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Counter-insurgency, human rights, and the law of armed conflict / by Federico Sperotto

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Abstract:	Recent evolutions in human rights norms, particularly in the jurisprudence of the ECtHR, may serve to fill gaps in IHL as applied to counter-insurgency operations such as those conducted in Afghanistan. The article compares the applicable IHL and human rights rules on a number of sensitive issues regarding the use of lethal force and protection of civilians. These examples illustrate that broader human rights rules may be more applicable to the counter-insurgency context, when IHL rules prove insufficient for the complexities of such irregular warfare.
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Authors:	Sperotto, Federico
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