

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

**PAPER II - PROTECTION OF DEFENSELESS VICTIMS OF WAR AND ARMED
CONFLICTS**

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**
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1. Who is entitled to Prisoner of War Status under International Humanitarian Law? Is it only Combatants? Does citizenship affect the status of Prisoner of War even if individual holds the citizenship of the Detaining Power? May he, even if he is a Prisoner of War, be punished for the act of treason consisting of having participated in a war against his country or having fought in the armed forces of the enemy? Discuss.
 2. What is distinction between combatants and non-combatants? Is the Prisoner of War a combatant or non-combatant? Explain the International Legal Regime dealing with Prisoners of war? Rationalize your viewpoints in the light of the abuses held at the Abu-Garib prison in Iraq?
 3. Do you feel that the victims of warfare are entitled to certain rights? If yes, discuss in detail the international legal provisions, which guarantee such rights and its evolution with special emphasis on the fundamental and normal guarantees. ?
 4. Do you agree with the statement that the "Present day concept of total war is causing immense hardships to civilian population"? Do you feel that the existing law is adequate enough to deal with such situations? If not suggest your viewpoints on developing a new legal regime?
 5. Who is a refugee? Define the status of Refugees and Displaced persons under International Humanitarian Law? Critically analyse their status in the light of the 1951 UN Convention Relating to the Status of the Refugees and its 1967 Protocol which defines a refugee in much narrower terms. Yet civilians must rely upon these flawed conventions and the UNHCR for protection and benefits when fleeing to territory not involved in armed conflict, as IHL is inapplicable. Discuss
 6. In most of the contemporary armed conflicts the role of children and their suffering has come into light. Discuss the Rights of Children affected by war and armed conflicts? Do the existing international regimes of human rights and humanitarian law effectively redress this unfortunate situation? Discuss

7. What is the distinction between International and Non-international armed conflict? Is the nature and scope of protection available to victims different between international and non-international armed conflict? Critically examine the role of the International Committee of the Red Cross (ICRC) in this respect.
8. Do you think that the concept of terrorism has undergone a sea change after September 11, 2001? Do you justify counter terrorism as an effective strategy to deal with terrorism? Is the existing international legal regime effective in dealing with the emerging new terrorist threats? Explain in the light of the international human rights and humanitarian issues, the plight of victims of Terrorism.
9. Write short notes
 - a. Medical Objects and their protection
 - b. Importance of Emblems in Armed Conflicts
 - c. Mercenaries