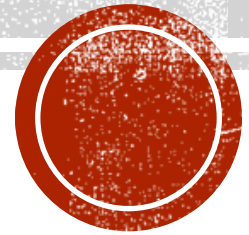
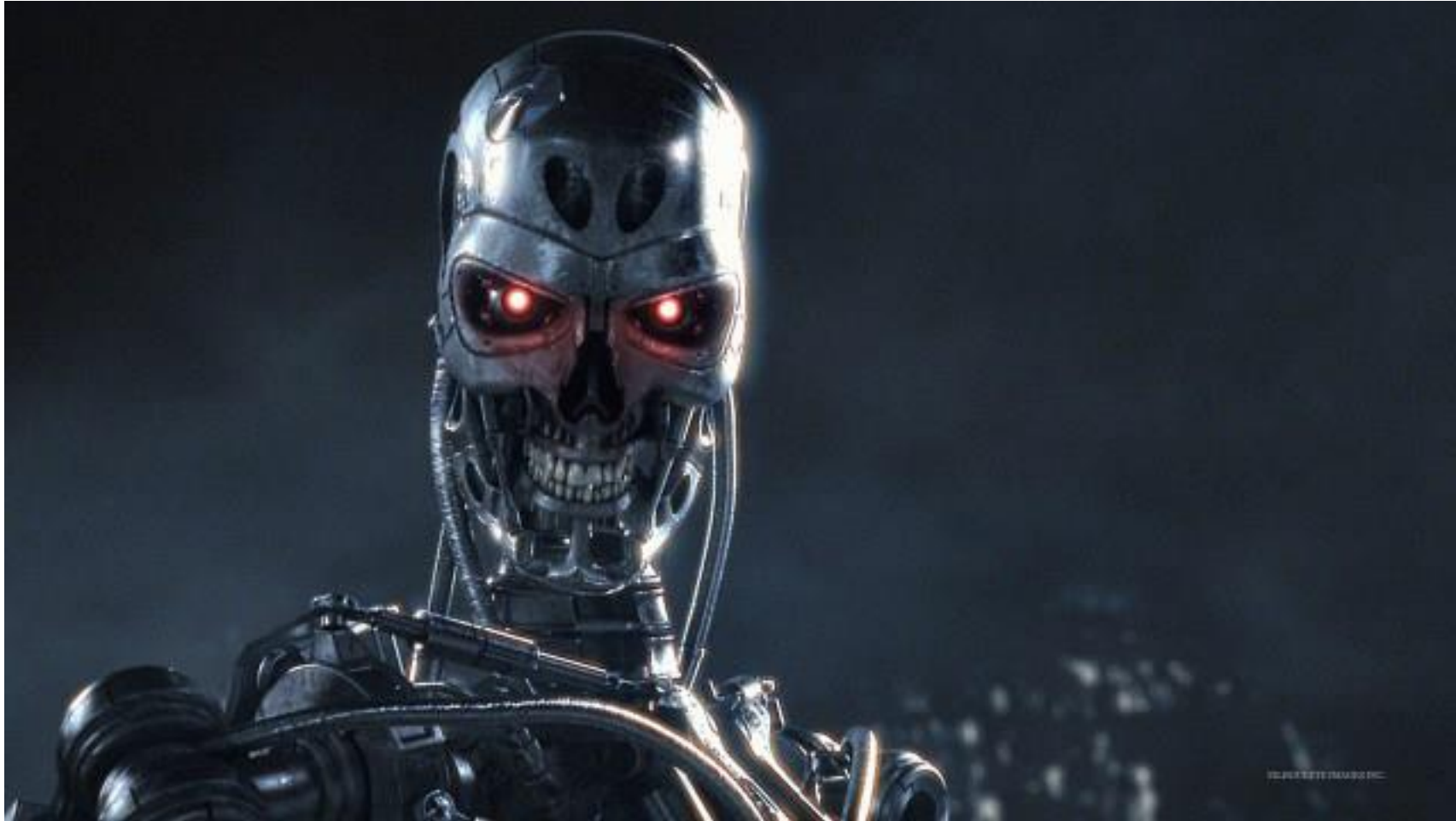


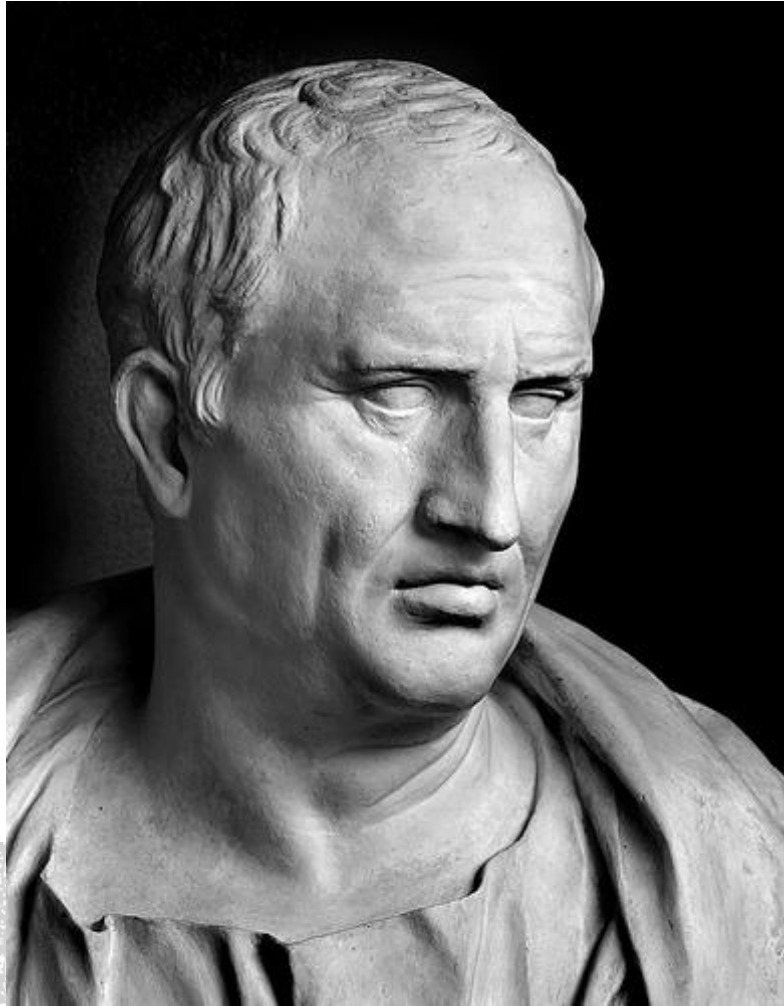
**WHAT LAW APPLIES?**





**WHAT DOES THIS HAVE TO DO WITH KILLER ROBOTS?**

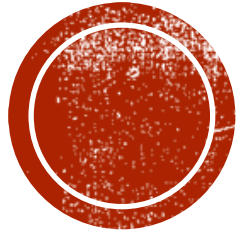




**“In time of war, the laws are silent.”**

*- Marcus Tullius Cicero*

# SHARED AIMS



“The common underlying purpose of international humanitarian law and international human rights law is the protection of the life, health and dignity of human beings.”

- **Jakob Kellenberger, former ICRC President**

# IMPORTANT DIFFERENCES

IHRL

## International Humanitarian Law

- Origin story: State relations in armed conflicts
- Applies in armed conflicts and occupations

## International Human Rights Law

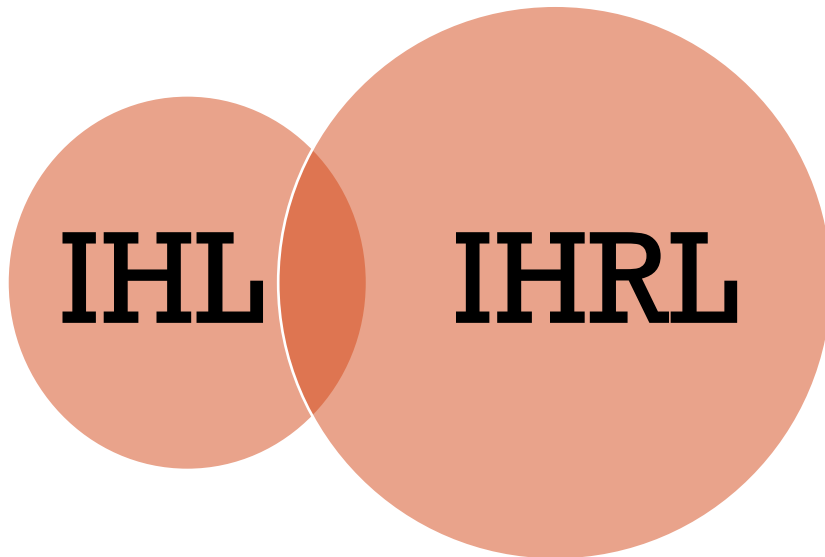
- Origin story: Just relationship between states and individuals
- Complicated application

IHL

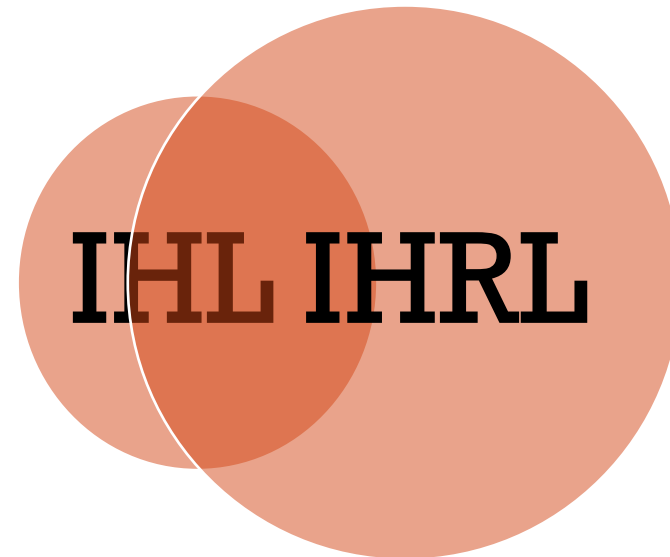


# RELATIONSHIP

**This talk / Scholarship**



**Realistically**



# **CONFLICTS OF LAW**

The background of the slide features several silhouettes of human hands raised in the air, positioned behind a horizontal line of barbed wire. The hands are rendered in a reddish-brown color, and the barbed wire is a darker shade of the same color. The overall composition suggests a theme of human rights, protest, or conflict.

- **The Right to Life**
- **Prohibition on Arbitrary Detention**
- **The Right to a Fair and Speedy Trial**

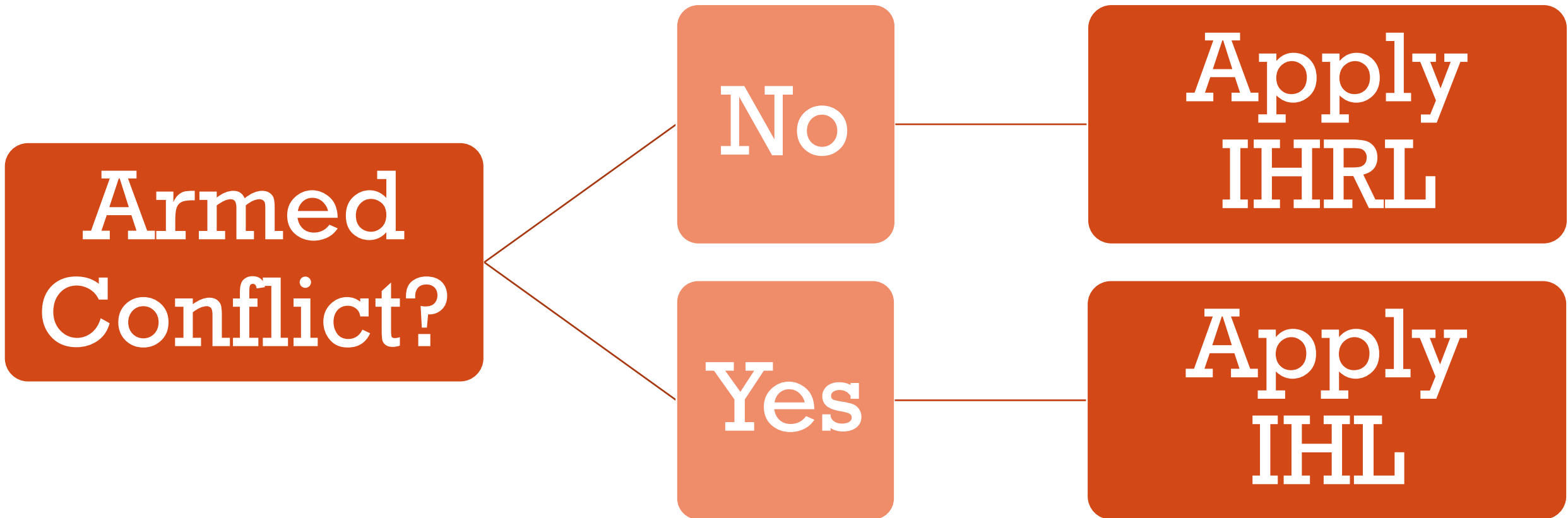
# THREE MODELS FOR RESOLVING CONFLICTS

- Displacement Model
- Complementarity Model
- Conflict Resolution Model





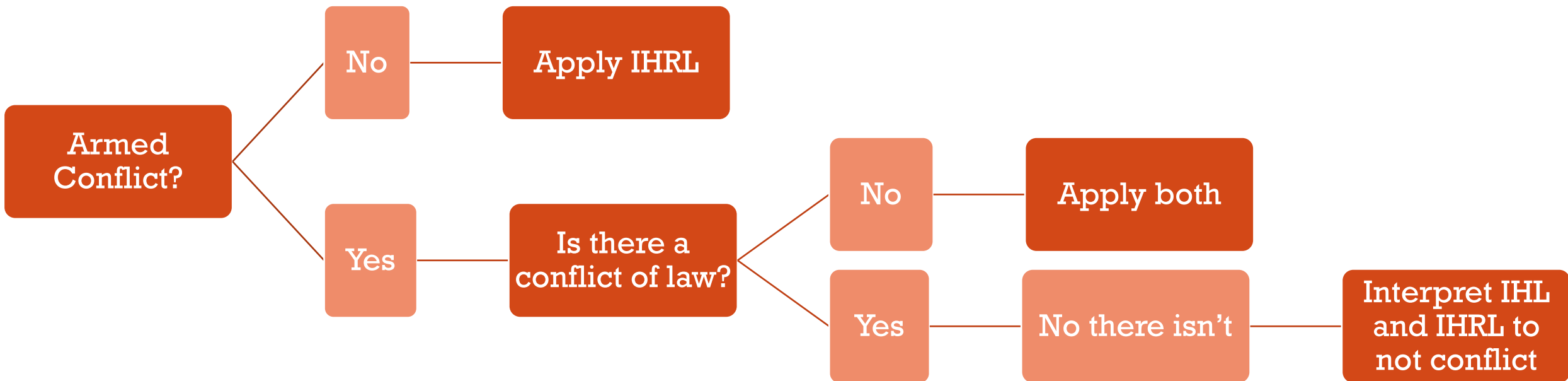
# DISPLACEMENT MODEL



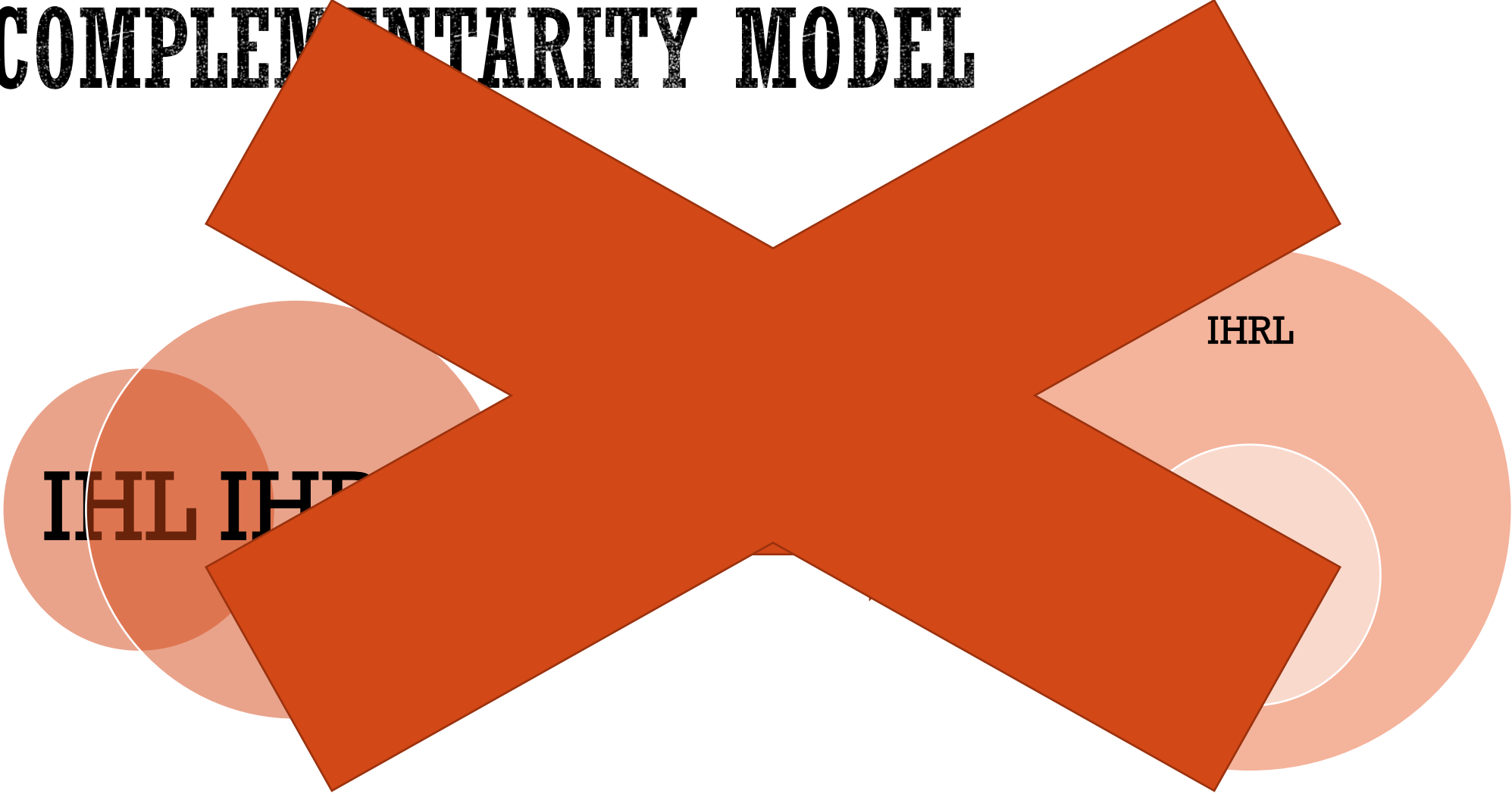
# DISPLACEMENT MODEL



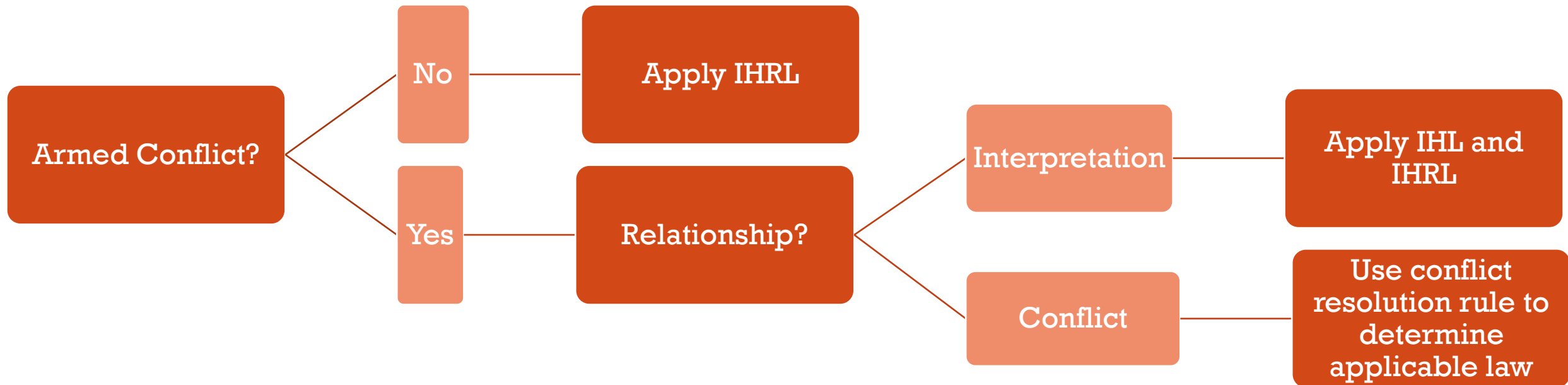
# COMPLEMENTARITY MODEL



# COMPLEMENTARITY MODEL



# CONFLICT RESOLUTION MODEL

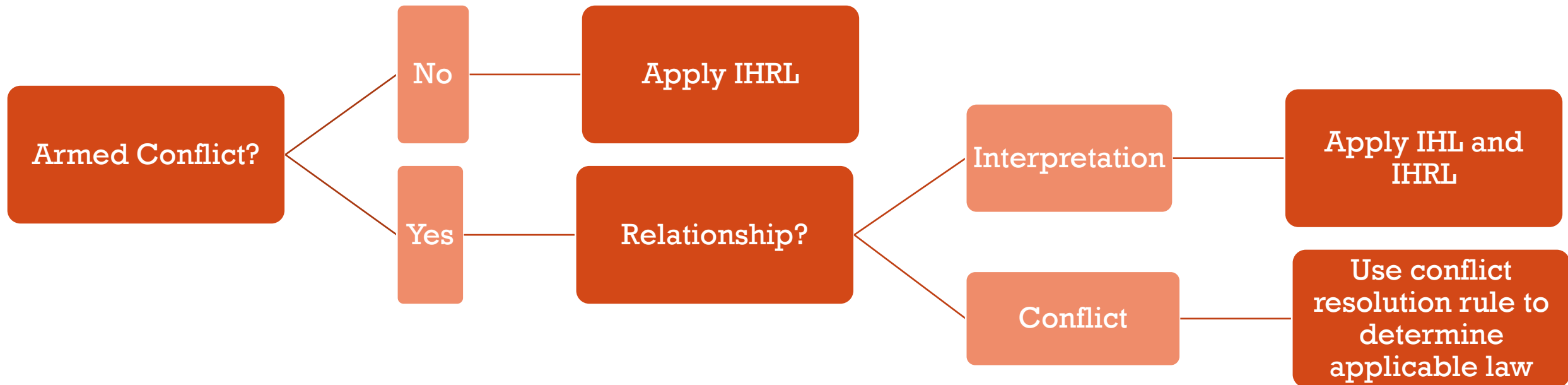


# CONFLICT RESOLUTION RULES

- Event-Specific Displacement
- Reverse Event-Specific Displacement
- Specificity



# CONFLICT RESOLUTION MODEL



# CONFLICT RESOLUTION MODEL

IHL IHD

IHRL







# AREAS OF OVERLAP



IHIG IHRIL



# TAKE AWAY POINTS

- The existence of an armed conflict need not mean human rights law goes out the window.
- Determining the actual relationship between the legal regimes is messy.
- However, some of that confusion can be alleviated with forethought – which is the point of military manuals, rules of engagement, and other military policies.



# IMPLICATIONS: HIGHLIGHTS IMPORTANCE OF OTHER QUESTIONS

- Is there an armed conflict?
- When does an armed conflict end?
- Type of armed conflict? (IAC v. NIAC)
  - Recall: Different rules apply
- What about consent-based interventions?
  - Way to evade HR requirements?



# IMPLICATIONS: CREATES DEBATES

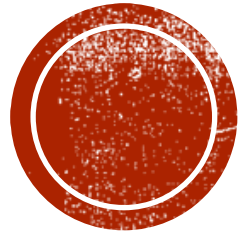
- Extraterritoriality application of human rights
- Capture / Kill
- Duty to use most humane weapon?
  - Duty to use precision-guided weapons (smart bombs)
  - “Duty to Drone”
  - “Duty to Hack”





**WHAT DOES THIS HAVE TO DO WITH KILLER ROBOTS?**





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