevention of armed conflicts and compliance with the Hague Law and Geneva Law. The author presents a brief survey of developments in both areas of law. International law aimed at preventing armed conflicts, namely the law of disarmament and arms control is confined to treaty law, with no customary law rules or principles emerging. There is no treaty universally open to accession that contains a concrete obligation of general and complete disarmament. A requirement of complete disarmament by convention has been reached only with regard to one category of weapon: biological means of warfare. By contrast, international law applicable in armed conflicts has made considerable progress with the Geneva Conventions and the three Additional Protocols, covering areas such as pre-conflict obligations, prohibited methods and means, and protection of the civilian population. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]
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