PART II

POLICING CONFLICT:
HUMANITY AND FORCE
Chapter 1. The Law of Rights and the Law of Conflict

(A) PURPOSES AND REASONS

This Part of the book has two purposes. The first is to promote international standards relevant to policing in times of conflict. The international standards referred to are those of international human rights law, and international humanitarian law sometimes referred to as the international law of armed conflict or the laws of war. There are two aspects to the laws of war, *jus ad bellum*, the rules governing resort to armed conflict, and *jus in bello*, the rules governing the conduct of armed conflict. This book deals with the latter.

The forms of conflict are international armed conflict, non-international armed conflict, and internal disturbances and tensions. These terms are defined in the next chapter, where examples of rules of behaviour applicable in the various types of conflict are discussed in relation to policing. Reference is also made in that chapter to terrorism, as a form of conflict, in the context of international human rights law, international humanitarian law, and other responses of the international community to that phenomenon.

The second purpose is to consider the right to life as it relates to the use of force by police, and to discuss the very specific international human rights standards on police use of force. These standards apply to any situation whatsoever in which police exercise their power to use force in the performance of their normal, civil policing functions. Where, untypically, police officials are engaged in an international armed conflict as combatants, the standards on the use of force are those embodied in the law of armed conflict. This is also the case where, again untypically, police officials are deployed in military style engagements with armed insurgents in the context of a non-international armed conflict. The status of police, combatant or otherwise, is considered in the next chapter. International human rights standards protecting the right to life and regulating the use of force by police are considered in Chapters 3 and 4 respectively of this part of the book.

The reasons for seeking to disseminate standards of good behaviour and best practice on these aspects of policing are that police officials can become involved in international armed conflicts in a variety of ways; police are one of the means by which states respond to internal conflicts or civil wars; it is a fundamental function of police to maintain or restore social order, whatever its scale; the use of force is an essential police power, if not the primary power; and these are all aspects of policing in which human rights and humanitarian standards are vulnerable.