

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

2014-15

PAPER III – MEANS AND METHODS OF WARFARE

Time: 3 hours

Marks: 100

INSTRUCTIONS TO CANDIDATES

- 1. No clarifications can be sought on the question paper from the invigilator.**
- 2. Candidates are permitted to carry the bare texts of IHL Instruments and Codes.**
- 3. Answer any 5 questions. All questions carry equal marks (20 marks each).**
- 4. Clearly indicate the question numbers while answering them.**

ANSWER ANY FIVE QUESTIONS:

1. In 1946 the Nuremberg International Military Tribunal stated with regard to the Hague Convention on land warfare of 1907: "The rules of land warfare expressed in the Convention undoubtedly represented an advance over existing International Law at the time of their adoption ... but by 1939 these rules ... were recognized by all civilized nations and were regarded as being declaratory of the laws and customs of war". Further, in 1948 the International Military Tribunal for the Far East also expressed the identical view.

In the light of above observations and views expressed by the international military tribunals, discuss the origin, and development of the Laws and Customs of Warfare which minimises the choices of conflicting parties to use weapons during the situation of armed conflicts.

2. Article 35 of the Protocol I Additional to the Four Geneva Convention of 1949 provides that "in any armed conflict, the right of the Parties to the Conflict to choose methods or means of warfare is not unlimited". In the light of this position discuss the international humanitarian law legal regime which deals with the weapons in the situations of armed conflicts.
3. Discuss critically the Rules with regard to the concept of "Proportionality" and its relevance in contemporary armed conflicts.
4. Private Military Personal hired by corporates are playing significant role in the modern warfare and posing challenges to the law applicable to armed conflicts. The traditional international humanitarian law applies only in limited way to address the challenges posed by the Private Military Personal as Mercenaries. In the light of this situation discuss the problems of Private Military Personals in the situation of modern war fare and identify the applicable law to deal with it.
5. Write an Essay on the Law relating to the Prohibition on Cluster Munitions.
6. Critically Evaluate the Law relating to Protection of Natural Environment in International and Non-International Armed Conflicts.

7. The Use of Chemical Weapons is prohibited in International Armed Conflicts by various legal mechanisms and Customary Principles of International Humanitarian Law. Examine the law relating to prohibition of use of Chemical Weapons and Rules of Customary International Humanitarian Law which facilitates the prohibition.
8. Write a Short Notes on **any FOUR** of the Following:
- a. Military Necessity
 - b. Weapons of Mass Destruction
 - c. Martens Clause
 - d. Anti-Personnel Land Mines
 - e. Superfluous Injury
 - f. Ruses of War