

**NALSAR PROXIMATE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD
P.G. DIPLOMA IN INTERNATIONAL HUMANITARIAN LAW
2011-2012
PAPER IV – Implementation of International Humanitarian Law**

Time: 03 hours

Marks 100

INSTRUCTIONS TO CANDIDATES

- 1. Questions shall be interpreted as given. Invigilators' shall not provide any clarifications**
- 2. Students may carry the bare text of the instruments and the codes without comments.**
- 3. Clearly indicate the Question Numbers**
- 4. Answer Any Five Questions**

Q.1) Outline the Scope and Object of International Humanitarian Law. Examine, its relationship with International Human Rights Law, if any. Illustrate. (Marks 20)

Q. 2) Examine, the contribution of International Committee of Red Cross for the development of International Humanitarian Law. Provide suitable examples and illustrations. (Marks 20)

Q.3) Write Short Notes on any two of the following

- (a) Relevance of St. Petersburg Declaration
- (b) Modern Significance of Marten's Clause
- (c) Distinction of International Armed Conflict and Non International Armed Conflict
- (d) Importance of Hague Codification Conferences

(Marks 02 x 10 = 20)

Q.4). What are the protections available to Civilians during armed conflicts, in International Humanitarian Law? Explain, the impact of Geneva Conventions 1949, if any, in this regard? Provide suitable reasons. (Marks 20)

Q.5). Outline the scope and extent of Obligation of States to protect 'Environment' during armed conflicts and the major challenges in the implementation with suitable illustrations. (Marks 20)

Q.6). What are the protections available to women during armed conflicts? Examine the obligations of States Parties if any, in this regard, with suitable illustrations. (Marks 20)

Q.7). What is the importance of 'Occupation' in International Humanitarian Law? Examine the general obligations of the Occupying Powers towards the inhabitants in the occupied territories and provide suitable illustrations. (Marks 20)

Q.8). Answer any two of the following propositions.

a). An armed conflict is in progress between a colonial government and a 'Patriotic Liberation Front' representing a part of the local population. Indiscreetly persons on both sides are being killed; Innocent civilians are being ill-treated, Families are being forcedly dispersed; Inhabitants are being driven out from their villages; Houses are set on fire; and, Children are being deported.

Explain, how in these circumstances, the obligation to distinguish between combatants and non combatants is to be respected and applied. Give your reasons

b). After an enemy occupation of a town the chief physician of the hospital got the a letter with the following message.

“Having inspected the hospital directed by you, we note that although you have submitted a list of personnel engaged in the care of sick, as per the laws of war, you have not supplied any certificate showing that your establishment is a civilian hospital. Hence, it cannot be considered as a civilian hospital and hence you are not authorized to use the protective emblem and the misuse must stop immediately”.

Whether (i) certificate is necessary for the recognition as a civilian hospital and (ii) in an occupied territory, who is competent to authorize the use of a protective emblem? Explain and provide reasons.

(c) An internal armed conflict has broken out. A team of volunteers from the National Red Cross Society are in a village controlled by dissident forces who have no medical unit available. The officer commanding these highly disciplined dissident forces requested the leader of volunteers to attend to and care for the wounded, but in the following order: dissidents, civilians and government soldiers. In turn, the commander guarantees the safety and protection.

What are the options available to the leader? Examine their legal implications.

(Marks 02x10=20)