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State-building, occupation and international law : friends of foes ? / Jan Wouters, Kenneth Chan

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Author zone:	Jan Wouters, Kenneth Chan
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Abstract:	What role does the law of occupation play in the process of state-building ? Whilst the law of occupation presupposes that an occupying power will not restructure the operation and function of a state, but rather, will hold the status quo and ensure that the peoples of occupied territories are not subjected to further chaos, the contemporary practice of occupying powers today - particularly after the 2003 invasion of Iraq - seems to defy the non-transformational doctrines of international humanitarian law. So, to what extent does it still have relevance in the administration of post-conflict societies ? This chapter addresses the aptness of the law of occupation within contemporary understandings of state-building - and broadly considers question "is the law of occupation state-building".
Authors:	Wouters, Jan Chan, Kenneth
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