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Recently published

When does war become crime? Aspects of the criminal case against Eric O.

Series: *A challenge for European Law: The merging of internal and external security*

by Diede-Jan Dieben and Thom Dieben, published by Wolf Legal Publishers: www.wolfpublishers.nl



Abstract

This essay gives an analysis of the Dutch participation in the war in Iraq and of the crucial meaning of the Rules Of Engagement when soldiers are in operation after the end of the combat but still occupying the country and participating to Law and Order activities.

The authors (Diede-Jan Dieben and Thom Dieben) show through the case of Eric O., the difficulty to trace the boundaries between actions of war and actions of internal security. On the one hand, the government is keen to give the military soldiers extensive powers, even if the situation is "calm". On the other hand, the prosecutor considered the shooting incident in the province of Al-Muthanna in Iraq on December 27, 2003, where an unarmed Iraqi man was fatally wounded, as a criminal case.

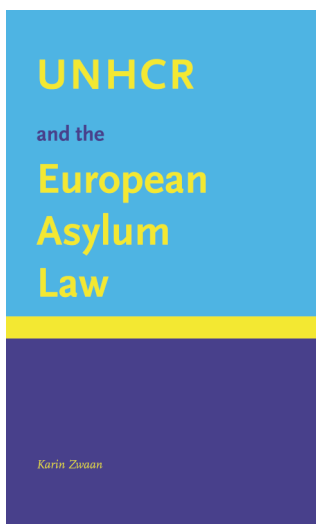
The essay highlights the tensions in Southern Iraq, but the situation there can be compared with other parts of Iraq, with Kosovo, Afghanistan, or Sierra Leone. It opens very important questions about war, crime, security and democracy, and about the role of the soldiers.

What are the duties and the freedoms of military operating abroad? To what extent are they bound by the rule of law and democratic accountability? Can soldiers perform their tasks on the basis of the actual disciplinary rules, or should these rules be amended taking into account the will of their political leader, the situation abroad and their human rights obligations?

Didier Bigo, Institut d'Etudes Politiques de Paris (Science Po)

UNHCR and the European Asylum Law

by Karin Zwaan, published by Wolf Legal Publishers: www.wolfpublishers.nl

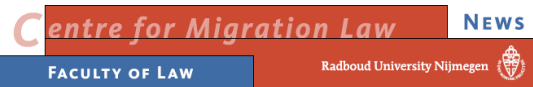


Abstract

There is a large variety of avenues for the United Nations High Commissioner for Refugees (UNHCR) under the common European asylum system to perform its role as a guardian of the 1951 Geneva Convention relating to the Status of Refugees (Refugee Convention). The possibility that Community rules and judgments of the Court of Justice in the area of European Community refugee law will produce fascinating effects on the actual implementation of the Refugee Convention both inside and outside the European Union, will stimulate UNHCR to explore and use these avenues as part of its task of supervising the Refugee Convention.

The central theme of this book is to consider the evolution of asylum law in the European Community and the role UNHCR has played, plays and could play in this evolution. The European Community has now reached the end of the so-called first phase of a common European asylum system. That is the time to examine the present practice and role of UNHCR in order to determine the possibilities for UNCHR within this system for the years to come.

Coming Up soon
Check our website for seminars, workshops and lectures
<<http://www.ru.nl/law/cmr>>



Overview of publications by the Centre for Migration Law

Books In English:

<p>2005 Dieben D.J. & Th. Dieben <i>When does war become crime? Aspects of the criminal case against Eric O.</i> (Series: A challenge for European Law: The merging of internal and external security) Nijmegen: Wolf Legal Publishers</p> <p>2005 Zwaan K. <i>UNHCR and the European Asylum Law</i> Nijmegen: Wolf Legal Publishers</p> <p>2003 Groenendijk C., E. Guild & P. Minderhoud <i>In Search of Europe's Borders</i> Den Haag: Martinus Nijhoff Publishers</p>	<p>2003 Brouwer E., P. Catz & E. Guild <i>Immigration, Asylum and Terrorism. A Changing Dynamic in European Law</i> (Serie Recht & Samenleving, deel 19) Nijmegen: GNI</p> <p>2001 Groenendijk C., E. Guild, & R. Barzilay <i>The Legal Status of Third Country Nationals who are Long Term Residents in a Member State of the European Union.</i> Brussel: Office for Official Publications of the European Commission.</p>
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Books In Dutch:

<p>2005 Minderhoud P. & K. Zwaan (red) Rechtspraak <i>Vreemdelingenrecht 2004</i> Nijmegen: Ars Aequi</p> <p>2004 Hendrickx I. & T. De Lange <i>Toelating van vreemdelingen voor verblijf bij religieuze organisaties. Beleid en praktijk in Nederland voor en na de Vreemdelingenwet 2000</i> Nijmegen: Wolf Legal Publishers</p> <p>2004 Snoeijs H. <i>Klemmende redenen van humanitaire aard. Duidelijk omliggende asiel- en reguliere gronden of restcategorie?</i> Nijmegen: Wolf Legal Publishers</p> <p>2003 Terlouw A. et al. <i>Binnen 48 uur: zorgvuldige behandeling van asielverzoeken</i> Nijmegen: Wolf Legal Publishers</p> <p>2003 Grütters C. <i>Asielynamiek. Een systeemodynamische analyse van de Nederlandse asielprocedure in de periode 1980 - 2002 (diss. Nijmegen)</i> Nijmegen: Wolf Legal Publishers</p> <p>2003 Terlouw A. <i>Uitspraak en afspraak. Samenwerking tussen vreemdelingenrechtvaarders bij ontbreken van hoger beroep (diss. Nijmegen)</i> Den Haag: Boom Juridische uitgevers</p> <p>2003 Doornbos N. <i>De papieren asielzoeker. Institutionele communicatie in de asielprocedure (Serie Recht en Samenleving nr 18)</i> Nijmegen: GNI</p>	<p>2003 Jonkers P. <i>Diskwalificatie van wetgeving. De totstandkoming en uitvoering van de Wet bevordering evenredige arbeidsdeelname allochtonen (Wbeaa) (diss. Nijmegen)</i> Amsterdam: Aksant</p> <p>2003 De Hart B. <i>Onbezonnen vrouwen. Gemengde relaties in het nationaliteitsrecht en het vreemdelingenrecht (diss. Nijmegen)</i> Amsterdam: Aksant</p> <p>2003 Zwaan K. <i>Veilig derde land. De exceptie van het veilige derde land in het Nederlandse asielrecht (diss. Nijmegen)</i> Nijmegen: GNI</p> <p>2002 Böcker A. <i>Identificatieplicht: oplossing of oorzaak van problemen (Serie Recht en Samenleving nr 17)</i> Nijmegen: GNI</p> <p>2001 Groenendijk C. & R. Barzilay <i>Verzwakking van de rechtspositie van toegelaten vreemdelingen (1990-2000)</i> Utrecht: Forum</p> <p>2001 Brouwer E. & C. Groenendijk <i>Derdelanders in de Europese Unie, Europees migratierecht vanuit Nederlands perspectief</i> Utrecht: Forum</p> <p>2001 Minderhoud P. <i>Vreemdelingen en voorzieningen</i> Utrecht: Forum</p>
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