

**Enriching Knowledge Series for Junior Secondary  
History Revised Curriculum: War and History:  
New perspectives to Study the Military History  
(Lecture 5) “War and International Laws” (New)  
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Part I:

**Introduction**

# War and Int'l Law in a nutshell

About  
sovereign  
states

# About universality

About  
international  
cooperation

# About intervention



# About enforcement

# War and Int'l Law

- Better be understood as a dynamic process rather than some fixed rules/laws
- Evolution of which paralleled with the emergence of a more or less regulated world order
- Moral dimensions relevant but not predominant
- “International Law” how does it work?

Part II:

Birth of International Laws  
for War

# Main Features

- **Existence of the idea of regulating armed conflict throughout human existence**
- **Transformation from customs and moral traditions into positive laws**
- **Emergence of international cooperation after the Thirty Years War**
- **Renewed effort in the second half of the 19<sup>th</sup> century because of technological changes**

# Birth of International Laws for War

- Declaration of War
- Rules for fighting wars
- Defining “crimes” in war fighting

# Birth of International Laws for War

- Earliest attempts
- “Just War” tradition
- Customs and practices of war
- Emergence of an international order
- Cultural and religious contexts
- Technological and social/political contexts in the 19<sup>th</sup> century

Part III:

Rules of Engagement

# Main Features

- **Based on natural law**
- **Limitations on ways to fight**
- **Definition of combatant**
- **Treatment of wounded and prisoners of war**
- **Status of neutrals**
- **Regulating warfare at sea**



# Rules of Engagement

- Paris Declaration Respecting Maritime Law 1856
- Geneva Convention 1864
- Hague Convention 1907
- Related international bodies

# Rules of Engagement

- Problems and Impacts of the First World War – some examples
- League of Nations
- Hague Rules of Aerial Warfare 1923
- Pact of Paris for the Renunciation of War 1928
- Geneva Conventions on the care of wounded during war 1929
- London Protocol on Submarine Warfare 1936
- Protection of Civilian Populations Against New Engines of War 1936
- Protection of Civilian Populations Against Bombing From the Air in Case of War 1938

# Rules of Engagement

- Second World War – ambiguities and lessons
- United Nations Charter 1945
- Geneva Conventions 1949
- Treaties and Principles
- Related Institutions

Part IV:

Arms Limitation and Control

# Main Features

- **Types of weapons used**
- **Size of armed forces and specifications for certain hardware**
- **Attempt to limit arms design and production**

# Arms Limitation and Control

- St. Petersburg Declaration 1868
- Hague Conference 1899
- Washington Naval Treaty 1922
- Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare 1925
- London Naval Treaty 1930
- Nuclear Non-Proliferation Treaty 1968
- Anti-Ballistic Missile Treaty 1972

Part V:  
War Crimes

# War Crimes

- “Bad Things,” “Atrocities,” and “Crimes”
- Early Attempts to define criminal acts in war
- The First World War – some examples
- The Second World War and the Subsequent Trial
- Nuremberg principles 1946
- Geneva Conventions 1949
- Acid test: Yugoslavia
- Rome Statute 1998-2002



Part VI:  
Conclusion

# Conclusion

- International laws of War, originated from Europe, was globalized because of the two world wars
- International laws work very differently from laws within a sovereign state
- International laws work best when the nations believed that it was in their interest to abide to them
- Fear of retaliation/reciprocity worked well in many cases
- However, in many other cases international action was difficult because of the issue of sovereignty
- There has been a large geographical and cultural discrepancy in the implementation of international standards

The End

Thank You