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**Department of Law**

**College of Law and Political Science**

**University of Duhok**

**Subject: Int. Humanitarian Law**

**Course Book – (3rd Year)**

**Lecturer's name: Zeravan S. Sadeeq**

**Academic Year: 2016/2017**

**Course Book**

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| **1. Course name** | **Int. Humanitarian Law** |
| **2. Lecturer in charge** | **Zeravan S. Sadeeq** |
| **3. Department/ College** | **Law Department/ College of Law and Political Science** |
| **4. Contact** | **e-mail: zeravan\_law@yahoo.com** |
| **5. Time (in hours) per week**  | **Theory: 2 Hours Per week** |
| **6. Office hours** | **6 hours in every working day** |
| **7. Course code** | **Int. Humanitarian Law** |
| **8. Teacher's academic profile**  | **\* Education and Scientific Certificates** **1) Bachelor Degree in Law and Political Science, College of Law and Political Science/University of Duhok, 2009.** **2) Master Degree in Human Rights and Multiculturalism, Buskerud University College, Norway, 2012.** **\* Training Courses and Conferences Participated in** **1) Participated in the joint research Seminars in Peacebuilding in Iraq, New York University, United States of America, 2013.** **2) Participated in the International Visitors Leadership Program August 2015, in Washington DC. United States of America, which has been organized by the US Department of State, And have been awarded the certificate of the program from US Department of State.** **3) Democratic reforms in Turkey and its impact on the future of Kurdish case, date 23/11/2013, organized by Center for Democracy and Human Rights, UoD.** **4) Celebrating the Day of Universal Declaration of Human Rights 1948, date 10/12/2013 an event organized by Center for Democracy and Human Rights, UoD.** **5) Rights of Missing persons and their relatives, date 22/01/2013, organized by Albustan Association for protecting and teaching Children.** **6) Refugee's rights in international conventions (Syrian Refugee in Kurdistan Region), date 26/04/2014, organized by Center for Democracy and Human Rights, UoD.** **7) How to get benefit from the international Humanitarian and Military Aid, Date 30/09/2014, organized by college of law and political science, UoD.** **8) Legal procedures for defining Shingal Crimes as Genocide, date 30/10/2014, organized by Center for Democracy and Human Rights, UoD.** **9) Future of Kurdistan Region after ISIS War, date 15/01/2015, organized by college of law and political science, UoD.** **10) From Al-Anfal Operations to Shingal (1988-2014) Genocide of the Kurds and the internationalization of Kurdish Case, Date 22/02/2015, organized by Center for Democracy and Human Rights, UoD.** **11) Field project director of the project (making center for peace and conflict resolution studies at UoD the center of excellence in the field of peacebuilding in Iraq) which has been organized by the center for Global Affair, New York University in cooperation with center for peace and conflict resolution studies at UoD, and supported by the US Department of State 2013-2014.** **\* Published Research** **1) Syrian Youth Refugees and the Labor Market in the Kurdistan Region of Iraq: Case Study of Duhok City.** **Published as a part of a collection of researches in a book titled (Finding Peace in Iraq) Volume 2, Center for Global Affairs, New York University, 2015.**  |
| **9. Keywords** | **International Law, Humanitarian Law, Human Rights, International Relations** |
| **10. Course overview:** International Humanitarian Law (IHL) is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in hostilities and restricts the means and methods of warfare. The complexities of modern day conflicts combined with the availability of information and media interest has resulted in a higher profile of difficult humanitarian issues. Knowledge of IHL is a definite asset, if not essential, for those working on or in countries affected by armed conflict, involved in humanitarian work or interested in working for international criminal tribunals. |
| **11. Course objective:**This main objective of this subject is to improve students’ knowledge in International Humanitarian Law. The course gives students overview of the concepts, development, sources, aims, and scope of IHL. The course identifies the relevant treaties, customary law, and general principles that constitute IHL. In addition, the course discusses how IHL attempts to limit the effects of hostilities, i.e., it examines how international humanitarian law guides the conduct of hostilities, restrains the use of force, mitigates the consequences of warfare and protects civilians in international and non-international armed conflicts and in situations of occupation. The course also discusses the role of the International Committee of the Red Cross in armed conflicts as well as ways and means to enforce adherence to international humanitarian law. |
| **12. Student's obligation**This course is compulsory, that means all students have to participate in the lectures, Discussion, Daily activities, quiz, mid-semester and final exams.  |
| **13. Forms of teaching**Projector, White board, curriculum which has been chosen by the scientific department.  |
| **14. Assessment scheme**10 Marks (daily presence in the lecture, participation in daily activities and his/her behaviour in the class) 30 Marks ( 2 semesters exams, 15 for each one) 60 Marks ( Final Exam) ‌ |
| **15. Student learning outcome:** This main objective of this subject is to improve students’ knowledge in International Humanitarian Law. The course gives students overview of the concepts, development, sources, aims, and scope of IHL. The course identifies the relevant treaties, customary law, and general principles that constitute IHL. In addition, the course discusses how IHL attempts to limit the effects of hostilities, i.e., it examines how international humanitarian law guides the conduct of hostilities, restrains the use of force, mitigates the consequences of warfare and protects civilians in international and non-international armed conflicts and in situations of occupation.  |
| **16. Course Reading List and References‌:**▪Key references: Stanislaw E. Nahlik, “A Brief Outline of International Humanitarian Law”, [*International Review of the Red Cross*](http://journals.cambridge.org/action/displayJournal?jid=RCE)*,* Volume 2, Issue 241 (August 1984), pp 187-226▪Useful references: 1. Anthony Aust, *Handbook of International Law***,** Cambridge University Press, 2005. Chapter 12..
2. *International Legal Protection of Human Rights in Armed Conflict*, United Nations Office of the Higher Commissioner, New York and Geneva, 2011.
3. Ian Brownlie, *Principles of Public International Law*, 7th ed. (Oxford University Press Inc, New York, 2008).
4. M.N. Shaw, *International Law*, 3rd ed. (Cambridge University Press, 1994).
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| **17. The Topics:** |  |
| I. Introduction: Comments on terminologyII. A Historical Review1. Precursors to humanitarian law2. Origins of the Red Cross 3. Red Cross Principles III. The Development of humanitarian LawIV. The Law of Geneva and the Law of The HagueV. Some Facts and Figures on the Law of Geneva VI. The General Scope of the Law of Geneva VII. Persons Protected:1. Wounded, sick, shipwrecked 2. Combatants—prisoners of war 3. Mercenaries 4. Civilians and civilian population 5. Medical and religious personnel 6. Staff of voluntary aid societies 7. Some extensions 8. Missing and dead persons VIII. Objects protected:1. Objects serving a medical purpose 2. Civilian objects not used for medical purposes 3. Neutral or demilitarized zones IX. Distinctive sign X. What is protection? 1. Injunctions and prohibitions 2. Prohibition of reprisals 3. Escape clauses 4. "Safety valve" XI. Execution:1. By the parties themselves 2. Protecting Powers 3. Red Cross bodies XII. Sanctions:1. States 2. Individuals XIII. Non-international armed conflicts  |  20/09/2016 24/09 – 15/10/ 2016 18/10 – 25/10/201629/10- 1/11/2016 5/11- 8/11/201612/11- 15/11/2016 19/11/2015- 14/01/1717/01 – 31/01/201704/02 -07/02/201711/02 – 28/02/201703/03 – 10/03/201627/03 – 31/03/201703/04- 10/04/201714/04/201717/04- 21/04/201724/04-28/04/201705/05 -12/05/2017 |
| **18. Practical Topics (If there is any)** |  |
| There are no practical topics  |   |
| **19. Examinations:*****1. Compositional:*** **A)** The instruments of Humanitarian Law must be observed first and foremost by the parties thereto in all circumstances, clarify the main duties that the contracting parties have to do in this regard? A) The contracting parties have to: 1- Give the necessary instructions and supervise their execution. 2- To try to make available to the armed forces competent legal advisers. 3- They must also disseminate knowledge of the instruments of humanitarian law as widely as possible. **B)** What are the two kinds of Sanctions that could be imposed on States violating the instruments of International Humanitarian Law? Then explain one of them. Answer/ The two kinds of sanctions are: quasi-Civil and quasi-Penal Quasi-Civil (requires the state to pay compensation for the damage it has caused a form of liability mentioned in the 1907 law of the Hague and taken over word for word by the law of Geneva in the 1977 protocol: A party to the conflict which violates the provisions of the conventions or of this protocol shall if the case demands be liable to pay compensation it shall be responsible for all acts committed by persons forming part of its armed forces. Quasi-Penal (take the form of reprisals, reprisals have been a part of the law of nation since its inception but have always been found lacking in that although in principle they are directed against the state they in fact too often cause many innocent people to suffer Humanitarian Law was therefore fully justified in excluding them in most cases. |
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| **21. Peer reviewپێداچوونه‌وه‌ی هاوه‌ڵ**   |