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International humanitarian law in the jurisprudence of international criminal tribunals and courts / Alessandra Spadaro

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Author zone:	Alessandra Spadaro
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Abstract:	The creation of the Ad Hoc Tribunals for the former Yugoslavia and Rwanda marked a new beginning in the close relationship between international criminal law and IHL. This essay argues that, notwithstanding the contribution that some judgement rendered by international criminal tribunals and courts have given to the general understanding and perception of IHL, this process has not been free of obstacles. In fact, it will be shown that the way international criminal tribunals and courts have interpreted relevant IHL rules has not always been in line with this body of law's objectives and content. The author discusses both early and recent jurisprudential development, with a view to emphasizing some of the most problematic aspects of the interpretation and application of IHL by international criminal courts.
Authors:	Spadaro, Alessandra
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