

## CICR

### Human rights and international humanitarian law : general issues / Jann K. Kleffner

Document type:	Chapter
Title:	Human rights and international humanitarian law : general issues
Author zone:	Jann K. Kleffner
In:	The handbook of the international law of military operations
Editor:	Oxford : Oxford University Press, 2015
Physical description:	p. 35-62
Language(s):	eng
Abstract:	This chapter discusses the relationship between two pivotal components of the international law of military operations: human rights and international humanitarian law. Both fields of law seek to protect individual and human dignity, which explains the substantial material overlap between them. But human rights law and international humanitarian law remain distinct areas of international law. Significant differences remain, not only as regards their historical roots and evolution, normative frameworks, and enforcement mechanisms, but also concerning their respective applicability <i>ratione materiae, personae, temporis, and loci</i> . International humanitarian law applies in military operations amounting to an armed conflict while human rights law is generally considered to apply to the extent that individuals are subject to the jurisdiction of a State or international organization. In the event of conflict between a norm of international humanitarian law and a norm of human rights law, the more specific norm prevails in principle.
Keyword in French:	DIH CONFLIT ARME DROITS DE L'HOMME CHAMP D'APPLICATION APPLICABILITE QUALIFICATION DU CONFLIT
Keyword in English:	IHL (INTERNATIONAL HUMANITARIAN LAW) ARMED CONFLICT HUMAN RIGHTS SCOPE APPLICABILITY CLASSIFICATION OF THE CONFLICT
Authors:	Kleffner, Jann K.
Go to:	The handbook of the international law of military operations / ed. by Terry D. Gill and Dieter Fleck ; in collab. with Nils Melzer... [et al.]

Call number	Disponability / Due date
345.25/239 (2015)	See main document