

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

Post-Graduate Diploma in International Humanitarian Law (Batch 2019 – 2020)

Take Home – Supplementary Examination (January, 2021)

Paper III – 1.3. Limitations on Means and Methods of Warfare

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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Answer the following questions:

Marks : 4 x 25 marks each

1. Israel and the PLO (Palestine Liberation Organization) began to engage in the late 1980s and early 1990s in what became to be the known as Israeli–Palestinian Peace Process. This resulted in the formation of a network known as economic and security connections with Israel, being referred to as a fully autonomous region with self-administration. In the year 2000, their relations severely deteriorated with the eruption of the Second Intifada – a rapid escalation of the Israeli–Palestinian conflict. The events calmed down in 2005, with only partial reconciliation and ceasefire. The situation became more complicated with the split of the Palestinian Authority in 2007, the violent split of Fatah and Hamas factions, and Hamas' takeover of the Gaza Strip. The Hamas takeover resulted in a complete rift between Israel and the Palestinian faction in the Gaza Strip, cancelling all relations except limited humanitarian supply.

The Arabic speaking hackers targeted thousands of Israeli government and civilian Websites. When the government of Israel publicly threatened to sever all Internet and other telecommunications into and out of Gaza, the former dictator of Egypt, Mubarak, warned the Government of Israel: “Do NOT shut down the Internet into the ‘Occupied Territories’, and cease to desist from your terror tactics upon the innocent people there.”

Based on the above facts, analyze the fundamental principles of international humanitarian law, which are applicable to the situation of cyber warfare.

2. During the final days of the battle between LTTE and the government of Sri Lanka, the LTTE Chief Commander has ordered the Sea Tigers to come with ways and means to beat the Sri Lankan Navy's blockade. The Sri Lankan Navy got an intelligence report that LTTE forces are procuring the large-scale arms consignment from various sources. They use different tactics, which includes where the ship carrying the consignment of arms are off loaded during the nights in international waters and brought the consignments by trawlers and local boats to unknown locations which are controlled by LTTE forces. During the day the ship, which carries consignment either stay or roam around in the international waters and comes back in the night to get off loaded. Having got the information, the Sri Lankan Navy has used several explosives and mines to attack the ship in the international waters. The incident lead to the killing of several crew-members and Captain of the Ship which was completely destroyed. The Sri Lankan Navy declared that the attack was planned against the LTTE hideout on the ships and which was a legitimate military target.

Based on the above facts answer the following:

- A. What is the position of International Humanitarian Law with regard to Naval blockade and attack of ships in the international waters?
- B. What is the San Remo Manual on the International Applicable to Armed Conflicts at Sea? Are they legally binding?
- C. Are belligerent ships allowed to disguise themselves? By flying the flags of the other countries on their ships, do the Sea Tigers violate any rules of International Humanitarian Law? Are the Sea Tigers obliged to distinguish their vessels from the ordinary ship that sail the international shipping lane.

3. For centuries wars were fought across the battlefields by pitting men and heavy weapons against each other in the open battlefields. But, today's armed conflict look quite different: city centers and residential areas have become the battlefields in modern times in modern warfare. Wars have moved into the lives of ordinary people in more vicious way than ever before.

Based on this existing situation, write an analytical note on urban warfare or war in cities and possible legal solutions to such crisis.

4. Write an analytical note on the involvement of private military and security personnel during armed conflict. Does the "International Code of Conduct for Private Security Services" resolve the issues which are posed by the Private military and security personnel during armed conflict – explain?