

**MGIMO University**  
**School of Government and International Affairs**  
**Department of International Law**

**International Humanitarian Law**

Undergraduate Course Syllabus

Instructors

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Moscow – 2022

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This syllabus is designed in accordance with the MGIMO Educational Standard for the Bachelor's Program in International Affairs (program track *Government, International Politics and Law*).

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## **PART 1. COURSE DESCRIPTION AND TEACHING METHODS**

### **1.1 General information**

- Full course title: International Humanitarian Law
- Type of course: optional
- Level of course: B.A.
- Year of study: 4<sup>th</sup>
- Number of ECTS credits allocated:
- Number of lectures, seminars and office hours

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### **1.2. Course aims and learning outcomes**

The aim of the course is to provide bachelor's degree students with the basic knowledge of legal rules that govern armed conflicts and with the general concept of International Humanitarian Law, its principles and sources. The course will lay out the understanding of legal issues relating to warfare. The first topics will address IHL within the International Law system, with special focus on the sources and principle of the IHL. The main part of the course will provide examination of all the IHL aspects, e.g. legal status of the wounded and sick, of civilians, medical and religious personnel; which weapons cannot be used in warfare. Finally, the course ends with theoretical and practical issues of responsibility under International Law.

By the end of this course, students should be able to:

- understand the content of the laws of Geneva and the laws of Hague and the difference between these laws;

- demonstrate the sound knowledge of the main conventions that are sources of IHL and navigate among them;
- apply specific legal terms used in IHL;
- describe the legal concept of protected persons under IHL;
- know basic international organizations and their mechanisms for protection of human rights;
- explain the main problems associated with the responsibility for violations of International Humanitarian Law.

### **1.3. Course requirements and grading plan**

#### **Course requirements**

Students shall attend all classes and take active participation during seminar discussions. Studies of additional recommended materials are highly encouraged. Attendance at tests is compulsory.

#### **Grading plan**

Students will be assessed, during the semester, upon taking three tests (multiple-choice and short-answer tests). There shall be no essays, no more than 2 class presentations per seminar. Students will be informed on the topic of the upcoming test at least one week in advance.

**Final mark for the course is the oral exam mark.**

## **PART 2. CALENDAR PLAN**

### **2.1.**

#### **PLAN**

Week	Topic	Assessment
One	(1) Introduction to the Course. Definition of IHL, its history and general structure.	Lecture
Two	Sources of IHL. Co-relation of IHL with other branches of International Law.	Lecture

Three	IHL: definition, history, sources, rules and principles, co-relation with other branches of International Law	Seminar
Four	(2) Definition of combatants. The distinction between combatants and civilians.	Lecture
Five	Definition of combatants. The distinction between combatants and civilians. Legal Protection of Prisoners of War	Seminar
Six	(3) Legal protection of the wounded, sick and shipwrecked	Lecture
Seven	(4) Legal protection of civilians and civilian objects during armed conflicts. Protection of cultural property	Lecture
Eight	Legal protection of the wounded, sick and shipwrecked; of civilians and civilian objects during armed conflicts. Protection of cultural property	Seminar
Nine	(5) The conduct of hostilities: Prohibited means and methods of warfare	Lecture
Ten	The conduct of hostilities: Prohibited means and methods of warfare	Seminar
Eleven	(6) International Red Cross and Red Crescent Movement.	Seminar
Twelve	(7) Armed conflicts: international and internal. Specific issues arising in non-international armed conflicts	Lecture
Thirteen	Armed conflicts: international and internal. Specific issues arising in non-international armed conflicts	Seminar
Fourteen	(8) Responsibility for violation of IHL. International legal responsibility of States	Lecture
Fifteen	Individual criminal responsibility in international law (international criminal courts and tribunals)	Lecture
Sixteen	Issues of Responsibility	Seminar
Seventeen	Issues of Responsibility	Seminar

## 2.2. Course content and reading by topic.

Key publications on International Humanitarian Law including textbooks or relevant chapters in textbooks on international law are chosen by the authors of the Syllabus, the recommended edition indicated.

### **Topic 1. Introduction to the Course. International protection of human rights**

The course shall begin with overview of the course in general and all the topics to be studied, explaining the place and importance of each topic within the course. Students will be briefed on the assessment of their participation in discussions, on tests' criteria and sources to be studied. The course begins with the introduction to International Humanitarian Law. The lecturer will focus on: a) history of IHL, how it was formed and developed until today; b) main sources of IHL; c) core principles. The difference between the laws of Geneva and the laws of Hague will be explained.

Special attention will be paid: a) to the right to self-defence as one of three bases of International Law; b) the right to self-determination and c) the concept of humanitarian intervention and its criticism in the legal teachings.

Students will get acquainted with the nexus between IHL and other branches of International Law (first and foremost, such branches as Human Rights Protection, International Security, International Responsibility).

#### **Sources for Topic 1:**

Shaw M.N., International Law, 9<sup>th</sup> edition, Cambridge, 2021. – 847-849 pp.

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. – 17-34 pp. <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

#### **Additional Sources for Topic 1:**

Alexander A. A Short History of International Humanitarian Law – The European Journal of International Law, 2015. <https://academic.oup.com/ejil/article/26/1/109/497489>

Sterio M. The Right to Self-Determination under International Law, London, 2013.  
– к 6-16 pp.

[https://www.academia.edu/32348951/The\\_right\\_of\\_self\\_determination\\_under\\_international\\_law](https://www.academia.edu/32348951/The_right_of_self_determination_under_international_law)

**For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./Международное право. – М. 2021. - 93-100 с.

## **Topic 2. Definition of combatants. The distinction between combatants and civilians.**

The status of combatant gives rise to a special regime of protection, established by the Third Geneva Convention, which regulates the treatment of prisoners of war.

This topic has its focus on the distinction between combatants and civilians.

The concepts of “protected persons” and “victims of armed conflicts” will be explained.

During the lecture the instructor will cover the following issues within this topic: 1) obligations of combatants; 2) status of combatants in internal armed conflicts; 3) internment of prisoners of war; 4) internment and detention of civilians; 5) status of mercenaries; 6) status of spies; 7) insurgents and resistance movement.

### **Sources for Topic 2:**

Shaw M.N., International Law, 9<sup>th</sup> edition, Cambridge, 2021. – 851-854 pp.

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. 81-85 pp., 171-175 pp., 178-189 pp.

<https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

### **Additional Sources for Topic 2:**

Geneva Convention relative to the Treatment of Prisoners of War, August 12, 1949. [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.32\\_GC-III-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.32_GC-III-EN.pdf)

I Additional Protocol of June 8, 1977. [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.34\\_AP-I-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.34_AP-I-EN.pdf)

V. Bilkova. Talking About Unlawful Combatants? A Short and Concise Assessment of a Long and Multifaceted Debate. *Central European Journal of International and Security Studies* 2(3). 2009. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2080470](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2080470)

Y. Dinstein. *The Conduct of Hostilities under the Law of International Armed Conflict*. Cambridge: Cambridge University Press, 2004. Chapters 2, 5. <https://books.google.ru/books?id=a88YJ7MuaMoC&printsec=frontcover&hl=ru#v=onepage&q&f=false>

K. Dormann. The Legal Situation of ‘Unlawful/Unprivileged Combatants. *International Review of the Red Cross* 849 (March 2003): pp. 45–85. <https://international-review.icrc.org/sites/default/files/S0035336100103521a.pdf>

K. Ipsen. Combatants and Non-combatants. *The Handbook of Humanitarian Law in Armed Conflicts*. Oxford: Oxford University Press, 1995. Pp. 65–80.

### **For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./ Международное право. М. 2021. – 104-110 с.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

### **Topic 3. Legal protection of the wounded, sick and shipwrecked**

The most important part of International Humanitarian Law is understanding the rules of how hostilities can be handled. This includes getting to know legal

status of the wounded and sick (whether on land or at sea). Special attention will be drawn to universally accepted conventions and protocols in this sphere.

Legal status of medical formations and facilities, medical and spiritual personnel will be explained. The instructor will inform the students on the creation of sanitary zones, safety zones, neutral zones and humanitarian corridors.

The red cross, red crescent, red lion and sun, and red crystal emblems are internationally recognized symbols and the visible expression of the neutral and impartial assistance and protection to which the wounded and the sick in armed conflict are entitled under IHL. These issues are to be discussed in details with students.

### **Sources for Topic 3:**

Shaw M.N., International Law, 9<sup>th</sup> edition, Cambridge, 2021. – 850-851 pp.

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. 134-168 pp. <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

### **Additional Sources for Topic 3:**

The first Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949 (GC I)<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/7c4d08d9b287a42141256739003e636b/fe20c3d903ce27e3c125641e004a92f3>

Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949 (GC II)<https://www.un.org/ruleoflaw/files/Geneva%20Convention%20II.pdf>

Geneva Convention relative to the Treatment of Prisoners of War, 1949 (GC III)[https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.32\\_GC-III-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.32_GC-III-EN.pdf)

Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949 (GC IV)[https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33\\_GC-IV-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33_GC-IV-EN.pdf)

Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, 1977<https://ihl-databases.icrc.org/ihl/INTRO/470>

Additional Protocol II to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts, 1977<https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and-0>

Additional Protocol III to the Geneva Conventions of 12 August 1949, and relating to the Adoption of and Additional Distinctive Emblem, 2005<https://ihl-databases.icrc.org/ihl/INTRO/615>

Convention on the Pacific Settlement of International Disputes (HC I)<https://www.jus.uio.no/english/services/library/treaties/01/1-09/settlement-international-disputes.xml>

Convention Respecting the Limitation of the Employment of Force for the Recovery of Contract Debts (HC II)[https://avalon.law.yale.edu/20th\\_century/hague072.asp](https://avalon.law.yale.edu/20th_century/hague072.asp)

Convention relative to the Opening of Hostilities (HC III)<https://ihl-databases.icrc.org/ihl/INTRO/190?OpenDocument>

Convention respecting the Laws and Customs of War on Land (HC IV). Annex: Regulations concerning the Laws and Customs of War on Land<https://ihl-databases.icrc.org/ihl/INTRO/195>

Convention relating to the Status of Enemy Merchant Ships at the Outbreak of Hostilities (HC VI)<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=250D6DDD0DACDCD7C12563CD002D67CD&action=openDocument>

Convention relating to the Conversion of Merchant Ships into War-Ships (HC VII)<https://ihl-databases.icrc.org/ihl/INTRO/210>

Convention relative to the Laying of Automatic Submarine Contact Mines (HC VIII)<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/215>

Convention concerning Bombardment by Naval Forces in Time of War (HC IX)<https://ihl-databases.icrc.org/ihl/INTRO/220>

Convention for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention (HC X)<https://ihl-databases.icrc.org/ihl/intro/225>

Convention Relative to Certain Restrictions with regard to the Exercise of the Right of Capture in Naval War (HC XI)<https://ihl-databases.icrc.org/ihl/INTRO/230>

Convention (XII) relative to the Creation of an International Prize Court (HC XII)<https://ihl-databases.icrc.org/ihl/INTRO/235?OpenDocument>

Convention concerning Rights and Duties of Neutral Powers in Naval War (HC XIII)<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/240>

Statute of the International Red Cross and Red Crescent Movement, 1986  
<https://www.icrc.org/en/doc/assets/files/other/statutes-en-a5.pdf>

Seville Agreement on the Organization of the International Activities on the Components of the International Red Cross and Red Crescent Movement, 1997  
<https://www.icrc.org/en/doc/resources/documents/article/other/57jp4y.htm>

**For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./  
Международное право. М. 2021. – с. 110.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

**Topic 4. Legal protection of civilians and civilian objects during armed conflicts. Protection of cultural property**

The general rule, as stated in Article 48 of the Additional Protocol I of 1977, provides the difference between the civilian population and combatants. Thus, IHL regulates how civilians and their property shall be protected during any type of hostilities: international or non-international one. The instructor will provide information of special protection for women, children, journalists.

Moreover, the attention of students is focused on cases when historical monuments are destroyed, especially in war times. According to statistics in 2014 Syria lost more than 20 cultural objects, that had been completely destroyed, and had almost 300 monuments damaged.

International Humanitarian Law sets forth rules for protection of assets of cultural value during hostilities. Such a protection is based on the Hague Convention of 1954 principle that damage to the cultural property regardless of their origin means “damage to the cultural heritage of all humanity, because every people contribute to the world's culture”. The students will be briefed on legal means of protecting cultural property and interstate cooperation in this area.

#### **Sources for Topic 4:**

Shaw M.N., International Law, 9<sup>th</sup> edition, Cambridge, 2021. – 854-859 pp.

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. 80-100 pp., 222-231 pp., 93-94 pp., 246 p.  
<https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

#### **Additional Sources for Topic 4:**

Geneva Convention relative to the Protection of Civilian Persons in Time of War, August 12, 1949. [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33\\_GC-IV-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33_GC-IV-EN.pdf)

Additional Protocols of 8 June 1977.

Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments (Roerich Pact), 1935 <http://hrlibrary.umn.edu/instree/1935a.htm>

Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954 [https://en.unesco.org/sites/default/files/1954\\_Convention\\_EN\\_2020.pdf](https://en.unesco.org/sites/default/files/1954_Convention_EN_2020.pdf)

Protocol to the Protection of Cultural Property in the Event of Armed Conflicts, 1954 <https://ihl-databases.icrc.org/ihl/INTRO/410?OpenDocument>

Second Protocol, 1999 <https://ihl-databases.icrc.org/ihl/INTRO/590>

Milligan A. Targeting Cultural Property: the Role of International Law – Journal of Public and International Affairs, 2008. <https://jpia.princeton.edu/sites/g/files/toruqf1661/files/2008-5.pdf>

**For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./ Международное право. М. 2021. – 111, 114-115 с.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

**Topic 5. The Conduct of Hostilities: Prohibited Means and Methods of Warfare**

This topic deals with certain restrictions on the choice of means and methods of warfare, especially those means and methods which cause unnecessary or excessive suffering and have indiscriminate effects. The distinction between civilian objects and military targets/objectives will be explained. The lecture will unfold legal basis for restricting and prohibiting the use of following weapons:

- Poisons and poisoned weapons;
- Explosive and incendiary bullets;
- Easily deployable or flattening bullets;
- Asphyxiating or noxious gases;
- Conventional weapons which are excessively injurious or have indiscriminate effects.
- Anti-personnel mines;

- Chemical weapons;
- Bacteriological/biological;
- Nuclear weapons.

Moreover, the topic covers prohibited methods of warfare such as prohibition of certain acts against civilian population and prohibition of individual actions against combatants.

### **Sources for Topic 5:**

Shaw M.N., International Law, 9<sup>th</sup> edition, Cambridge, 2021. – 859-864 pp.

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. 104-125 pp. <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

### **Additional Sources for Topic 5:**

Declaration Renouncing the Use, in Time of War, of Explosive Projectiles, 1898

<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=568842C2B90F4A29C12563CD0051547C>

Declaration concerning Asphyxiating Gases, 1899 [https://ihl-](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=2531E92D282B5436C12563CD00516149)

[databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=2531E92D282B5436C12563CD00516149](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=2531E92D282B5436C12563CD00516149)

Declaration concerning Expanding Bullets, 1899 [https://ihl-](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=F5FF4D9CA7E41925C12563CD0051616B)

[databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=F5FF4D9CA7E41925C12563CD0051616B](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=F5FF4D9CA7E41925C12563CD0051616B)

Declaration Prohibiting the Discharge of Projectiles and Explosives from Balloons

(HD XIV) <https://ihl-databases.icrc.org/ihl/INTRO/245?OpenDocument>

Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, 1925<https://ihl-databases.icrc.org/ihl/INTRO/280>

Convention of the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, 1972<https://ihl-databases.icrc.org/ihl/INTRO/450>

Convention of Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, 1980<https://www.un.org/disarmament/ru/the-convention-on-certain-conventional-weapons/>

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993<https://ihl-databases.icrc.org/ihl/INTRO/553?OpenDocument>

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1997<https://geneva-s3.unoda.org/static-unoda-site/pages/templates/anti-personnel-landmines-convention/APLC%2BEnglish.pdf>

Convention of Cluster Munitions, 2008<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=00E3441C08D5B5B9C12574C6002EE0D3&action=openDocument>

**For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./  
Международное право. М. 2021. – 110-113 с.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

**Topic 6. International Red Cross and Red Crescent Movement.**

The students will get to know the rights and status of medical and religious personnel, and the role of the International Red Cross and Red Crescent Movement. Moreover, the student will be briefly informed about the main emblems and special distinctive signs recognised internationally.

### **Sources for Topic 6:**

Statutes of the International Committee of the Red Cross, 2017.

<https://www.icrc.org/en/document/statutes-international-committee-red-cross-0>

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. 313-330 pp. <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

### **Additional Sources for Topic 5:**

The Fundamental Principles of the International Red Cross and Red Crescent Movement, 1965. <https://www.icrc.org/en/document/fundamental-principles-red-cross-and-red-crescent>

ICRC web-site. <https://www.icrc.org/en/document/policies-statutes-and-principles>

### **For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./ Международное право. М. 2021. – 98-99 с.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

### **Topic 7. Armed conflicts: international and internal. Specific issues arising in non-international armed conflicts.**

International armed conflicts occur when armed forces of more than one state are involved, even if there is no official declaration of war.

Non-international armed conflicts refer to hostilities when “a State’s armed forces confront one or more armed groups or if two or more armed groups confront each other”.

The instructor will give a lecture on international armed conflicts and specific legal issues arising in non-international armed conflicts illustrated with case study.

Part of the discussion will be devoted to the issue of state neutrality, when a state has chosen to be neutral either permanently or only in a particular international armed conflict, or in certain cases in a non-international armed conflict.

### **Sources for Topic 7:**

Shaw M.N., *International Law*, 9<sup>th</sup> edition, Cambridge, 2021. – 867-870 pp.

Melzer N. *International Humanitarian Law: A Comprehensive Introduction*, Geneva, 2019. 66-73 pp., 125-128 pp., 162-164 pp., 208-212 pp., 355-360 pp., 305-310 pp. <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>

### **Additional Sources for Topic 5:**

Sivakumaran S. Re-envisaging the International Law of Internal Armed Conflict – *European Journal of International Law*, 2011. <https://academic.oup.com/ejil/article/22/1/219/436546>

How is the Term "Armed Conflict" Defined in International Humanitarian Law? *International Committee of the Red Cross (ICRC) Opinion Paper*, March 2008. <https://www.icrc.org/en/doc/assets/files/other/opinion-paper-armed-conflict.pdf>

Convention respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land (HC V) <https://ihl-databases.icrc.org/ihl/INTRO/200?OpenDocument>

**For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./  
Международное право. М. 2021. – 100-104, 115-117.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

### **Topic 8. Responsibility for violation of International Humanitarian Law**

International legal responsibility means a breach of an international legal norms resulting in the legal obligation to compensate the harm caused by one subject of International Law to another. The students will be acquainted with:

- the grounds for international responsibility and types thereof;
- circumstances precluding wrongfulness;
- forms of damage reparation;
- types of international crimes;
- bodies exercising criminal prosecution.

#### **Sources for Topic 8:**

Shaw M.N., International Law, 9<sup>th</sup> edition, Cambridge, 2021. – 289-317, 870-871 pp.

Melzer N. International Humanitarian Law: A Comprehensive Introduction, Geneva, 2019. 142-146 pp. <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-en.html>.

Roeben V. Responsibility in International Law – Max Plank Yearbook of United Nations Law, 2012. 137-138 pp., 142-146 pp. [https://www.mpil.de/files/pdf4/mpunyb\\_03\\_Roeben\\_16.pdf](https://www.mpil.de/files/pdf4/mpunyb_03_Roeben_16.pdf)

Responsibility of States for Internationally Wrongful Acts. International Law Commission, 2001. [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf)

#### **Additional Sources for Topic 8:**

Nollkaemper A., d'Aspremont J., Ahlborn C., Boutin B., Nedeski N., Plakokefalos I. Guiding Principles on Shared Responsibility in International Law – European Journal of International Law, 2020.

<https://academic.oup.com/ejil/article/31/1/15/5882075>

Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 1968

[https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.27\\_convention%20statutory%20limitations%20warcrimes.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.27_convention%20statutory%20limitations%20warcrimes.pdf)

International Convention against the Recruitment, Use, Financing and Training Mercenaries, 1989

[https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=XVIII-6&chapter=18&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-6&chapter=18&clang=_en)

Statute of the International Criminal Court, 1998 <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

UN GA 60/147 of 21 March 2006 “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law”

<https://www.un.org/ruleoflaw/files/BASICP~1.PDF>

Convention on the Prevention and Punishment of the Crime of Genocide, 1948

[https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf)

**For students with good knowledge of Russian legal language:**

Котляров И.И., Гликман О.В. Международное гуманитарное право./ Международное право. М. 2021. – 162-167, 170-185.

Буше-Солонье Ф. Практический словарь гуманитарного права. (Перевод с французского) М. 2017.

**Exam questions:**

1. The concept of international humanitarian law. Place of international humanitarian law in the system of international law and co-relation with other branches of international law.
2. Milestones in the development of international humanitarian law.
3. The principles of international humanitarian law.
4. Sources of international humanitarian law.
5. Types of armed conflicts and their legal regulation.
6. Legal status of combatants.
7. Legal protection of the wounded, sick and shipwrecked persons.
8. Legal protection of prisoners of war.
9. Legal protection of civilians and civilian objects during armed conflicts.
10. Legal protection of cultural property during armed conflicts.
11. Prohibited means of warfare. Legal basis for prohibiting and restricting the use of certain weapons.
12. Prohibited methods of warfare.
13. Rights and duties of neutral States during armed conflicts.
14. Legal status and structure of the International Red Cross and Red Crescent Movement. Basic areas of activities.
15. Individual responsibility for violations of the norms of international humanitarian law.
16. The Draft Articles on Responsibility of States for Internationally Wrongful Acts.
17. Significance of *ad hoc* tribunals for the development of international humanitarian law.
18. Rome Statute of the International Criminal Court: implications for international humanitarian law.