

Course Name : International Humanitarian Law/*Hukum Humaniter Internasional*
Course Code/ SKS : SPB 2304/3 Credits
Language of Instruction: English/Indonesian
Lecturer : Drs. Usmar Salam, MIS and Yunizar Adiputera , SIP, MA
Department : International Relations
Faculty : Faculty of Political and Social Sciences (FISIPOL)

Course Description

International Humanitarian Law (HHI) or commonly called the *Law of War* or the *Law of Armed Conflict* is a set of rules on the basis of humanitarian intent to reduce the adverse effects of armed conflict. HHI has existed since past civilisations and is an inseparable part of the history of wars in mankind. The HHI guides belligerents in relation to the warfare system, the use of force, the mitigation of war effects, and the protection of civil society. The extent to which HHI succeeds in achieving these objectives is still a question, especially when it is associated with the complexity of war and contemporary armed conflicts.

Studies on HHI have been part of the long-standing discipline of International Relations. Discipline of International Relations (IR) is one of the *raison d'être* to find out the causes of war also cannot be separated from the study of HHI. The *realist* in IR adheres to the principle of '*inter arma silent leges*', which translates 'in time of war, the law became silent'. These circles see that human beings abandon all the values of civilisation that it holds when faced with the threat of salvation. Does this point of view fit into the fighting experience of war? Many people do not agree.

The character of contemporary armed conflicts, which are more asymmetric, poses a challenge for the HHI, which was originally designed to anticipate inter-state warfare. Many criticisms have been raised against HHI because it is considered to be unable to regulate the war against terrorism, which has resulted in massive civilian casualties. However, it is not uncommon to assume that the failure of the protection of civilians lies not in the HHI as a regulatory tool, but in countries that choose to understand the HHI narrowly.

Learning objectives

At the end of the course, students are expected to be able to:

- 1 Review the situation of armed conflict and introduce the rules that apply when an armed conflict occurs
- 2 Understand the reasons for the need for HHI, especially in a contemporary context
- 3 Recognise the basic principles of HHI, their scope and concepts
- 4 Know well the boundaries set out in the HHI from both the system and the weaponry
- 5 Describe well the issues and debate in the HHI studies
- 6 Building sensitivity about the dangers of war and its consequences

Class Rules

Students are required to comply with classroom rules, including:

- 1 Students are prohibited from using electronic devices in the classroom
- 2 Before the specified time, students are not allowed to leave the classroom
- 3 Students are required to arrive on time, no tolerance of lateness
- 4 Work on and submit tasks exactly on time with the specified format
- 5 There is no tolerance for plagiarism
- 6 Administration of class attendance is done through tutors

Assessment Components

Assessment Method	Percentage	Assessment Notes
		requirements, collection rules, assessment criteria
1 Final exams	30%	Written exam (Hurdle: attendance min. 75%)
2 Mid Semester exam	20%	Written exam
3 Individual Assignment	25%	
4 Debate and Presentation	20%	Debates are assessed individually as well as groups
5 Attendance and Participation	5%	Attendance list

LEARNING RESOURCES / RECOMMENDED READING			
Can be accessed at: bit.ly/readingbricksHHI			
Title	Author	Publisher / Journal	Year
Geneva Convention I, II, III, IV			
Additional Protocol I, II, III			
Rome Statute establishing the ICC			
Biological Weapons Convention			1971
Chemical Weapons Convention			1993
Convention on Anti-Personnel Mine			1997
Convention on Certain Conventional Weapons			1980
Convention on Cluster Munitions			2008
The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty	ICISS	International Commission on Intervention and State Sovereignty	2011
Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law	ICRC	International Review of the Red Cross	2008
Handbook on the Practical Use of International Humanitarian Law.	Ishøy, R	Danish Red Cross	2008
The Law of Armed Conflict: International Humanitarian Law in War	Solis, GD	Cambridge University Press	2010
The Mexican Drug War: The Case for Non-International Armed Conflict Classification	Bergal, C.	Fordham International Law Journal	2011

Lesson plan				
Meeting	Date	Topic	Lecturer	Method
1		Introduction and class orientation		
2		History and sources of HHI		
3		Status of conflict		
4		Method: Limitations and distinctions		
5		Weapons: Limits and Principles		
6		Rome Statute and <i>International Criminal Court</i>		
7		Enforcement of HHI		
8		Humanitarian intervention		
9		Debate I		
10		Debate II		
11		Group presentation and class discussion		
12		Group presentation and class discussion		
13		Group presentation and class discussion		
14		Conclusion: Reflection on HHI		

Weekly Schedule	
Week 1 - Introduction and class orientation	
Brief Introduction	<ol style="list-style-type: none"> 1. What is HHI? 2. '<i>Jus ad Bellum</i>' and '<i>Jus in Bello</i>' 3. Differences between HHI and International Human Rights Law 4. Why study HHI in IR?
Class activity	<ol style="list-style-type: none"> 1. Lectures and questions 2. Explanation of syllabus and reading material 3. Explanation of student rights and obligations 4. Determination of assessment agreements 5. Determination of communication methods 6. Self-introduction
Main Reading	Rikke Ishøy pp. 39-56
Additional Reading	-
Get started	-
Task	-
Week 2 - History and sources of HHI	

Brief Introduction	<ol style="list-style-type: none"> 1. Lecturers provide explanations on the history and sources of HHI in the form of customs, treaties, laws, jurisprudence, and publicist. 2. Lecturers also briefly discuss the Geneva Conventions and the Additional Protocols
Class activity	Lectures and questions
Main Reading	GD Solis pp. 11-19
Additional Reading	1949 Geneva Convention; Additional Protocols I, II, II ,
Get started	-
Task	Review of HHI documents that have not been codified
Week 3 - Status of conflict	
Brief Introduction	The lecturer explains the armed conflicts and the definitions and differences between the International Armed Conflict (IAC) and the Non-International Armed Conflict (NIAC)
Class activity	Lectures and questions
Main Reading	GD Solis pp. 149-163
Additional Reading	Carina Bergal
Get started	Submission of individual assignments from the previous week
Task	-
Week 4 - Method: Limitations and distinctions	
Brief Introduction	<ol style="list-style-type: none"> 1. Lecturers will provide explanations on the categories of actors involved in armed conflict, including: civilians, combatants, and Prisoners of War (PoW) as well as privileges held by each actor 2. Lecturers will also explain the legality of the actors involved in armed conflict, including: lawful and unlawful combatant, and <i>Hors de Combat</i> 3. Lecturer will also explain the principles in targeting
Class activity	Lectures and questions
Main Reading	GD Solis pp. 519-555
Additional Reading	ICRC
Get started	-
Task	Critical review
Week 5 - Weapons: Limits and principles	
Brief Introduction	Lecturers will provide explanations on the types, impacts and limits of weapons use, such as biological weapons, chemical weapons, landmines, cluster bombs, nuclear weapons, drones, or other weapons in armed conflict through various HHI-related perspectives
Class activity	Lectures and questions ; Watching video
Main Reading	Biological Weapons Convention; Chemical Weapons Convention; Convention on Anti-Personnel Mine; Convention on Certain Conventional Weapons; Convention on Cluster Munitions
Additional Reading	-
Get started	Collection of individual assignments from the previous week
Task	Critical essay
Week 6 - Rome Statute and the International Criminal Court	
Brief Introduction	<ol style="list-style-type: none"> 1. The lecturer will provide an explanation of the Rome Statute and the history of the formation, function and power, bodies and spheres of the ICC 2. There will be various examples of ICC-related cases to provide a more concrete explanation

Class activity	Lectures and questions
Main Reading	Rome Statute establishing the ICC
Additional Reading	-
Get started	Submission of individual assignments from the previous week
Task	-
Week 7 - Enforcement of HHI	
Brief Introduction	<ol style="list-style-type: none"> 1. The lecturer will explain how the responsibility of the state and the relevant international bodies in the enforcement of HHI 2. It will also explain the International Committee of the Red Cross (ICRC) 3. There will also be examples of cases relating to these two points to give a more concrete explanation
Class activity	Lectures and questions
Main Reading	GD Solis pp. 301-331
Additional Reading	-
Get started	-
Task	-
Week 8 - Intervention of humanity	
Brief Introduction	Lecturers will provide an explanation of the definition, basis, principles, and practices related to humanitarian intervention
Class activity	<ol style="list-style-type: none"> 1. Lectures and questions 2. Announcement of schedules, group divisions, and debate motions I
Main Reading	ICISS
Additional Reading	-
Get started	Tutor provides tutorial on debate: mechanism and assessment
Task	-
Week 9 - Debate I	
Brief Introduction	-
Class activity	<ol style="list-style-type: none"> 1. Debate 2. Announcement of schedule, division of groups, and debate motions II
Main Reading	-
Additional Reading	-
Get started	Tutor announces the debating mechanism and location of each debating chamber
Task	-
Week 10 - Debate II	
Brief Introduction	-
Class activity	<ol style="list-style-type: none"> 1. Debate 2. Group sharing and presentation topics
Main Reading	-
Additional Reading	-
Get started	Tutor announces the debating mechanism and location of each debating chamber
Task	-
Week 11 - Group presentation and class discussion	
Brief Introduction	-
Class activity	<ol style="list-style-type: none"> 1. Draw to determine the 3 groups who make the presentation on the day 2. Presentations and discussions
Main Reading	-

Additional Reading	-
Get started	Collection of all assignments of papers and group presentation documents
Task	
Week 12 - Group presentation and class discussions	
Brief Introduction	-
Class activity	1. Draw to determine the 3 groups who make the presentation on the day 2. Presentations and discussions
Main Reading	-
Additional Reading	-
Get started	Return of paper assignment to be revised
Task	
Week 13 - Group presentation and class discussion	
Brief Introduction	-
Class activity	1. Draw to determine the 3 groups who make the presentation on the day 2. Presentations and discussions
Main Reading	-
Additional Reading	-
Get started	1. Submission of all revised paper assignments 2. The tutor distributes the learning evaluation form
Task	
Week 14 - Closing; Reflection on HHI	
Brief Introduction	-
Class activity	Class evaluation and discussion
Main Reading	-
Additional Reading	-
Get started	-
Task	-

DESCRIPTION OF ASSESSMENT (RUBRIC)			
Value	On a scale of 4	Percentage	Qualification
A	4.00	100%	Substance A Process A Relation A
A-	3.75	93.75%	Substance A Process A Relation B
A / B	3.50	87.5%	Substance A Process B The relation between A and B
B +	3.25	81.25%	Substance B Process B Relation A
B	3.00	75%	Substance B Process B

			Relation B
B / C	2.75	68.75%	Substance B Process B Relation C
C +	2.5	62.5%	Substance B Process C The relation between B and C
C	2.25	56.25%	Substance C Process C Relation C
CD	2	50%	Substance C Process C Relation D
D	1.75	43.75%	Substance D Process D Relation D

Component	Principle	Value			
		A (4.00 / 4.00)	B (3.00 / 4.00)	C (2.00 / 4.00)	D (1.00 / 4.00)
Paper	Substance	excellent understanding and analysis	good understanding and analysis	understanding and analysis is good enough	poor understanding and analysis
	Process	excellent writing structure, effective and skilled use of language	Good writing structure, effective use of language	Sufficient writing structure, less effective use of language	Poor writing structure, less effective use of language
	Relation	<i>well-researched, very good understanding of his position in the scientific literature, the use of a very good reference</i>	<i>well-researched, a good understanding of its position in the scientific literature, the use of good references</i>	a fairly good understanding of his position in the scientific literature, the use of good reference	poor understanding of his position in the scientific literature, the use of poor references
Presentation	Substance	excellent understanding, elaborative explanation	good understanding, good explanation with a little elaboration	good understanding, good explanation but lack of elaboration	poor understanding, poor explanation without elaboration
	Process	excellent delivery, received full attention from participants,	good delivery, gets the most attention from participants, effective time management	good delivery, received little attention from participants, time management is quite effective	poor delivery, less attention from participants, less effective time management

		effective time management		but gives little time for class discussions	
	Relation	excellent interaction with participants, contributed significantly to the increase in participants' understanding of the presentation topic	good interaction with the participants, able to increase student interest on the presentation topic	good interaction with the participants, can increase student interest on the topic of presentation but there are still some confusing points	good interaction with participants, failed to increase student interest in the presentation topic
Participation	Substance	excellent and authentic contributions in classroom activities	good contribution in class activities	a good enough contribution to classroom activities	poor contribution in class activities
	Process	always present and on time	Attendance of at least 80%	Presence of at least 75%	Presence of less than 75%
	Relation	attentive to class activities, respecting the class	attention to class activities, respect for class citizens	Just enough attention to class activities, respect enough citizens of the class	Less attention to class activities, less respect for class citizens
Written test	Substance	excellent understanding and analysis	good understanding and analysis	understanding and analysis is good enough	poor understanding and analysis
	Process	excellent and structured arguments	a good and logical argument	a pretty good argument	bad argument
	Relation	<i>well-researched</i> , a very good understanding of his position in scientific literature, the use of excellent references	<i>well-researched</i> , a good understanding in the scientific literature, the use of good references	a fairly good understanding of his position in the scientific literature, the use of good reference	poor understanding of his position in the scientific literature, the use of poor references
Quiz		able to answer correctly 80- 100% questions	able to answer correctly 61-80 %	able to answer correctly 41-60 % questions	failed to answer correctly more than 40%