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Beginning of IHL application : overview and challenges / Louise Arimatsu

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Abstract:	As a principle, the applicability of IHL is dependent on the existence of an armed conflict. The simplicity of this rule nevertheless obscures the difficulties faced in finding, and in naming, a particular situation of violence as an 'armed conflict'. The term 'armed conflict' is context-dependent in that the criteria for determining the existence of an armed conflict differ according to whether the armed violence is one fought between States (international armed conflict) or between a State and non-State actor or between such actors (non-international armed conflict). The conditions that trigger the application of IHL for international and non-international armed conflict are therefore addressed separately.
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