

INTL 4215: International Humanitarian Law
University of Georgia, Department of International Affairs

Course Instructor Information:

Dr. Erin Little

Little.erin@uga.edu

Office hours by appointment, in-person (217 Candler Hall) or Zoom (link available on eLC)

Course Meeting Information:

Fall 2024

MWF, 1:50-2:40

Baldwin Hall 264

STUDENT LEARNING OUTCOMES

In this course, we will delve deeply and exclusively into International Humanitarian Law (IHL), a regime within international law concerning *jus in bello*, or how states and other actors may legitimately conduct war. IHL is closely connected with international law concerning *jus ad bellum* (i.e., when states may legitimately go to war), as well as International Human Rights Law (IHRL). We will discuss these topics in this course insofar as it is useful to understand and establish the scope of IHL.

As international law is also offered in many law schools, it should be noted that this course will focus exclusively on public international humanitarian law and will be presented from an international political, more than a legal, perspective. As such, we will begin the course exploring the historical foundations of humanitarian law, emphasizing ways in which various societies throughout history sought to bind anarchy in pursuit of protecting innocent civilians. We will spend the core of the course examining modern legal debates and cases in IHL, before concluding with a section on post-conflict justice and the role of international judiciaries in legitimizing and enforcing IHL.

Assignments during the semester are designed to engage multiple facets of difficult, often nuanced and sensitive, legal questions within IHL. Students will learn not only seminal laws and concepts in IHL, but also how to interpret IHL and communicate legal decisions through multiple lenses.

EXAMS AND ASSIGNMENTS

Case Study Puzzles

You will have 3 case studies to evaluate during the semester. For each, you will receive excerpts from relevant sources of IHL and the facts of the case. The assignment asks you to answer a series of puzzling short questions concerning how to interpret the law in practice. The case studies are pieces from actual international legal cases, and unless otherwise noted in the question, their solutions do have a correct

answer and will be graded in part for accuracy. However, I am most concerned with your ability to rely on a sound interpretation of specific legal sources to defend your answers.

Discussion Board Posts and Reading Quizzes

Roughly once per module, you will have a discussion board prompt available on eLC asking you to engage with a relevant topic we will have discussed. Post a short response to the prompt (~250 words). Each response is worth 3% of your grade.

You will have 4 reading quizzes (designed more like mini-tests) covering all required reading as noted in the outline of topics below. I will take the 3 highest grades for your final grade.

“Hawks vs. Doves” Debates

Similar to a Moot Court activity, you will be asked to defend a side to answer a specific legal question. However, the two sides are ideological rather than identity-based: “hawks” (with a more Realist-inspired interpretation of IHL) and “doves” (with a more Liberal institutionalist interpretation of IHL). And rather than act as applicants and respondents, you as a class will be acting as the judges evaluating the case. We will discuss in more depth during class what these two positions entail. Prior to the debate, you will be given a legal question concerning actual post-1949 historical events. Evaluate these historical actions according to modern IHL in order to answer the legal question. We will have two debates, worth 10% each, such that each side will act as both a hawk and a dove once.

War Criminal Report

During Module V and our discussion of post-conflict justice, you will work in small groups to research an assigned historical figure who has been convicted of war crimes. For this assignment, you will develop a thorough report concerning:

- 1) who the individual is;
- 2) a detailed description of the facts of the case (i.e., the actions this individual committed);
- 3) which specific international humanitarian law(s) the actor violated; and
- 4) a recommendation to the “court” as to any punishments, penalties, etc. you deem most suitable given the crimes.

Treat this assignment as if your professional opinion was sought to evaluate the case, and this report would be admissible in court as a supplemental source of IHL. Further details, a template, and guidelines will be made available on eLC.

In-class Participation

In-class participation will comprise 15% of your grade. We will have frequent activities, as well as ongoing discussions throughout the semester. In order to get full credit, you must attend class,

demonstrate some degree of participation in activities, and engage in *respectful, mindful dialogue* throughout the semester. Participating in class by asking questions, making thoughtful comments, and adding new information is important for everyone's continuing education. Discussions are intended for the mutual benefit of all students; disrespectfulness will not be tolerated. You may have up to 3 unexcused absences without harming your grade.

ATTENDANCE POLICY

Attendance will be taken randomly throughout the semester. Absences will only be excused for the following, discussed with me in advance: observance of a religious practice, documented (by a doctor or health clinic/hospital) sickness, or death of a relative or close friend. More than three cumulative absences without an above listed excuse will affect students' attendance and participation grades. Three unexcused absences are permitted without penalty. However, the fast-paced nature of this course and the use of supplemental materials in class, which will also appear on exams, will make it more difficult for students to do well in this course without being present.

GRADING POLICY

The breakdown of your grades and the scoring rubric for this course are below (P/F indicates a Pass/Fail grade):

15% - In-class participation

15% - Case study puzzles (5% each)

15% - Discussion board posts (3% each)

15% - Reading quizzes (5% each)

20% - Hawks vs. Doves debates (10% each)

20% - War criminal report

94 to 100 – A

80 to 83 – B-

67 to 69 – D+

90 to 93 – A-

77 to 79 – C+

64 to 67 – D

87 to 89 – B+

74 to 77 – C

60 to 63 – D-

84 to 87 – B

70 to 73 – C-

59 and below – F

OUTLINE OF TOPICS

MODULE I: HISTORICAL FOUNDATIONS OF IHL	
Aug. 14, 16	Week 1 – Introducing IHL
Topics & Reading	Overview of syllabus and foundational principles in IHL Course Companion Guide (CCG), pgs. 1-5
<i>Due Aug. 19th at 11:59pm</i>	<i>Discussion board post #1</i>
Aug. 19, 21, 23	Week 2 – The <i>Dhanurveda</i> and the Art of War
Reading	CCG, pgs. 6-12
<i>Due Aug. 26th at 11:59pm</i>	<i>Reading quiz #1 (CCG, pgs. 1-12)</i>
Aug. 26, 28, 30	Week 3 – <i>Lex Innocentium</i> and the “Lieber Code”
Reading	CCG, pgs. 13-16 <i>Nothing due for this week; Enjoy Labor Day weekend!</i>

MODULE II: MODERN FOUNDATIONS OF IHL	
Sept. 4, 6	Week 4 – the Geneva Conventions of 1949 <i>NO CLASS SEPT 2nd (Labor Day)</i>
Topics & Reading	The First, Second, and Fourth Geneva Conventions, 1949 CCG, pgs. 17-20
<i>Due Sept. 9th at 11:59pm</i>	<i>Discussion board post #2</i>

Sept. 9, 11, 13	Week 5 – Combatant Status and Prisoners of War
Topics	The Third Geneva Convention, 1949 Protocol I to the Geneva Conventions, 1977
<i>Due Sept. 16th at 11:59pm</i>	<i>Case Study Puzzle #1</i>
Sept. 16, 18, 20	Week 6 – Just War Theory and relevant Customary IHL
Topics & Reading	Just War Theory and <i>Jus in bello</i> vs. <i>Jus ad bellum</i> CCG, pgs. 21-24
<i>Due Sept. 23rd at 11:59pm</i>	<i>Reading quiz #2 (CCG, pgs. 13-24)</i>

MODULE III: CIVILIAN VICTIMIZATION DURING WAR

Sept. 23, 25, 27	Week 7 – Genocide and Mass Killing
Reading	TBD
<i>Due Sept. 30th at 11:59pm</i>	<i>Discussion board post #3</i>
Sept. 30, Oct. 2, 4	Week 8 – Hawks v. Doves Debate #1
Reading	Debate topic and associated readings TBD <i>No assignments due this week; focus on debate prep!</i>
Oct. 7, 9, 11	Week 9 – Sexual Violence and Human Trafficking
Reading	CCG, pgs. 25-28

<i>Due Oct. 16th at 11:59pm</i>	<i>Case Study Puzzle #2</i>
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MODULE IV: IHL AND CIVIL CONFLICT	
Oct. 16, 18	Week 10 – Revisiting Combatant Status <i>NO CLASS OCT 14th</i>
Topics & Reading	Accounting for combatant status during civil conflict Reading TBD
<i>Due Oct. 21st at 11:59pm</i>	<i>Discussion board post #4</i>
Oct. 21, 23, 25	Week 11 – Hawks vs. Doves Debate #2
Reading	Debate topic and associated readings TBD <i>No assignments due this week; focus on debate prep!</i>
Oct. 28, 30	Week 12 – Internal Displacement Relief Societies and Relief Actions <i>NO CLASS NOV. 1st (Fall Break)</i>
Reading	CCG, pgs. 29-31
<i>Due Nov. 4th at 11:59pm</i>	<i>Reading quiz #3 (CCG, pgs. 25-31)</i>

MODULE V: POST-CONFLICT JUSTICE	
Nov. 4, 6, 8	Week 13 – International Courts: the ICJ and ICC
Reading	CCG, pgs. 32-33
<i>Due Nov. 11th at 11:59pm</i>	<i>Case Study Puzzle #3</i>

Nov. 11, 13, 15	Week 14 – International Criminal Tribunal for Rwanda (ICTR)
Reading	CCG, pgs. 34-38
<i>Due Nov. 18th at 11:59pm</i>	<i>Discussion board post #5</i>
Nov. 18, 20, 22	Week 15 – International Criminal Tribunal for the former Yugoslavia (ICTY)
Reading	CCG, pgs. 39-43
<i>Due Nov. 25th at 11:59pm</i>	<i>Reading quiz #4 (CCG, pgs. 32-43)</i>
Nov. 25	Week 16 – Other types of International Courts <i>NO CLASS NOV. 27-29th (Thanksgiving Break)</i>
Topics	Subsidiary courts and the role of third-party States <i>Nothing due for this week; Enjoy your break!</i>
Dec. 2, 4	Week 17 – Epilogue (Looking ahead) <i>NO CLASS DEC. 3rd</i>
Topics	What are the implications for international conflict moving forward? <i>Workshop Day Dec. 4th for your war criminal report (Optional)</i>
<i>Due Dec. 9th at 11:59pm</i>	<i>War Criminal Report</i>

ACADEMIC DISHONESTY

UGA Student Honor Code: “I will be academically honest in all of my academic work and will not tolerate academic dishonesty of others.” A Culture of Honesty, the University’s policy and procedures for handling cases of suspected dishonesty, can be found the website of Office of Instruction. We expect that the Student Honor Code will guide your efforts in this course. A lack of knowledge of the academic honesty policy does not explain a violation. Please direct any questions to the instructor.

COURSE POLICIES

The following is taken verbatim from the University Council: “The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary.”

The following is taken verbatim from LINK: “In the absence of written authorization from the UGA Disability Resource Center, students may not make a visual or audio recording of any aspect of this course. Students who have a recording accommodation agree in writing that they:

- Will use the records only for personal academic use during the specific course.
- Understand that faculty members have copyright interest in their class lectures and that they agree not to infringe on this right in any way.
- Understand that the faculty member and students in the class have privacy rights and agree not to violate those rights by using recordings for any reason other than their own personal study.
- Will not release, digitally upload, broadcast, transcribe, or otherwise share all or any part of the recordings. They also agree that they not profit financially and will not allow others to benefit personally or financially from lecture recordings or other course materials.
- Will erase/delete all recordings at the end of the semester.
- Understand that violation of these terms may subject them to discipline under the Student Code of Conduct or subject them to liability under copyright laws.”

FERPA STATEMENT

The following is taken verbatim from the Syllabus Checklist:

“The Federal Family Educational Rights and Privacy Act (FERPA) grants students certain information privacy rights. See the registrar’s explanation. FERPA allows disclosure of directory information (name, address, telephone, email, date of birth, place of birth, major, activities, degrees, awards, prior schools), unless requested in a written letter to the registrar.”

DISABILITY SERVICES

The following is taken verbatim from the Disability Resource Center:

“If you plan to request accommodations for a disability, please register with the Disability Resource Center. They can be reached by visiting Clark Howell Hall, calling 706-542-8719 (voice) or 706-542-8778 (TTY), or by visiting the Disability Resource Center”

The following is taken verbatim from the document of Syllabus Creation:

“Students with disabilities who require reasonable accommodations in order to participate in course activities or meet course requirements should contact the instructor or designate during regular office hours or by appointment.”

MENTAL HEALTH AND WELLNESS RESOURCES

The following is taken verbatim from the University Council:

“If you or someone you know needs assistance, you are encouraged to contact Student Care and Outreach in the Division of Student Affairs at 706-542-7774 or visit the website of Student Care and Outreach. They will help you navigate any difficult circumstances you may be facing by connecting you with the appropriate resources or services.

UGA has several resources for a student seeking mental health services or crisis support. If you need help managing stress anxiety, relationships, etc., please visit BeWellUGA for a list of FREE workshops, classes, mentoring, and health coaching led by licensed clinicians and health educators in the University Health Center. Additional resources can be accessed through the UGA App.”