

1. First lesson

A protective regime and its contemporary relevance: protection of civilians, of protected civilians and of protected civilians in occupied territories

To make students aware of real situations and the regulatory needs involved, this lesson could start with the fictitious story of a child in an armed conflict zone living in a village that comes under bombardment by “the enemy”, which then takes control of the village and ill-treats the mother, ultimately forcing the whole family to flee to another region still under the control of the forces formerly controlling the village.

The lesson could then analyse the protection problems raised by this example and discuss the similarities and differences between the answers provided by the IHL of international and of non-international armed conflicts.

The lesson could wrap up with a case study such as UN, Detention of Foreigners.

2. Second lesson

A protective regime and its contemporary relevance: prisoners of war and fighters captured in a non-international armed conflict

To heighten the students’ awareness of real situations and the regulatory needs involved, this lesson could start with the fictitious story of two friends who come to the conclusion that their ethnic group can only survive in its traditional area of settlement if they take up weapons. One joins an organized armed group and receives a uniform, the other fights on his own, basically killing enemy soldiers. Both meet again after having been captured by the enemy, are interrogated about their crimes and face a trial before a “people’s court”.

The lesson could then analyse the protection problems raised by this example and discuss the similarities and differences between the answers provided by the IHL of international and of non-international armed conflicts, both for the uniformed and the non-uniformed fighter.

(For lessons 3-17, similar fictitious examples can be used. The conceptual problems involved can then be discussed and a case from this book used to wrap up the subject.)

3. Third lesson

A protective regime and its contemporary relevance illustrated by means of a case study: protection of the wounded, sick and shipwrecked and use of the emblem

(Illustrated by Colombia, Misuse of the Emblem)

4. Fourth lesson

A protective regime and its contemporary relevance illustrated by means of a case study: protection of the civilian population against the effects of hostilities

(Illustrated by Federal Republic of Yugoslavia, NATO Intervention [Part B.]

5. Fifth lesson

A protective regime and its contemporary relevance illustrated by means of a case study: Means and methods of warfare

(Illustrated by Afghanistan, Operation “Enduring Freedom”)

6. Sixth lesson

A protective regime and its contemporary relevance illustrated by means of a case study: humanitarian assistance and access to victims

(Illustrated by ICJ, Nicaragua v. United States, or UN, Security Council Resolution 688 on Northern Iraq)

7. Seventh lesson

A protective regime and its contemporary relevance illustrated by means of a case study: common Art. 3 in a conflict where structures of authority have collapsed

(Illustrated by Case Study, Armed Conflicts in the Great Lakes Region [Part 3] or Case Study, Armed Conflicts in Sierra Leone, Liberia and Guinea)

8. Eighth lesson

Historical development and sources

(Illustrated by ICRC, Customary International Humanitarian Law)

- Concept and philosophy
- Historical development and sources of contemporary IHL

- Contemporary efforts to develop IHL and future direction

9. Ninth Lesson

The laws of war in contemporary international law and in the contemporary international community: jus ad bellum and jus in bello under the UN Charter. Reminder of the nature of international law

10. Tenth lesson

Different types of armed conflicts

(Illustrated by ICTY, The Prosecutor v. Tadic)

- The concept of armed conflict
- The distinction between international and non-international armed conflicts: reasons, relativity and comparison of the two regimes
- Contemporary problems of qualification
- Practical consequences of problems of qualification

11. Eleventh lesson

The law of naval warfare

12. Twelfth lesson

The law of non-international armed conflict

(Illustrated by Sudan, Report of the UN Commission of Enquiry on Darfur)

13. Thirteenth lesson

Implementation of IHL: the law – the need for national measures of implementation in peacetime

- Dissemination, its means and its effectiveness
- The example of the (need for) national legislation on the protection of the emblem of the red cross, red crescent or red crystal in the country where the course is being held
- The obligation to ensure respect
- Reaction to violations by States
- The concept of war crimes and the universal obligation to repress them

14. Fourteenth lesson

Implementation of IHL: the players

- Monitoring and control by the Protecting Power and the ICRC
- The International Fact-Finding Commission
- Humanitarian intergovernmental organizations, NGOs and the ICRC: coordination and competition

- The role of the UN Security Council: conflict resolution and humanitarian action
- The prosecution of war crimes by national courts, *ad hoc* tribunals and the International Criminal Court

15. Fifteenth lesson

The ICRC

(Illustrated by ICTY/ICC, Confidentiality and Testimony of ICRC Personnel), and ICRC, Visits to the Detainees: Interviews without Witnesses)

16. Sixteenth lesson

IHL and human rights

(Illustrated by Inter-American Commission on Human Rights, *Coard v. US*)

- Cultural relativity vs. universality of IHL and human rights
- Comparison of the fields of application
- Comparison of protected rights
- Implementation
- Players
- Distinct but complementary means – IHL in the work of the UN Human Rights Commission – The ICRC and human rights

17. Seventeenth lesson

Refugees and displaced persons in IHL

18. Eighteenth – twentieth lessons

Study of a contemporary armed conflict – or of current news from armed conflict areas – from an IHL perspective