

## 1. OVERVIEW

<b>Subject Area</b>	International Humanitarian Law
<b>Degree</b>	Bachelor's Degree in Law
<b>School/Faculty</b>	Social Sciences and Communication
<b>Year</b>	Fourth
<b>ECTS</b>	6 ECTS
<b>Type</b>	Optional
<b>Language(s)</b>	Spanish
<b>Delivery Mode</b>	On-campus
<b>Semester</b>	Second semester

## 2. INTRODUCTION

“International Humanitarian Law” is an optional subject area of the Bachelor’s Degree in Law at Universidad Europea de Madrid. This subject area is one of the traditional cornerstones of the future Law graduate’s education, as the area of public international law dedicated to preventing and reducing human suffering in times of armed conflict. To this end, IHL limits the methods and scope of warfare by means of universal rules, treaties and customs, which limit the impact of armed conflict in order to protect civilians and persons no longer participating in hostilities.

Against this background, after studying the basic definition and historical evolution of International Humanitarian Law, the ultimate objective of this subject area is to carry out detailed analysis of the international situation from the perspective of IHL in armed conflicts.

Throughout the subject area, students will explore the typical features of the system of International Humanitarian Law in accordance with existing international order, with special emphasis on international organisations, both global and regional, whose main mission is the protection of IHL.

Within the subject area “International Humanitarian Law”, students will be able to explore and understand the international regulation of IHL; the national, regional and international protection systems of IHL; the most relevant international organisations and non-state actors; the system of cooperation and drafting of IHL rules; its evolution and current state; and the global agenda that sets the priorities of all global actors.

In terms of skill acquisition, this subject area represents an opportunity for students to both expand on their knowledge of humanism by embracing the central role of International Humanitarian Law in contemporary global society, and to acquire the research skills needed to navigate legal scholarship on the subject.

### 3. SKILLS AND LEARNING OUTCOMES

#### **Basic skills (CB, by their acronym in Spanish):**

- CB2: Students can apply their knowledge to their work or vocation in a professional manner and possess the skills which are usually evident through the forming and defending of opinions and resolving problems within their study area.
- CB3: Students can communicate information, ideas, problems and solutions to both specialist and non-specialist audiences.
- CB5: Students have developed the learning skills necessary to undertake further study in a much more independent manner.

#### **Cross-curricular skills (CT, by their acronym in Spanish):**

- CT2: Ability to analyse and synthesise: be able to break down complex problems into manageable blocks; evaluate other options and perspectives to find the ideal solution. Synthesising to reduce the complexity and better understand the situation and/or solve problems.
- CT3: Ability to put knowledge into practice, using the skills acquired through the study of mock situations based faithfully on real life issues in the relevant profession.
- CT5: Awareness of ethical values: Ability to think and act in line with universal principles based on the value of a person, contributing to their development and involving commitment to certain social values.
- CT9: Problem solving: Ability to resolve an unclear or complex issue or situation which has no established solution and requires skill to reach a conclusion.

#### **Specific skills (CE, by their acronym in Spanish):**

- CE1: Ability to navigate the framework of legislation, legal doctrine and case law governing public and private legal relations.
- CE3: Ability to develop legal argumentation skills and techniques in another language.
- CE7: Ability to develop critical awareness in the analysis of the legal system.
- CE8: Ability to identify legal issues and provide appropriate solutions to real situations.

#### **Learning outcomes (RA, by their acronym in Spanish):**

- RA1: Understanding of the rules on the protection of actors facing internal or international armed conflict.
- RA2: Apply legal rules to concrete cases.
- RA3: Describe internal and international conflicts in terms of international law.
- RA4: Ability to approach legal problems and conflicts in the context of humanitarian action.
- RA5: Ability to form a critical opinion on the scope of international law.
- RA6: Ability to defend a legal argument.

The following table shows how the skills developed in the course match up with the intended learning outcomes:

Skills	Learning outcomes
CB2, CB5, CT2, CT6, CE9, CE21	<b>RA1:</b> Theoretical understanding of the different geopolitical, geo-economic and socio-cultural areas and their specific characteristics.
CB4, CB5, CT2, CE12, CE21	<b>RA2:</b> Ability to carry out basic research studies on international issues.
CB4, CB5, CT2, CT4, CT6, CE12, CE21	<b>RA3:</b> Understanding of research techniques to identify problems.
CB5, CT2, CT6, CE7, CE21	<b>RA4:</b> Ability to effectively handle and apply different techniques for finding, integrating, representing and analysing socio-political and socio-cultural information.
CB2, CB5, CT2, CT6, CE9, CE21	<b>RA1:</b> Theoretical understanding of the different geopolitical, geo-economic and socio-cultural areas and their specific characteristics.

## 4. CONTENT

- The Concept of Internal and International Armed Conflict
- Rules on the Conduct of Hostilities
- Rules on the Civil Defence
- Rules on the Protection of Non-Combatants
- The Role of the International Committee of the Red Cross
- Implementation and Enforcement of IHL

## 5. TEACHING/LEARNING METHODS

The types of teaching/learning methods are as follows:

- Lecture / Web conference
- Case studies
- Collaborative learning
- Problem-based learning
- Project-based learning.

## 6. LEARNING ACTIVITIES

The types of learning activities, plus the amount of time spent on each activity, are as follows:

**On-campus delivery mode:**

Learning activity	Number of hours
-------------------	-----------------

Writing reports and papers	18h
Legal problem-solving	30h
Case studies	35h
Oral presentations	5h
Lectures	44h
Knowledge test	2h
Tutorials	10h
Asynchronous lectures	6 h
<b>TOTAL</b>	<b>150 h</b>

## 7. ASSESSMENT

The assessment systems, plus their weighting for the final grade for the subject area, are as follows:

### On-campus delivery mode:

Assessment system	Weighting
Knowledge tests	50%
Oral presentations	20%
Case study/problem scenario	15%
Reports and papers	15%

### Online delivery mode:

Assessment system	Weighting
Knowledge tests	50%
Oral presentations	20%
Case study/problem scenario	15%
Reports and papers	15%

On the Virtual Campus, when you open the subject area, you can see all the details of your assessment tasks, including deadlines and assessment procedures.

## 8. BIBLIOGRAPHY

The works of reference for following this subject area are:

- ABI-SAAB, Rosemary. *Droit humanitaire et conflits internes. Origines et évolution de la réglementation internationale*. Ginebra-París: Institut Henry Dunant, eds. Pedone, 1986.

- AAVV. Instituto Internacional Henry Dunant. *Las dimensiones internacionales del Derecho Humanitario*. Madrid: Tecnos/UNESCO, 1990.
- BASSIOUNI, Cherif, ed. *International Criminal Law*. Vol. I, *Crimes*. Nueva York: Transnational Publishers, 1998.
- CARNAHAN, Burrus. «Lincoln, Lieber and the Law of War: The Origins and Limits of the Principle of Military Necessity». *AJIL*, vol. 92, n.º 2, 1998, pp. 213-231.
- CARRILLO SALCEDO, Juan Antonio. *El Derecho Internacional en perspectiva histórica*. Madrid: Tecnos, 1991.

The recommended bibliography is indicated below:

- CARRILLO SALCEDO, Juan Antonio. *Soberanía de los estados y Derechos Humanos en el Derecho Internacional Contemporáneo*. 2.ª ed. Madrid: Tecnos, 2001.
- CARRILLO SALCEDO, Juan Antonio (coord.). *La criminalización de la barbarie: la Corte Penal Internacional*. Madrid: Consejo General del Poder Judicial, 2000.
- DAVID, Eric. *Principes de Droit des conflits armés*. Bruselas: Bruylant, 1994. DUPUY, Pierre-Marie. *Droit international public*. 6.ª ed. París: Dalloz, 2002.
- FLECK, Dieter (ed.). *The Handbook of Humanitarian Law in Armed Conflicts* Oxford: Oxford University Press, 1995.
- KOLB, Robert. «Relaciones entre el Derecho Internacional Humanitario y los Derechos Humanos: reseña histórica de la Declaración Universal de Derechos Humanos (1948) y de los Convenios de Ginebra (1949)». *RICR*, n.º 147, año XXIII, septiembre de 1998, pp. 441- 451.
- MANGAS, Araceli. *Conflictos armados internos y Derecho Internacional Humanitario*. Salamanca: Universidad de Salamanca, 1990.
- PICTET, Jean (ed.). *Commentary IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War*. Ginebra: ICRC, 1958.
- PICTET, Jean (ed.). *Commentary II Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea*. Ginebra: ICRC, 1960.
- PICTET, Jean (ed.). *Commentary III Geneva Convention Relative to the Treatment of Prisoners of War*. Geneva: ICRC, 1960.
- PONTE, María Teresa. *Conflictos armados, refugiados y desplazados internos en el Derecho Internacional actual*. Santiago de Compostela: Tórculo, 2000.
- RAMÓN CHORNET, Consuelo (coord.). *El Derecho Internacional Humanitario ante los nuevos conflictos armados*. Valencia: Tirant Monografías, n.º 251, 2002.
- RODRÍGUEZ-VILLASANTE, José Luis (coord.). *Derecho Internacional Humanitario*. Valencia: Tirant lo Blanch, 2002.
- ROGERS, Anthony y Paul Malherbe. *Derecho al objetivo. Modelo de manual acerca del Derecho de los conflictos armados para las fuerzas armadas*. Ginebra: CICR, 2001.
- ROUSSEAU, Charles. *Derecho internacional público*. Barcelona: Ariel, 1969.
- SANDOZ, Yves y otros (eds.). *Comentario del Protocolo del 8 de junio de 1977 adicional a los Convenios de Ginebra del 12 de agosto de 1949 relativo a la protección de víctimas de los conflictos armados internacionales (Protocolo I)*. Tomo I. Ginebra/Santa Fe de Bogotá: CICR/Plaza & Janés, 2000.
- SASSÒLI, Marco y Antoine BOUVIER. *Un Droit dans la Guerre?*. Vols. I y II. Ginebra: ICRC, 2003. TOMUSCHAT, Christian. *Human Rights between Idealism and Realism*. Oxford: Academy of European Law of the European University Institute/ Oxford University Press, 2003.
- URBINA, Julio. *Derecho Internacional Humanitario. Conflictos armados y conducción de operaciones militares*. Santiago de Compostela: Tórculo Ediciones, 2000.