

## LAWS70234 International Humanitarian Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2012, Parkville This subject commences in the following study period/s: September, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	Successful completion of Principles of International Law or equivalent.
<b>Corequisites:</b>	None.
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None.
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) or phone +61 3 8344 6190. Alternatively, visit our website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	The implementation of the legal rules governing the conduct of military hostilities is literally a matter of life and death. The members of the teaching team in this subject combine current international practice in the relevant law – deployment in contemporary military operations and participation in war crimes trials – with acknowledged research expertise. The subject briefly introduces the historical development of international humanitarian law and raises a series of questions around the effective implementation of the law.  What is an armed conflict and how do we determine the legal character of a conflict?; how do combatants distinguish between civilians and enemy combatants and how can protection for civilians in armed conflict – particularly women and children – be improved?; who can lawfully be targeted and killed and who can be detained?; which weapons are prohibited and which are permitted?  Principal topics will include:

	<ul style="list-style-type: none"> <li># The historical development of international humanitarian law and its rationale in a broader context</li> <li># The Geneva Conventions of 1949 and the Additional Protocols of 1977 and developments in customary international law</li> <li># The unique role of the International Committee of the Red Cross (ICRC) in armed conflict</li> <li># The relationship of international humanitarian law to other related areas of international law, such as the use of force, arms control and disarmament, human rights and international criminal law</li> <li># Implementation of the law, through case studies</li> <li># Current issues for development of the law, such as cluster munitions, child soldiers, the protection of women in armed conflict and the law of occupation and terrorism.</li> </ul>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Be conversant with the international legal principles regulating the conduct of armed conflict</li> <li># Understand the principal institutional structures for the implementation of international humanitarian law</li> <li># Be aware of the influence of legal principles on military strategy and deployment</li> <li># Understand the key issues for further development of the law and current initiatives for change</li> <li># Appreciate the existence of critiques of the efficacy of the legal principles and be able to evaluate the relative strengths and weaknesses of the law.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (12 pm 26 October to 5 pm 29 October) or 10,000 word research paper (100%) (13 December) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5216">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5216</a>