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A framework convention for the protection of the environment in times of armed conflict : a new direction for the International Law Commission's draft principles ? / Tara Smith

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Abstract:	At its seventy-first session in 2019, the International Law Commission (ILC) provisionally adopted twenty-eight draft principles related to the protection of the environment before, during and after armed conflict. This article argues that the ILC ought to consider proposing a framework convention as the final outcome of this project, as this could result in better protection of the environment than draft principles. Framework conventions have featured in international environmental law but they have not yet been used to progressively develop the law of armed conflict. This article argues that the hybrid legal nature of protecting the environment during the conduct of hostilities ought to incorporate solutions from relevant fields of international law. To that end, there are many merits to proposing a framework convention approach in the final outcome of the ilc's programme of work on this issue.
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