

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

Advanced Diploma in International Humanitarian Law (Batch 2021 – 2022)

Take Home – Annual Examination (June, 2022)

Paper IV – 1.4 Implementation of International Humanitarian Law

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions for Take Home Examination carefully and adhere to the same.
 - b) *Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.*
 - c) *Clearly indicate the question numbers while answering them.*
 - d) *Answer all the four questions and each question carries 25 marks.*
 - e) *The answer for the 25 marks question should be written in 1200 - 1500 words.*
 - f) *Only Handwritten answer scripts should be uploaded. Use only Black ball pen to write the answers. Handwriting if not legible, paper will not be examined.*
 - g) *Since this is a take home exam, we expect your answers to be analytical rather than straight answers.*
 - h) Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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Q.1: “Sexual Violence is widespread and prevalent during armed conflicts and other situations of violence, and in detention. It has grave humanitarian consequences for the victims/survivors and their communities. Sexual violence defined as any act of sexual nature committed against any person by force, threat of force or coercion. It includes rape, sexual slavery, enforced prostitution, forced pregnancy and enforced sterilization, as well as a variety of other acts of sexual nature.” International Humanitarian Law (IHL) treaty mechanism provides a clear mandate to all the states and non-state entities to prevent the violence and render justice to the victims and survivors. In light of the situation write a detailed note on the obligations of state and non-state actors and their legal mandate provided under the provisions of IHL and customary international law to obligate them to prevent sexual violence during armed conflict and measures suggested.

Q.2: “International law mechanism is to ensure respect for law and to ensure sanctions for violations. With regard to implementation of IHL, states are expected to take appropriate steps to redress the breaches of law. In times of armed conflicts, the IHL mechanism are inherently insufficient and in some cases even counter-productive.” Based on this observations examine the problems in the implementation of international law in general and international humanitarian law specifically.

Q.3: Write a detailed note on the role of domestic courts, ad-hoc international tribunals such as ICTY and ICTR for the effective implementation of international humanitarian law.

Q.4: Examine the role of international Court of Justice (ICJ) and International Committee of the Red Cross for the implementation of International humanitarian law. While writing your answer relating to the ICJ's contribution refer the following advisory opinion rendered by the Court, such as ICJ's Advisory opinion on Nuclear Weapons' Case and Palestinian Wall Case.