



COURSE MANUAL

Name of the Elective Course

**INTERNATIONAL HUMANITARIAN LAW (LAW OF
ARMED CONFLICT, PART II)**

Name of the Faculty

Prof. (Dr.) Vesselin Popovski

SPRING 2026

(AY2025-26)

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, *International Humanitarian Law* is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: **International Humanitarian Law**

Course Code:

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **2 Credits**

Level: **UG and PG**

Medium of Instruction: **English**

Pre-requisites: **None**

Equivalent Courses: Nil

Cross-Listed Course: Yes

Part II

1. Course Description: This 2-credits course in Spring follows from the elective 'Law of the Use of Force' offered in Fall semester, and presents the second part of the Law of Armed Conflict, an essential part of Public International Law. The course defines International Humanitarian Law (IHL), traces its historical origins back in ancient manuals how to protect civilians in warfare, the ethics of war *Jus in Bello* that can be found in religious texts (incl. Mahabharata). It presents the evolution of *Jus in Bello* towards the first Geneva convention in 1864, the establishment of the Red Cross, to the Hague Conferences in 1899 and 1907. Then this

historical voyage moves to the development of IHL between the two world wars and especially after the Second World War and the adoption of the Geneva Conventions in 1949. The course offers commentaries and develops understanding of the 1966 Additional Protocols to the Geneva Conventions, explains the specificity of the crime of genocide, war crimes, crimes against humanity. The course presents an overview of the substantial and procedural framework of international criminal justice and its relationship with international peace and security, the relationship between the UN Security Council and the international criminal tribunals.

2. Course Aims:

- Study and understand the origins of IHL and its duality both as a law of military intentions, and a law of humanitarian intentions.
- Understand the significance and development of IHL, its place and role within other parts of public international law, in particular human rights law and international criminal law.
- Learn the political and legal background of the establishment of the ICRC and its role in reducing human suffering. Understand the significance of the Hague Conferences in 1899 and 1907, the 'Law of the Hague'.
- Analyze 1949 Geneva Conventions and 1966 Additional protocols, the 'Law of Geneva', understand the specificity of the crime of genocide, war crimes, crimes against humanity.
- Study the history, evolution and current challenges of IHL, especially the impact of modern technology (drones, AI, cyber attacks) to armed conflict.
- Develop skills to analyze court pleadings, decisions, legal documents, judgements and present in front of an audience.

3. Teaching Methodology

Total of 28 hours over 14 weeks. Students are expected to read the course materials and prepare for the classes.

4. Grading of Student Achievement

To pass this course, students must obtain a minimum of 40% in the cumulative aspects of coursework, e.g. internal assessments and final examination.

5. Grade Sheet

Percent of Marks	Grade	Grade Value	Grade Description
80 above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyse existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to next level of study, reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter, irrelevant use of materials and, poor critical and analytical skills

LETTER GRADES AND THEIR INTERPRETATION			
Letter Grade	Percentage of Marks	Grade Points	Interpretation
P1	45 - 49	2	Pass 1: Basic understanding of the subject matter.
P2	40 - 44	1	Pass 2: Rudimentary understanding of the subject matter.
F	Below 40	0	Fail: Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course.
P	Pass		‘P’ represents the option of choosing between Pass/Fail grading system over the CGPA grading system in the COVID 19 semester in Spring 2020. The option is provided when students attain a minimum of 40 percentage marks under the current grading structure in a given subject.

LETTER GRADES AND THEIR INTERPRETATION			
Letter Grade	Percentage of Marks	Grade Points	Interpretation
I	Incomplete		Extenuating circumstances preventing the student from completing coursework assessment, or taking the examination; or where the Assessment Panel at its discretion assigns this grade. If an "I" grade is assigned, the Assessment Panel will suggest a schedule for the completion of work, or a supplementary examination.

6. Criteria for Student Assessments

The assessment of the students will be based on the following criteria.

Assessment	Weight	Remarks
A reflection paper	20% marks	Reflections show students' understanding of the reading materials and of class discussions.
Present/participate in class	20% marks	Ability to prepare and present in front of class on a specific topic. Ability to engage in class discussions, respond to questions
Mid-term Test	30% marks	Ability to answer questions, based on acquired knowledge
End-Term Exam	30% marks	Ability to address holistically questions in writing.

Part IV

Course/Class Policies

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavors to make all its courses accessible to students. All students with any known disability needing academic accommodation are required to register with the Disability Support Committee dsc@jgu.edu.in. The Committee has so far identified the following conditions that could possibly hinder student's overall well-being. These include: physical and mobility related

difficulties; visual impairment; hearing impairment; medical conditions; specific learning difficulties e.g. dyslexia; mental health.

The Disability Support Committee maintains strict confidentiality on the matters under its purview. Students should preferably register with the Committee during the month of June/January as disability accommodation requires early planning. DSC will coordinate all disability related services such as appointment of academic mentors, arranging infrastructural facilities, and course related requirements such as special lectures, tutorials and examinations.

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

Part V

Course Materials

Video Sources:

International Committee of Red Cross on IHL: <https://app.icrc.org/elearning/en/ihl/>
Interregional Crime and Justice Research Institute:
http://wcjp.unicri.it/deliverables/training_icl.php

Lectures / Presentations /

1. Presentation on Humanitarian Intervention in Law and History: Use or Abuse?, Rhodes, Greece, September 2014: <https://www.youtube.com/watch?v=1MIUEthP43U>
2. Follow-on interview on humanitarian intervention, human rights and ICL, Rhodes, Greece, September 2014: <https://www.youtube.com/watch?v=gX1mbQ5FFDg>
3. News commentary on Bombing by US Air Force of a Hospital in Kunduz, Afghanistan, China Central TV, October 2015: <https://www.youtube.com/watch?v=z0CvxTXwza8>
4. Guest Lecture at International Criminal Court, January 2016 on Human Rights FactFinding and the ICC: <https://www.youtube.com/watch?v=04imJL2TNx8>
5. Guest Lecture on “Can International Law Meet the Challenges of Today’s Lawless Conflicts?” organized by the Asser Institute in cooperation with the International Centre for Counter-Terrorism, Netherlands Red Cross, and the Amsterdam Centre for International Law, March 2016: <https://www.youtube.com/watch?v=ct6vYmWUM88>

Themes and Literature:

Theme 1: Historical Origins, Nature and Sources of IHL.

- Alison Pert, Emily Crawford, 'International Humanitarian Law (Cambridge University Press, 2015)
- Vesselin Popovski, Gregory Reichberg (eds.) 'World Religions and Norms of War' (UNU Press 2009)
- Marco Sassòli, International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare (2nd edition, 2018)

Theme 2: The 'Law of the Hague' and the 'Law of Geneva'

- Hague and Geneva Conventions Paperback (United States Navy Department, 2022)
- Nils Melzer, 'International Humanitarian Law (ICRC, 2016)
- William Schabas, 'The Cambridge Companion to ICL' (2016)

Theme 3: The 1949 Geneva Conventions and 1966 Additional Protocols. War Crimes and Grave Breaches of the Geneva Conventions

- The Geneva Conventions (ICRC, 2021)
- Matthew Evangelista, Nina Tannenwald, 'Do the Geneva Conventions Matter?' (Oxford University Press, 2017)

Jeffrey Bachman, *The Politics of Genocide: From the Genocide Convention to the Responsibility to Protect* (Rutgers University Press 2022)

Theme 4: Crimes Against Humanity

- Geoffrey Robertson, 'Crimes Against Humanity: The struggle for Global Justice', Penguin 1999
- Norman Geras, 'Crimes against Humanity: Birth of a Concept' (2011)
- M. Cherif Bassiouni, Crimes Against Humanity; in Cherif Bassiouni (ed) *International Criminal Law, Volume I*, 3rd ed. 2008

Theme 5: Genocide

- Adam Jones, *Genocide: A Comprehensive Introduction* (Routledge, 3rd ed. 2016)
- Vesselin Popovski, Rafal Lemkin in *Jus Gentium* (Vol. 3, Issue 1, 2018, pp. 181-201)

- Donald Bloxham, *The Oxford Companion on Genocide Studies* (2013)
- Mathew Lippman, *Genocide*; in Cherif Bassiouni (ed) *International Criminal Law*, Volume I, 3rd ed. 2008

Theme 6: War Crimes

- William A. Schabas, *Commentary to the Rome Statute* (2010), Art. 8
- Stanislav Galić Trial Judgement (Trial Chamber I, ICTY), pp. 7-27
- Superior Responsibility (Gideon Boas) and Prosecutor ag. Erdemovic (ICTY)
- Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign against the Federal Republic of Yugoslavia

Theme 7: Targeting Civilians as International Crime

- Alexander Downes, *Targeting Civilians in War* (2012)
- William Brothby and Michael Schmitt, *The Law of Targeting* (2012)
- A.C. Grayling, *Among the Dead Cities: Is Targeting Civilians Ever Justified?* (2014)
- Amos Guiora, *Civilian Targets: Legal Responses to Illegal Tactics*; in Cherif Bassiouni (ed) *International Criminal Law*, Volume I, 3rd ed. 2008
- Popovski, *Norms of Protection: Responsibility to Protect and Protection of Civilians* (2012)

Theme 8: International Criminal Tribunals

- William Schabas, *The UN International Criminal Tribunals; Yugoslavia, Rwanda, Sierra Leone* (2006)
- Cherif Bassiouni and Pierre Hazan, *Justice in a Time of War: The True Story of the ICTY* (2004)
- Popovski, 'Legality and Legitimacy of International Tribunals' in Falk, Popovski (eds) 'Legality and Legitimacy in Global Affairs' (Oxford University Press 2012)

Theme 9: The Relationship between the ICC and the UN Security Council

- William A. Schabas, *Commentary to the Rome Statute* (2010), Art. 16, 17
- Andrew Novak, *The ICC: An Introduction* (2015)
- Phoebe Murungi, *Politicization of the ICC: A Study of the Security Council Power and Intervention* (2012)
- Popovski V., 'International Criminal Court and Security Council: Uneasy Relationship'

in Popovski V., Fraser T. (eds) 'Security Council as Global Legislator' (Routledge 2014)

Theme 10: Modern Technology, Artificial Intelligence and IHL

- Nik Hynek, Anzhelika Solovyova, 'Militarizing Artificial Intelligence', (Routledge 2022)
- David Broeders, 'Artificial Intelligence and International Conflict in Cyberspace' (Routledge 2023)

General tools:

International Criminal Court: <http://www.icc-cpi.int/> International Criminal Tribunal for former Yugoslavia: http://www.un.org/icty/index_text.htm International Criminal Tribunal for Rwanda: <http://www.ictj.org/> Special Court for Sierra Leone: <http://www.sc-sl.org/> Extraordinary Chambers in Courts of Cambodia: <http://www.eccc.gov.kh/english/>

Literature on International Criminal Court

Roy S Lee (ed.), *The International Criminal Court: The Making of the Rome Statute*. The Hague: Kluwer Law International (1999). ISBN 90-411-1212-X.

Roy S Lee & Hakan Friman (eds.), *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*. Ardsley, NY: Transnational Publishers (2001). ISBN 1-57105-209-7.

William A. Schabas, Flavia Lattanzi (eds.), *Essays on the Rome Statute of the International Criminal Court Volume I*. Fagnano Alto: il Sirente (1999). ISBN 88-87847-00-2

Claus Kress, Flavia Lattanzi (eds.), *The Rome Statute and Domestic Legal Orders Volume I*. Fagnano Alto: il Sirente (2000). ISBN 88-87847-01-0

Antonio Cassese, Paola Gaeta & John R.W.D. Jones (eds.), *The Rome Statute of the International Criminal Court: A Commentary*. Oxford: Oxford University Press (2002). ISBN 978-0-19-829862-5.

Claus Kress, Flavia Lattanzi (eds.), *The Rome Statute and Domestic Legal Orders Volume II*. Fagnano Alto: il Sirente (2005). ISBN 978-88-87847-03-1

Further Literature

A. Cassese, Oxford Companion to International Criminal Justice (2009);

R. Cryer, H. Friman, D. Robinson, E. Wilmshurst, *An Introduction to International Humanitarian Law and Procedure* (Cambridge University Press, 2007);

G. Werle, *International Criminal Law* (2nd edition, TMC Asser Press, 2009)

L. Sunga, *The Emerging System of International Humanitarian Law: Developments in Codification and Implementation* (Springer, 1997)

Robert Cryer and Hakan Friman, *Introduction to International Criminal Law and Procedure* (2011)

Yves Sandos, *Penal Aspects of International Humanitarian Law*; in Cherif Bassiouni (ed) *International Criminal Law, Volume I*, 3rd ed. 2008

Lindsay Moir, *Non-International Armed Conflict and Guerrilla Warfare*; in Cherif Bassiouni (ed) *International Criminal Law, Volume I*, 3rd ed. 2008

M. Cherif Bassiouni, *The Normative Framework for International Humanitarian Law*; in Cherif Bassiouni (ed) *International Criminal Law, Volume I*, 3rd ed. 2008