

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

Post-Graduate Diploma in International Humanitarian Law (Batch 2020 – 2021)

Take Home – Annual Examination (June, 2021)

**Paper II – 1.2. Protection of Victims of War and
Armed Conflicts**

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 and for the 10 marks / 15 marks question it should be 800 – 1000 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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1. The recent escalation of the tensions between Israel and Palestine has left a trail of violence resulting from indiscriminate use of force, which only goes on to establish that it the civilians people who actually bear the brunt of an armed conflict. This is evident from a report which states that 256 Palestinian people, including 66 children were killed from the Israeli conducted 1500 air, land and sea strikes on Gaza. It is also reported that about 950 targeted attacks were carried out which resulted in the demolition and destruction of 18 buildings, including four-high rise towers, forty schools and four hospitals, besides a building housing international offices of the Associated Press and News channel Al-Jazeera. As a result of all this, the report says that about 72000 people were displaced before a truce was brokered by the international community.

The media reports also say that there have been serious casualties on the Israeli side as well, resulting in at least 12 deaths, including two children following about 4000 rocket attacks launched by Hamas. All this reveals that yet again it is the

civilians who pay the highest price with their lives for the decisions made by the State. This reality clearly smacks of the fundamental objectives of IHL, which includes protection of civilians in an armed conflict. Bearing this in mind, writes a critical note on: (i) what fundamental principles of IHL have been violated by these States? And (ii) how effective or fragile is the protection accorded to civilians under IHL? Support your answer with appropriate provisions of the law from the Geneva Conventions. **(25 Marks)**

2. What are the fundamental principles of distinction that are central to the very object of international humanitarian law? Provide a list of such principles and explain how some of them have actually raised difficult questions in relation to State practice. Support your answer with examples. **(25 Marks)**
3. (i) Ruses of war are permissible, while perfidy is not. Explain and elaborate on this well settled principle of international humanitarian law which has the potential of running into problems. **(10 Marks)**
(ii) What is Martens clause? Has it been incorporated in any of the Geneva Conventions, including the Additional Protocols to such Conventions? Give a brief account of this clause in a historical perspective and explain if it has served any purpose in a particular situation. **(15 Marks)**
4. Discuss the fundamental principles which form the bedrock of the main activities undertaken by the Red Cross society and Red Crescent Movement. What major challenges do they confront in the context of contemporary armed conflicts around the world? Illustrate your answer with specific examples drawn from the immediate past. **(25 Marks)**