

INTERNATIONAL LAW OF ARMED CONFLICTS

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INTRODUCTION 😊



OUTLINE OF THE COURSE

Classes will be split into two moduls – theory and presentations.

First modul - theoretical classes:

- 1) **Organizational classes** (you're taking part in it just now *if you read the slides...*)
 - 2) **Legal nature of armed conflict** – we'll get to it later on.
 - 3) **Institutional framework of ILOAC.** International organizations in the context of armed conflict. Organs and powers of the EU, UN, NATO, Council of Europe, OSCE and other powerful IO's. Procedure before the ICJ.
 - 4) **History of armed conflict over ages.**
 - 5) **Workshop:** the **Geneva** tradition and the **Hague** Tradition. „Find and share” classes.
 - 6) **Workshop:** emergency states in different constitutions - comparative perspective.
 - 7) **Open discussion:** Nino Cassese's article: "Abraham or Antigone. Two conflicting imperatives"
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LIST OF PRESENTATIONS (SECOND MODUL)

Presentations - theory and practice (mandatory):

- 1) The notion of war in self-defense. States justification before ICJ.
 - 2) The International Criminal Tribunal for Rwanda
 - 3) The International Criminal Tribunal for the former Yugoslavia
 - 4) The Rome Statute: the ICC. Definition of international crime.
 - 5) The convention on Refugees. Asylum in the int'l law. Principle of non-refoulement.
 - 6) Peaceful settlement of international disputes
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LIST OF PRESENTATIONS (SECOND MODUL)

Major armed conflicts:

- 7) The axis of evil. Legal nature of the United States campaign against terrorism. Kuwait, Iraq, Afghanistan, Iraq, Syria...and more to come.
 - 8) USA v. Nicaragua, Grenada, Panama, Cuba etc.
 - 9) Preah Vihear Temple case
 - 10) The Indochina Wars. The Vietnam War
 - 11) Operation Entebbe
 - 12) Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory case (Advisory Judgment)
 - 13) Aerial Incident of 27 July 1955 (Israel v. Bulgaria)
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LIST OF PRESENTATIONS (SECOND MODUL)

Major armed conflicts:

14) Aegean Sea Continental Shelf Case

15) Israel v. Palestine conflict

16) Laotian Civil War

17) Territorial disputes in the ICJ's view

18) Iraqi-Kurdish wars

19) Command responsibility. Yamashita standard / Medina standard

PLEASE FOCUS ON THESE FACTORS:

- 1) Background
- 2) Major political figures
- 3) Merits
- 4) Procedure
- 5) Implications

Actually you can present **ANY conflict you're particularly interested in**, you're familiar with and so forth. Please note, that it should be case, which led to dispute that ended up in the ICJ or - in your opinion should have.

SUMMARY - LEGAL NATURE OF ARMED CONFLICT:

ILOAC is a branch of international law which:

- governs relations between States during armed conflicts;
 - also applies to fighting within the State;
 - is intended to reduce as much as possible the suffering, loss and damage caused by war;
 - places obligations on persons in the States involved, primarily members of the armed forces;
 - is not designed to impede military efficiency in any way.
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LITERATURE:

Book resources:

Malcolm Shaw - *International Law*, Cambridge University Press

Anthony Aust - *Handbook of International Law*, Cambridge University Press

Antonio Cassese - *International Law*, Oxford University Press

Martin Dixon - *Textbook on international law*, Oxford University Press

James Crawford, *Public International Law*, Brownlie's Principle of Public International Law, Oxford University Press

Gary Solis - *The law of armed conflict. International humanitarian law in war*, Cambridge University Press

And the web.

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