

**Special Issue on the Relationship between International Human Rights Law
and International Humanitarian Law**

Guest Editors: Steven Dewulf and Katharine Fortin

The theme of this special edition of the Journal of Human Rights and International Legal Discourse is the relationship between international humanitarian law and international human rights law. This is a topic that has prompted considerable academic debate ever since the Geneva Conventions and Universal Declaration of Human rights were drafted in the late 1940s. In the early years, the debate centred on the question of whether human rights law should apply in terms of armed conflict. Now although it is generally accepted that human rights law does continue to apply in terms of armed conflict, a debate continues about when and how human rights law should apply alongside international humanitarian law. For example, scholars remain divided about the role of human rights law within the conduct of hostilities paradigm. They also remain divided about the role of human rights law on issues such as the detention and the killing of enemy fighters. There also remains uncertainty about which legal principles and rules should determine when a particular rule applies. Different institutions have approached this question in different ways. Moreover, the entire discussion also impacts on the criminal prosecution of alleged war criminals and perpetrators of other core crimes, as international criminal law borrows heavily from both IHL and human rights law.

This special edition of the journal of Human Rights and International Legal Discourse seeks to review contemporary practice on these questions. It seeks to re-visit the relationship between human rights law and international humanitarian law from theoretical, operational, international criminal law and practical perspectives. By viewing the problem from multiple perspectives, this edition seeks to capture the 'state-of-play' on a debate which has moved on considerably since it was last addressed in academic literature. By seeking to pin down modern perspectives on the relationship between international humanitarian law and human rights law, the edition seeks to take the debate further, clarify best practices and identify areas of consensus.

There will be 9 articles in the journal of around 5,000 words each (references included). The two first articles have been commissioned from two major scholars in the field. The first article will provide a far reaching review of some of the main issues related to the concurrent application of international human rights law and international humanitarian law. The author will provide a retrospective on the last ten years of developments in practice, and provide a view on where the relationship between international humanitarian law and international human rights law is heading in the future. The second article will focus more squarely on human rights law in armed conflict, taking a specific look at issues of detention and the right to life. We will provide selected authors with more detailed outlines of these two headline articles in August 2017 to ensure no overlap and allow a cohesive flow.

Submissions are welcomed on the following broad themes:-

1. Which rules and legal principles should determine whether international humanitarian law or international human rights law applies in a specific situation?
2. An operational military perspective on the relationship between international human rights law and international humanitarian law;

3. The manner in which the relationship between international human rights law and international humanitarian law manifests itself in international criminal law jurisprudence;
4. The role of international human rights law vis-a-vis international humanitarian law in special operations abroad;
5. The relationship between international humanitarian law and human rights law and new methods of warfare e.g. cyberwarfare;
6. Human rights law and international humanitarian law vis-à-vis atypical conflict situations, (transnational) terrorist groups and/or transnational armed conflicts;
7. The relevance of the relationship between international humanitarian law and human rights law when it comes to non-State actors, such as armed groups or transnational corporations;
8. A regional perspective on the relationship between international human rights law and international humanitarian law (e.g. European Court of Human Rights);
9. The role of international human rights law in the developing customary international law that applies in armed conflicts (international and non-international).

Other themes are also welcome.

Timeline for special issue Call for papers:

Deadline for submission of abstracts: 1 July 2017

Green light for papers: 15 August 2017

Deadline for full papers: 1 December 2017

Feedback to authors: 6th February 2018

Issue delivered to publisher by editors: 24th April 2018

Publication of special issue: 15th May 2018

These dates are estimations and may be subject to change.

For submissions and questions relating to this edition please contact both:

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Katharine Fortin is an assistant professor in human rights law and public international law at the Netherlands Institute of Human Rights, Utrecht University. Her book on the Accountability of Armed Groups under International Human Rights law is forthcoming with the OUP.

Steven Dewulf is professor of international, European and transnational criminal law at the University of Antwerp (Belgium). His research focuses inter alia on terrorism and the relationship between international criminal law, IHL and human rights. In addition, he practices as an international criminal lawyer.