



LUND
UNIVERSITY

Faculty of Law

JAMR20, Humanitarian Law, 7.5 credits

Humanitarian Law, 7,5 högskolepoäng

Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Educational Committee of the Law Faculty Board on 2008-08-28 and was last revised on 2016-05-11 by Faculty of Law Board of education at undergraduate and postgraduate levels. The revised syllabus applies from 2016-05-11, spring semester 2016.

General Information

The course Humanitarian Law is a compulsory course within the Master's Programme in International Human Rights Law at the Faculty of Law. The course is open to students in the programme leading to a Swedish Professional Law degree as well as students participating in exchange programmes with the Faculty of Law, and who follow the courses on the Master's Programme in International Human Rights Law in their studies at an advanced level.

The course is scheduled to require 5 weeks of full time studies.

Language of instruction: English

Lectures and course materials are in English.

Main field of studies

Human Rights

Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

Knowledge and understanding

To pass examination the student shall show

- an understanding of basic principles, norms and implementation of international humanitarian law

- insight into major approaches in theorizing issues in international humanitarian law.

Competence and skills

To pass examination the student shall show

- mastery of legal tools and techniques allowing for the identification of *lex lata*
- capability to assess complex legal issues arising from the application of international humanitarian law
- skills in analysing the ideological presuppositions of standard arguments in humanitarian law.

Judgement and approach

To pass examination the student shall be able to display a scientific ethos in working with questions of humanitarian law.

The course is designed to provide students with the tools to understand the basic principles, norms and implementation of international humanitarian law.

Course content

The course offers an advanced introduction to International Humanitarian Law (IHL) for human rights lawyers.

A critical perspective is applied to the history, structure and politics of IHL, including the tension between ameliorating and legitimizing violence in the context of armed conflict. The relationship to general international law, the *jus ad bellum* in particular, is discussed and a key component of the course is the relationship between human rights and humanitarian law. As far as substantive humanitarian law is concerned the course highlights key principles stemming from both customary and treaty law and offer an orientation in its manifold treaties and norms. Finally, the course considers a number of contemporary questions and challenges for humanitarian law.

Course design

Instruction is in the form of lectures and seminars.

Assessment

Examination is in the form of a take home exam. The final grade is based on the take home exam (90%) and points awarded at seminars (10%).

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

One of the following grades is given: Pass with Distinction (AB), Pass with Credit (BA), Pass (B) or Fail (U).

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, an AB would presuppose that the student's examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes". Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

B – Basic command

In order to pass the student shall show knowledge of the history, structure, key principles and norms of humanitarian law. The student must also show knowledge about the relationship with human rights and about contemporary questions and challenges of humanitarian law.

BA – Advanced command

In order to achieve this grade, the student must show very good knowledge of the history, structure, and politics as well as key principles and norms of humanitarian law. The student must be able to use this knowledge in assessing problems of the interaction of humanitarian law and human rights, but also with general international law and other specialized areas of international law. The student must also be able to use this knowledge in considering pressing contemporary challenges to international humanitarian law. In making use of his or her knowledge in humanitarian law the student shall show awareness of the theory and practice of its implementation and enforcement.

AB – Mastery

In order to achieve the highest grade the student must be able to independently analyse also demanding problems drawing on his or her broad knowledge of the history, structure and politics as well as key principles and norms of humanitarian law. The student must be able to use this knowledge in independent assessment of problems of the interaction of humanitarian law and human rights but also with general international law as well as other specialized areas of international law. The student must also be able to use this knowledge in independently considering pressing contemporary challenges to international humanitarian law. In making use of his or her knowledge in humanitarian law the student shall show awareness of the theory and practice of its implementation and enforcement. The independent analysis associated with the highest grade must find expression in clear and concise writing.

Entry requirements

Passed examination in the first year of the programme equivalent to 52.5 credits.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JAMR20, Humanitarian Law

Applies from H08

0801 Humanitarian Law, 7,5 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction