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Persons with disabilities in international humanitarian law : paternalism, protectionism or rights ? / Janet E. Lord

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Abstract:	This chapter employs a disability rights perspective as its analytical framework to examine the implications of international humanitarian law (IHL) for persons with disabilities. Its focus is on the protection accorded to persons with disabilities in their various roles in armed conflict as well as the disabling impact of armed conflict that has given rise to a number of IHL rules. The first section examines the conceptualization of disability within the general and specific protection framework of IHL. The second section analyzes disability in relation to prohibitions and restrictions on the means and methods of warfare. And the third section addresses the tension inherent in protective models of IHL and international disability rights and considers whether and how the Convention on the Rights of Persons with Disabilities offers a palliative response. It concludes by considering whether and how the further development and understanding of an IHL disability perspective will contribute to the resilience and overall effectiveness of IHL and strengthen the protection of persons with disabilities through addressing their specific needs in - and in the aftermath of - armed conflict.
Keyword in French:	DIH DROITS DE L'HOMME HANDICAPE PERSONNE PROTEGEE CONFLIT ARME
Keyword in English:	IHL (INTERNATIONAL HUMANITARIAN LAW) HUMAN RIGHTS DISABLED PERSON PROTECTED PERSON ARMED CONFLICT
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