Table of Contents

Non-International Armed Conflict in the Twenty-first Century

FOREWORD .............................................................. xi
INTRODUCTION ......................................................... xiii
PREFACE ................................................................. xvii

PART I: OPENING ADDRESS

I "Small Wars": The Legal Challenges
Kenneth Watkin ..................................................... 3

PART II: OVERVIEW: THE LAW IN NON-INTERNATIONAL ARMED CONFLICTS

II Will-o’-the-Wisp? The Search for Law in Non-International Armed Conflicts
John F. Murphy ..................................................... 15

PART III: TYPE OF NON-INTERNATIONAL ARMED CONFLICTS AND THE APPLICABLE LAW

III Defining Non-International Armed Conflict: A Historically Difficult Task
David E. Graham ..................................................... 43

IV Self-defense Targeting: Blurring the Line between the Jus ad Bellum and the Jus in Bello
Geoffrey S. Corn ...................................................... 57

V War and Peace: Where Is the Divide?
Charles Garraway .................................................... 93

The opinions shared in this paper are those of the author and do not necessarily reflect the views and opinions of the U.S. Naval War College, the Dept. of the Navy, or Dept. of Defense.
PART IV: LEGAL STATUS OF THE ACTORS IN NON-INTERNATIONAL ARMED CONFLICTS

VI The Status of Opposition Fighters in a Non-International Armed Conflict
   Michael N. Schmitt ........................................ 119

VII Present and Future Conceptions of the Status of Government Forces in Non-International Armed Conflict
   Sean Watts .................................................... 145

VIII Toward a Limited Consensus on the Loss of Civilian Immunity in Non-International Armed Conflict: Making Progress through Practice
   Stephen Pomper ............................................... 181

PART V: MEANS AND METHODS IN NON-INTERNATIONAL ARMED CONFLICTS

IX Differences in the Law of Weaponry When Applied to Non-International Armed Conflicts
   William H. Boothby ........................................ 197

X Methods and Means of Naval Warfare in Non-International Armed Conflicts
   Wolff Heintschel von Heinegg ............................. 211

XI Perfidy in Non-International Armed Conflicts
   Richard B. Jackson ........................................... 237

PART VI: RECENT AND ONGOING NON-INTERNATIONAL ARMED CONFLICTS

XII Non-International Armed Conflicts in the Philippines
   Raymundo B. Ferrer and Randolph G. Cabangbang ........ 263

XIII Twenty-First-Century Challenges: The Use of Military Forces to Combat Criminal Threats
   Juan Carlos Gomez ........................................... 279
XIV  An Australian Perspective on Non-International Armed Conflict: Afghanistan and East Timor  
Rob McLaughlin ........................................ 293

PART VII: DETENTION IN NON-INTERNATIONAL ARMED CONFLICTS

XV  Detention of Terrorists in the Twenty-first Century  
William K. Lietzau ........................................ 323

XVI  Detention in Non-International Armed Conflicts  
Knut Dörmann ........................................ 347

PART VIII: ENFORCEMENT IN NON-INTERNATIONAL ARMED CONFLICTS

XVII  International Enforcement in Non-International Armed Conflict: Searching for Synergy among Legal Regimes in the Case of Libya  
John Cerone ........................................ 369

PART IX: CLOSING ADDRESS

XVIII  Concluding Remarks on Non-International Armed Conflicts  
Yoram Dinstein ........................................ 399

Appendix—Contributors ........................................ 425
Index ........................................ 435
Previous “Blue Books” ........................................ 449