

**NALSAR PROXIMATE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD
P.G.DIPLOMA IN INTERNATIONAL HUMANITARIAN LAW
2003-04**

PAPER IV – Implementation of International Humanitarian Law

Time: 2 hours and 30 minutes

Marks: 75

INSTRUCTIONS TO CANDIDATES

- 1. The questions to be interpreted as given and no clarification can be sought from the invigilator**
- 2. Students may be permitted to carry the bare text of the instruments and the codes.**
- 3. Answer any Five. All questions carry equal marks (15 marks each)**
- 4. Clearly indicate the Question numbers**

1. What role, in your view, does International Committee of Red Cross have to play in the effective implementation of International Humanitarian Law in the light of its primary objective namely “protection of victims of armed conflicts and seek the due attention of the parties to the armed conflicts to fulfill humanitarian obligations?” Also, critically evaluate the role of ICRC in this regard.

2. Write short Notes on any three of the following.

- (a). Position, Role and significance of Protecting Powers
- (b). Fact Finding Commissions and their role in the Implementation of IHL
- (c). Role of United Nations Peace Keeping Forces in times of armed conflicts
- (d). Scope of Common Article 3 of 4 Geneva Conventions
- (e). Scope of Temporal Jurisdiction of International Tribunal for Rwanda

3. Discuss the scope of Responsibility of Superiors and Commanders in the Repression of Violations of International Humanitarian Law. What are the significant developments in this regard in the light of the contribution of the 2 International Criminal Tribunals at The Hague and Arusha? Illustrate your answer.

4. “It is the obligation of the States Parties to the 4 Geneva Conventions and the 2 Additional Protocols to take all necessary measures to disseminate the International Humanitarian Law.” Explain the significance of this statement taking into account any one State's Practice.

5. "In the development of the Implementation of International Humanitarian Law the establishment of the 2 International Criminal Tribunals is a landmark event, in the sense, that they constituted an important implementation machinery." Critically evaluate the significance of this statement, in the light of the contribution of the International Criminal Tribunal for Rwanda for the enunciation of principles of IHL that could be applied in times of Internal armed conflict situations.

6. "International Military Tribunal at the Nuremberg and the Tokyo Tribunal for Far East were the beginning measures in the commitment of the International Community to punish grave violations of human rights in times of armed conflicts. Although, it took years period of time for the United Nations to assert its role in the maintenance of Peace and Harmony in International Law, the role played by the Security Council in the adoption of the 2 International Criminal Tribunals is a significant reflection of its concern and commitment to the cause of the effective implementation of IHL." How far do you agree with this statement? Substantiate your answer with appropriate reasons.

7. "Genocide as an International Crime had its modern manifestation primarily on account of the significant contribution of the Nuremberg Tribunal. However, its interpretation as an International Crime can effectively be seen and appreciated through the juristic interpretations rendered by the International Criminal Tribunal for Yugoslavia." Critically evaluate.

8. "International Humanitarian Law as evolved by the time of 1949 did not accept Rape as a Crime against Humanity. However, its significant emergence as a Crime against Humanity is a distinct contribution of the International Criminal Tribunals for Yugoslavia and Rwanda." Examine this statement in the light of the decision of ICTR in Jean Paul Akayesu.