

# Syllabus – International Humanitarian Law

*Summer Term 2022*

*Lecturer: Ralph Janik*

## Introduction

- [ICRC, What is International Humanitarian Law?](#)
- [ICRC, How is the Term "Armed Conflict" Defined in International Law?](#)
- [Amanda Alexander, A Short History of International Humanitarian Law](#)

## The Principle of Distinction

- [Kenneth Watkin, The Notions of Combatant, Armed Group, Civilians, and Civilian Population in International Armed Conflicts](#) (pp. 48 et seq.)
- [Rule 8. Definition of Military Objectives](#)
- [Rule 9. Definition of Civilian Objects](#)
- [Rule 10. Civilian Objects' Loss of Protection from Attack](#)
- [Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign Against the Federal Republic of Yugoslavia](#) (section IV.A.)
- [Emily Crawford, Armed Ukrainian Citizens: Direct Participation in Hostilities, Levée en Masse, or Something Else?](#)
- [Ralph Janik, Soleimani and Targeted Killings of Enemy Combatants – Part I: Revisiting the "First Shot"-Theory](#)
- [Ralph Janik, Soleimani and Targeted Killings of Enemy Combatants – Part II: "Geneva Law" versus "Hague Law"](#)

## Unnecessary Suffering and Warfare

- [ICRC Blog How does IHL regulate the means and methods of warfare?](#)
- [Rule 17. Choice of Means and Methods of Warfare](#)
- [Rule 70. Weapons of a Nature to Cause Superfluous Injury or Unnecessary Suffering](#)
- [Commentary on Article 35 Additional Protocol I](#)

## Special Zones and Protection Regimes

- [Rule 35. Hospital and Safety Zones and Neutralized Zones](#)
- [Rule 36. Demilitarized Zones](#)
- [Rule 37. Open Towns and Non-Defended Localities](#)
- [Rule 38. Attacks Against Cultural Property](#)
- [Rule 42. Works and Installations Containing Dangerous Forces](#)
- [Rule 43. Application of General Principles on the Conduct of Hostilities to the Natural Environment](#)
- [Rule 44. Due Regard for the Natural Environment in Military Operations](#)
- [Rule 45. Causing Serious Damage to the Natural Environment](#)

## Prisoners of War

- [Situation of detainees at Guantánamo Bay](#)
- [Upholding Dignity and the Geneva Conventions](#)

## The Law of Occupation

- [Philip Spoerri, 'Part III Legal Regimes, Ch.8 The Law of Occupation' in: Andrew Clapham, Paola Gaeta, Tom Haeck \(Assistant Editor\), Alice Priddy \(eds\), \*The Oxford Handbook of International Law in Armed Conflict\* \(Oxford University Press 2014\)](#)
- [Eyal Benvenisti / Guy Keinan, \*The Occupation of Iraq: A Reassessment\* \[optional!\]](#)
- [Stratfor, \*Guerilla War in Iraq\* \[optional!\]](#)

## Disarmament

- [MPEPIL, Disarmament](#)

## Neutrality During Armed Conflicts

- [ICRC, \*THE LAW OF ARMED CONFLICT – Neutrality\*](#)
- [Commander's Handbook on the Law of Naval Operations, \*The Law of Neutrality\*](#)

## New Developments

- [International humanitarian law and the challenges of contemporary armed conflicts, Report Document prepared by the International Committee of the Red Cross Pages \(pp. 38-53\)](#)
- [ICG, \*Misery as Strategy: The Human Cost of Conflict\*](#)
- [Soldier 2.0: Military Human Enhancement and International Law \[optional!\]](#)

## IHL and Human Rights Law

- [ICRC, \*What is the difference between IHL and human rights law?\*](#)
- [OHCHR, \*International Legal Protection of Human Rights in Armed Conflict\* \[optional!\]](#)

## International Criminal Law and International Humanitarian Law

- [Martti Koskeniemi, \*Between Impunity and Show Trials\*](#)

## Additional (optional) readings

- [Christine Chinkin/Mary Kaldor, Gender and New Wars](#)
- Yoram Dinstein, The Recent Evolution of the Law of Armed Conflict
- Manfred Nowak/Ralph Janik, Torture and Degrading Treatment
- Jens David Ohlin, Is Jus in Bello in Crisis
- Sandesh Sivakumaran, Who Makes International Law-- The Case of the Law of Armed Conflict
- Hersch Lauterpacht, The limits of operation of the law of war
- Megret, The Laws of War and the Structure of Masculine Power
- Adil Ahmad Haque, Killing in the Fog of War
- [Antonio Cassese, The Martens Clause: Half a Loaf or Simply Pie in the Sky?](#)
- Judith Gardam, The Contribution of the International Court of Justice to International Humanitarian Law
- Ziv Bohrer/Mark Osiel, Proportionality in Military Force at War's Multiple Levels: Averting Civilian Casualties vs. Safeguarding Soldiers
- Liesbeth Zegveld, Remedies for victims of violations of international humanitarian law
- [Michael Walzer, Coda: Can the Good Guys Win?](#)
- [ICRC, The Roots of Restraint in War](#)
- [THE USE OF FORCE IN ARMED CONFLICTS. INTERPLAY BETWEEN THE CONDUCT OF HOSTILITIES AND LAW ENFORCEMENT PARADIGMS](#)