

LAWS50103 Prin. & Practices Int'l Humanitarian Law

Credit Points:	12.5																											
Level:	5 (Graduate/Postgraduate)																											
Dates & Locations:	This subject is not offered in 2016. This subject has a quota of 60 students. Details on quota subject selection are available on the JD website.																											
Time Commitment:	Contact Hours: 36 hours of seminar classes usually offered intensively, or as 12 weekly 3-hour seminars over a semester. Total Time Commitment: 144 hours.																											
Prerequisites:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50032 Administrative Law</td> <td>Semester 1</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50028 Constitutional Law	Semester 2	12.50	LAWS50029 Contracts	Semester 2	12.50	LAWS50031 Legal Theory	Semester 2	12.50	LAWS50032 Administrative Law	Semester 1	12.50
Subject	Study Period Commencement:	Credit Points:																										
LAWS50023 Legal Method and Reasoning	February	12.50																										
LAWS50024 Principles of Public Law	Semester 1	12.50																										
LAWS50026 Obligations	Semester 1	12.50																										
LAWS50027 Dispute Resolution	Semester 1	12.50																										
LAWS50028 Constitutional Law	Semester 2	12.50																										
LAWS50029 Contracts	Semester 2	12.50																										
LAWS50031 Legal Theory	Semester 2	12.50																										
LAWS50032 Administrative Law	Semester 1	12.50																										
Corequisites:	None																											
Recommended Background Knowledge:	None																											
Non Allowed Subjects:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS70234 International Humanitarian Law</td> <td>November</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS70234 International Humanitarian Law	November	12.50																					
Subject	Study Period Commencement:	Credit Points:																										
LAWS70234 International Humanitarian Law	November	12.50																										
Core Participation Requirements:	<p>The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend 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 must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/.</p>																											
Contact:	<p>Email: law-aso@unimelb.edu.au (mailto:law-aso@unimelb.edu.au) Phone: +61 3 8344 4475 Website: www.law.unimelb.edu.au/jd (http://www.law.unimelb.edu.au/jd)</p>																											

Subject Overview:	<p>This subject is designed to enable students to critically engage with the principles and practice of international humanitarian law. While International Law regulates the ability of states to resort to the use of force, International Humanitarian Law sets out the principles and rules which govern the conduct of hostilities. These rules and principles will be analysed and evaluated in the context of contemporary armed conflicts, with an emphasis on the practical operation of those principles in both international and internal armed conflicts. Topics addressed will include:</p> <ul style="list-style-type: none"> # The debate concerning the definition of armed conflict, and the question of when the rules of international humanitarian law operate; # The protection of civilians; # The detention of prisoners of war and civilians; # The relevance of the law of occupation in current military operations; # The application of the law to targeting decisions; # Developments in methods of warfare, including the use of new weapons, and the prohibitions on existing weapons; # The relationship between international humanitarian law and human rights law; # Accountability and responsibility for violations of international humanitarian law; and # The reform of international humanitarian law in light of recent developments in armed conflicts.
Learning Outcomes:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Have developed an advanced and integrated understanding of the principles, rules and standards governing the conduct of international and internal armed conflicts; # Be able to apply the complex rules of international humanitarian law to contemporary armed conflicts, including conflicts in Iraq and Afghanistan; # Be able to reflect critically on the distinction between international humanitarian law and international human rights law; # Have an extended understanding of the importance of regulating military operations in light of recent developments, such as the rise of asymmetrical warfare; # Be able to evaluate the efficacy of different methods of responsibility and accountability for violations of international humanitarian law; # Understand the role of international humanitarian law in other military operations, including peace operations; and # Be able to respond to suggestions for the reform of international humanitarian law in light of debates about the place of law in armed conflict and the practical operation of its rules in conflict situations.
Assessment:	<p>Practical exercise, 1,500 words (20%): the practical exercise will require students to submit a written assignment in which they apply knowledge and materials relating to international humanitarian law to current/recent events; and Three hour examination or a 5,000 word research paper (80%): students will have the option of sitting a 3 hour exam on topics and materials covered in the subject, or submitting a 5,000 word research paper on a topic set or approved by the coordinator.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available from Melbourne Law School.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Generic Skills:	<p>On completion of the subject, students should have developed and demonstrated expert skills in the following areas:</p> <ul style="list-style-type: none"> # Critical reflection on the theories and practice of international humanitarian law; # An ability to interpret the principles of international humanitarian law and critically analyse their application in contemporary conflicts; # An ability to think creatively about the application of new developments, for example the development of new weapons, in the practice of international humanitarian law; # An advanced understanding of a range of international and domestic legal materials relevant to international humanitarian law; # The capacity for close reading and analysis of a range of specialist primary sources, including domestic and international case law and treaty provisions; and

	# An ability to effectively communicate a written answer to a complex practical problem in international humanitarian law.
Related Course(s):	Juris Doctor