This Latin term is derived from the legal maxim in the interpretation of laws, both in domestic and international law: ‘*lex specialis derogat legi generali*’. This essentially means that more specific rules will prevail over more general rules.

The term is frequently used in describing the relationship between international humanitarian law and international human rights law. The precise nature of the relationship, and of the application of the *lex specialis* principle, is still the subject of some debate, particularly when it comes to issues of targeting and detention in non-international armed conflicts.

In the ICRC’s view, IHL constitutes the *lex specialis* governing the assessment of the lawfulness of the use of force against lawful targets in international armed conflicts. The interplay of IHL rules and international human rights standards on the use of force is less clear in NIAC, and the use of lethal force by States in NIAC requires a fact-specific analysis of the interplay between the relevant rules.

See Human Rights applicable in armed conflicts.

**OUTLINE**

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BIBLIOGRAPHIC RESOURCES

Suggested readings:


**Further readings:**


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[1] https://casebook.icrc.org/glossary/detention