

International Humanitarian Law Coursebook

Professor (spring semester): Julia Grignon

Teaching Assistant: Zoi Lafazani

LLM - Master of Advanced Studies in International Humanitarian Law and Human Rights

Core course 2025 – 2026

I. COURSE DESCRIPTION

This practice-oriented course is designed to equip students with a detailed understanding of International Humanitarian Law (IHL) and its application in contemporary armed conflicts. IHL comprises the rules of international law limiting violence in armed conflicts by protecting those who do not or who no longer directly participate in hostilities, i.e. wounded, sick, shipwrecked, prisoners of war, civilians; and by restricting means and methods of warfare. The objective of this course is to provide students with the legal knowledge and the analytical and argumentative skills necessary to understand and interpret the rules of IHL and to critically apply them to facts of international reality. All students are expected to take active part in class discussions. During the spring semester, the course will delve into selected issues of IHL, including occupation law, implementation of IHL, humanitarian assistance, sexual violence and conduct of hostilities, through several real-life case studies. Students are expected to familiarize themselves with the relevant cases and other materials in advance and actively participate in the class discussion.

[...]

I. LEARNING OBJECTIVES

Upon successful completion of the course, students will be able to:

1. formulate the main IHL rules and principles;
2. analyse relevant IHL rules and related controversies;
3. apply IHL rules to contemporary conflicts, with due regard to other applicable legal frameworks;
4. conduct legal research;
5. develop legal advocacy skills (written and oral).

II. ASSESSMENT

The evaluation of the course for this semester consists of (1) active participation in class discussions, which accounts for 10% of the final grade for this course and (2) participation in a case pleadings exercise, which accounts for 40% of the final grade for this course and which will take place at the end of the second semester.

In the pleadings, you will be asked to make a legal argument on behalf of one side in a contemporary armed conflict. The case and the issue you will have to deal with will be attributed by lot. You will work on this issue together with a team, which will also be assigned by lot.

The grading for the pleadings consists of two parts:

- o A written outline prepared individually by each team member will account for 20% of the final grade. Students will have three weeks to prepare their individual outlines after the task assignment. In this outline, each team member will advocate for the side to the conflict for which their team will plead orally. The outline will be graded individually.

- o Teams will receive comments on their outlines two weeks before they plead. On the day of the pleadings, they will be asked to give a common oral presentation outlining their main arguments as convincingly as possible, taking into account the comments from the Professor and the teaching assistant on their written submissions. They will be graded as a team for their presentation and cooperation. Their oral presentation will be followed by questions from the Professor, the teaching assistant and possibly other panel members. The oral presentation will account for 20% of the final grade.

There will be a session on [...] dedicated to preparing the pleadings, during which students can ask the Professor questions about the procedure. For the timeline, students can consult the tentative table below:

[...]

Summary of IHL Course Evaluation:

[...]

III. LECTURES PROGRAMME

OVERVIEW

Class 1: CASE STUDY: ICJ, Democratic Republic of the Congo/Uganda, Armed Activities on the Territory of the Congo

Themes Covered:

- Conflict Classification
- The Notion of Occupation
- Occupation Law

Class 2: CASE STUDY: The Wall Street Journal, ICRC Report on Abu Ghraib

Themes Covered:

- Conflict Classification
- Classification of Persons
- Treatment of PoWs and other Detainees or Interned people

Class 3: CASE STUDY: Israel/Gaza, Operation Cast Lead

Themes Covered:

- Conflict Classification
- Conduct of Hostilities

Class 4: CASE STUDY: UN Security Council Resolution on the Conflict in Syria

Themes Covered:

- Conflict Classification
- Humanitarian Assistance

Class 6: CASE STUDY: Colombia-sexual violence

Themes Covered:

- Sexual and gender-based violence in armed conflict

Class 7: IHL IMPLEMENTATION and enforcement

Themes Covered:

- National Implementation of IHL
- State Responsibility for IHL Violations
- Individual Criminal Responsibility for War Crimes
- International Humanitarian Fact-Finding Commission

Class 8: CASE STUDY: Sri Lanka, Conflict in the Vanni

Themes Covered:

- Declassification of NIACs
- Detention in NIACs
- Forced Displacement

Class 9: The ICRC

Themes Covered:

The mandate and role of the ICRC

Class 10: Naval warfare

Themes Covered:

- The Law of Naval Warfare

CLASS 1: MONDAY 16 FEBRUARY 2026 (10:15-12:00, SCIENCE II A50A) CASE STUDY: ICJ, DEMOCRATIC REPUBLIC OF THE CONGO/UGANDA, ARMED ACTIVITIES ON THE TERRITORY OF THE CONGO

Themes Covered:

- Conflict Classification
- The Notion of Occupation
- Occupation Law

Compulsory Readings:

- Case Study: ICJ, Democratic Republic of the Congo/Uganda, Armed Activities on the Territory of the Congo (read and answer the questions appearing at the end of the case study)
- Marco Sassòli, *International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare* (2nd edn, Edward Elgar Publishing 2024) revise MNs 8.190-8.269.

Additional Readings (optional):

- ICRC, *Occupation and other Forms of Administration of Foreign Territory* (Expert Meeting Report prepared and edited by Tristan Ferraro 2012).
- Julia Grignon, 'The Geneva Conventions and the End of Occupation' in Andrew Clapham, Paola Gaeta and Marco Sassòli (eds), *The 1949 Geneva Conventions: A Commentary* (Oxford University Press 2015).
- Eyal Benvenisti and Eliav Lieblich, 'Private and Public Property and Natural Resources' in Eyal Benvenisti and Eliav Lieblich, *Occupation in International Law* (Oxford University Press 2022) 172-202.

CLASS 2: MONDAY 23 FEBRUARY 2026 (10:15-12:00, SCIENCE II A50A) CASE STUDY: THE WALL STREET JOURNAL, ICRC REPORT ON ABU GHRAIB

Themes Covered:

- Conflict Classification
- Classification of Persons
- Treatment of PoWs and other Detainees or Interned people

Compulsory Readings:

- Case Study: The Wall Street Journal, ICRC Report on Abu Ghraib (read the case study uploaded on Moodle and answer the questions following the case study)
- Marco Sassòli, *International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare* (2nd edn, Edward Elgar Publishing 2024) revise MNs 8.079-8.189.

Additional Readings (optional):

- Els Debuf, *Captured in War: Lawful Internment in Armed Conflict* (Hart Publishing/Editions Pedone 2013).
- Laura M. Olson, 'Status and Treatment of Those Who Do Not Fulfill the Conditions for Prisoner of War Status' in Andrew Clapham, Paola Gaeta and Marco Sassòli (eds), *The 1949 Geneva Conventions: A Commentary* (Oxford University Press 2015).
- Sandra Krähenmann, 'Protection of Prisoners in Armed Conflict' in Dieter Fleck (ed), *The Handbook of International Humanitarian Law* (Oxford University Press 2021).

**CLASSES 3 AND 4: MONDAY 2 MARCH 2026 & MONDAY 9 MARCH 2026
(10:15-12:00, SCIENCE II A50A)
CASE STUDY: ISRAEL/GAZA, OPERATION CAST LEAD**

Themes Covered:

- Conflict Classification
- Conduct of Hostilities

Compulsory Readings:

- Case Study: Israel/Gaza, Operation Cast Lead (read and answer the question at the end of the case study)
- Marco Sassòli, *International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare* (2nd edn, Edward Elgar Publishing 2024) read MNs 8.287-8.431.
- ICRC, 'Targeting under International Humanitarian Law' (Thematic Highlight in How Does Law Protect in War?).

Additional Readings (optional):

- Robin Geiss, 'The Principle of Proportionality: 'Force Protection' as a Military Advantage' (2012) 45(1) *Israel Law Review* 71.
- Marco Sassòli, 'Military Objectives' (Max Planck Encyclopedia of Public International Law, September 2015).

- ILA Study Group on the Conduct of Hostilities in the 21st Century, 'The Conduct of Hostilities and International Humanitarian Law: Challenges of 21st Century Warfare' (2017) 93 International Law Studies 322.
- Emanuela-Chiara Gillard, 'Proportionality in the Conduct of Hostilities: The Incidental Harm Side of the Assessment' (Research Paper, International Law Programme, Chatham House, December 2018).
- ICRC, 'The Principle of Proportionality in the Rules Governing the Conduct of Hostilities under International Humanitarian Law' (International Expert Meeting Report by Laurent Gisel, August 2018).

CLASS 5: MONDAY 16 MARCH 2026 (10:15-12:00, SCIENCE II A50A) CASE STUDY: UN SECURITY COUNCIL RESOLUTION ON THE CONFLICT IN SYRIA

Themes Covered:

- Conflict Classification
- Humanitarian Assistance

Compulsory Readings:

- Case Study: UN Security Council Resolution on the Conflict in Syria (read and answer the question under Sections I and II at the end of the case study)
- Marco Sassòli, International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare (2nd edn, Edward Elgar Publishing 2024) read MNs 10.229-10.272.
- ICRC, 'Humanitarian Action and IHL' (Thematic Highlight in How Does Law Protect in War?).

Additional Readings (optional):

- Eve Massingham and Kelisiana Thynne, 'Humanitarian Relief Operations' in Ben Saul and Dapo Akande (eds), The Oxford Guide to International Humanitarian Law (Oxford University Press 2020).
- Julia Grignon, 'Setting Up Humanitarian Corridors in Armed Conflict' in Jelena Pejic and Margaret Kotliuk (eds), Civilian Protection in Armed Conflict: Select Issues (Oxford University Press 2025).
- Case Study: UN Security Council, Resolution 2664 on Humanitarian Exemptions to UN Sanctions Regime (read and answer the question under Section I at the end of the case study).
- CNCDH, 'Opinion on Humanitarian Exemptions in Sanctions Regimes and Counterterrorism Measures: Promoting widespread use and better implementation' (Opinion, 20 June 2024).

CLASS 6: MONDAY 23 MARCH 2026 (10:15-12:00, SCIENCE II A50A) PLEADINGS PREPARATION SESSION

In this session, the Professor will explain the process of pleadings in detail. Students will have the opportunity to understand what is expected from them and pose questions regarding both the written outline and the oral part of the pleadings.

CLASS 7: MONDAY 30 MARCH 2026 (10:15-12:00, SCIENCE II A50A)

CASE STUDY: COLOMBIA-SEXUAL VIOLENCE

Themes Covered:

- Sexual and gender-based violence in armed conflict

Compulsory Readings:

- Case Study: Colombia-Sexual Violence (read and answer the question at the end of the case study)
- Christine Chinkin, 'Gender and Armed Conflict' in Andrew Clapham and Paola Gaeta (eds), *The Oxford Handbook of International Law in Armed Conflict* (Oxford University Press 2014).
- ICRC, 'IHL from a gender perspective: shedding new light on old conventions' (Thematic Highlight in *How Does Law Protect in War?*).

Additional Readings (optional):

- Helen Durham and Vanessa Murphy, 'Taking the next steps on sexual and gender-based violence in international humanitarian law: embracing complementarity and mainstreaming gender' in Robert Kolb, Gloria Gaggioli and Pavle Kilibarda (eds), *Research Handbook on Human Rights and Humanitarian Law* (Edward Elgar Publishing 2022).
- ICRC, *Gendered impacts of armed conflicts and implications for the application of IHL* (Report drafted by Vanessa Murphy, 2022).
- Elias Dehnen, 'What can the humanitarian community learn from the Colombian Truth Commission's LGBTIQ-subchapter?' (*Humanitarian Law and Policy Blog*, 21 March 2024).

CLASS 8: MONDAY 13 APRIL 2026 (10:15-12:00, SCIENCE II A50A)

IHL IMPLEMENTATION AND ENFORCEMENT

Themes Covered:

- National Implementation of IHL
- State Responsibility for IHL Violations
- Individual Criminal Responsibility for War Crimes
- International Humanitarian Fact-Finding Commission

Compulsory Readings:

- CNCDH, 'Statement regarding France's obligations with regard to the implementation of international humanitarian law (D - 2025 - 1)' (Plenary Assembly of 23 January 2025).
- IHFFC, 'Offer of Good Offices' (Press Release, 8 April 2024).
- IHFFC, 'Poland: Signing of the Memorandum of Understanding' (Press Release, 21 June 2024).
- IHFFC, 'The IHFFC submitted a confidential report to the Government of the Republic of Poland on 18 October 2024' (Press Release, 7 July 2025).

- Georgia v. Russia (II), no. 38263/08, paras 136-144, 21 January 2021.
- Prosecutor v Ahmad Al Faqi Al Mahdi (Decision on the confirmation of charges) ICC-01/12-01/15 (24 March 2016). See notably paras 44-45, 50, 54, 55.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Provisional Measures, Order of 26 January 2024, I.C.J. Reports 2024, p. 3. See notably paras 75-85.
- Marco Sassòli, International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare (2nd edn, Edward Elgar Publishing 2024) read MNs 5.045-5.060, 5.104-5.123, 5.203-5.207, 5.213-5.272.
- ICRC, 'Bringing IHL Home' (Thematic Highlight in How Does Law Protect in War?).

Additional Readings (optional):

- Julia Grignon, 'Un effet secondaire de la décision Al-Mahdi de la Cour pénale internationale : une mauvaise utilisation de la notion d'occupation en droit international humanitaire' (Quid Justitiae, 29 September 2016) <https://www.quidjustitiae.ca/blogue/un-effet-secondaire-de-la-decision-al-mahdi-de-la-cour-penale-internationale-une-mauvaise>.
- 33rd International Conference of the Red Cross and Red Crescent, 'Bringing IHL home: A road map for better national implementation of international humanitarian law' (Resolution 33IC/19/R1, Geneva, Switzerland 9–12 December 2019).
- Charles Garraway, 'The International Humanitarian Fact-Finding Commission and Gaza- How Is It Involved?' (Articles of War, 29 July 2024) <https://lieber.westpoint.edu/international-humanitarian-fact-finding-commission-gaza-involved/>.

CLASS 9: MONDAY 20 APRIL 2026 (10:15-12:00, SCIENCE II A50A) CASE STUDY: SRI LANKA, CONFLICT IN THE VANNI

Themes Covered:

- Declassification of NIACs
- Detention in NIACs
- Forced Displacement

Compulsory Readings:

- Case Study: Sri Lanka, Conflict in the Vanni (read and answer questions 1-3 and 7-10 at the end of the case study)
- Marco Sassòli, International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare (2nd edn, Edward Elgar Publishing 2024) read MNs 6.59, 9.084-9.094, 10.341-10.367.

Additional Readings (optional):

- Jelena Pejic, 'Procedural principles and safeguards for internment/administrative detention in armed conflict

and other situations of violence' (2005) 87 (858) International Review of the Red Cross 375.

- ICRC, Internment in Armed Conflict: Basic Rules and Challenges (Opinion Paper, November 2014).
- Marko Milanovic, 'The end of application of international humanitarian law' (2014) 96 (894) International Review of the Red Cross 163.
- Lawrence Hill-Cawthorne, Detention in Non-International Armed Conflict (Oxford University Press 2016).
- ICRC, How Is the Term "Armed Conflict" Defined in International Humanitarian Law (Opinion Paper 2024) 18-19.

CLASS 10: MONDAY 27 APRIL 2026 (10:15-12:00, SCIENCE II A50A) THE ICRC

Themes Covered:

- The mandate and role of the ICRC

Compulsory Readings:

- Marco Sassòli, International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare (2nd edn, Edward Elgar Publishing 2024) read MNs 5.170-5.202.
- Further readings TBC during the semester

Additional Readings (optional):

- ICRC, The ICRC: Its Mission and Work (ICRC 2009).
- ICRC, 'The International Committee of the Red Cross's (ICRC's) confidential approach: Specific means employed by the ICRC to ensure respect for the law by State and non-State authorities' (2012) 94 (887) International Review of the Red Cross 1135.

CLASS 11: MONDAY 4 MAY 2026 (10:15-12:00, SCIENCE II A50A) NAVAL WARFARE

Themes Covered:

- The Law of Naval Warfare

In this session, we will be joined by an expert, with whom students will have the opportunity to discuss the challenges arising from naval warfare today from a military perspective (to be confirmed).

Compulsory Readings:

- Marco Sassòli, International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare (2nd edn, Edward Elgar Publishing 2024) read MNs 8.432-8.466.
- San Remo Manual on International Law Applicable to Armed Conflicts at Sea, 12 June 1994.

Additional Readings (optional):

- Wolff Heintschel von Heinegg, 'Maritime Warfare' in Andrew Clapham and Paola Gaeta (eds), *The Oxford Handbook of International Law in Armed Conflict* (Oxford University Press 2014).
- Bruno Demeyere, Jean-Marie Henckaerts, Heleen Hiemstra and Ellen Nohle, 'The updated ICRC Commentary on the Second Geneva Convention: Demystifying the law of armed conflict at sea' (2016) 98(2) *International Review of the Red Cross* 401.
- Wolff Heintschel von Heinegg, James Kraska, David Letts and Raul Pedrozo, 'Newport Manual on the Law of Naval Warfare: Second Edition' (2025) 105 *International Law Studies* 1.

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