War by Contract

Human Rights, Humanitarian Law, and Private Contractors

Edited by

FRANCESCO FRANCIONI AND NATALINO RONZITTI



Contents

X
xviii xxix
XXXV
xli
1
11
37
55
80
93
111
130
150

viii Contents

	Contractors in Conflict Situations before the European Court of Human Rights Giulia Pinzauti The Right to Life and Self-defence of Private Military and Security	149
	Contractors in Armed Conflict Guido den Dekker and Eric PJ Myjer	171
	III. INTERNATIONAL HUMANITARIAN LAW	
10.	Status of Private Military and Security Company Personnel in the Law of International Armed Conflict Mirko Sossai	197
11.	Private Military and Security Contractors as 'Persons who Accompany the Armed Forces' Giulio Bartolini	218
12.	Private Military and Security Companies in Non-international Armed Conflicts: <i>Ius ad Bellum</i> and <i>Ius in Bello</i> Issues <i>Luisa Vierucci</i>	235
13.	Children's Rights: The Potential Impact of Private Military and Security Companies Christine Bakker and Susanna Greijer	262
14.	Women and Private Military and Security Companies Ana Filipa Vrdoljak	280
15.	Private Military and Security Companies and the EU's Crisis Management: Perspectives under Human Rights and International Humanitarian Law Valentina Falco	299
16.	Old Concepts and New Challenges: Are Private Contractors the Mercenaries of the Twenty-first Century? Marina Mancini, Faustin Z Ntoubandi, and Thilo Marauhn	321
	IV. ACCOUNTABILITY AND RESPONSIBILITY OF PRIVATE CONTRACTORS	
17.	The Role of International Regulatory Initiatives on Business and Human Rights for Holding Private Military and Security Contractors to Account Sorcha MacLeod	343
18	. Codes of Conduct for Private Military and Security Companies: The State of Self-regulation in the Industry Carsten Hoppe and Ottavio Quirico	362

Contents^.	ix

 Institutional Responsibility for Private Military and Security Companies NigelDWhite 	381
20. State Responsibility for Conduct of Private Military and Security Companies Violating <i>Ius ad Bellum</i> Charlotte Beaucillon, Julian Fernandez, and Helene Raspail	396
V. CRIMINAL AND CIVIL LIABILITY OF PRIVATE MILITARY AND SECURITY COMPANIES AND THEIR EMPLOYEES	
21. The Criminal Responsibility of Private Military and Security Company Personnel under International Humanitarian Law <i>Ottavio Quirico</i>	423
22. Immunity for Private Military Contractors: Legal Hurdles or Political Snags? Micaela Frulli	448
 Liability in Tort of Private Military and Security Companies: Jurisdictional Issues and Applicable Law Andrea Atteritano 	470
Bibliography Index	490 507