Course Manual
Joint Master’s Programme in
International Humanitarian Action

INTERNATIONAL LAW

University College Dublin
Academic Year: 2016-2017, Semester 1
RDEV40140 International Humanitarian Law

5 ECTS

Lecturers: Dr Rónán McDermott; Dr Heike Spieker
Contact: Dr Rónán McDermott (ronan.mcdermott@ucd.ie)

1. Module Overview & Learning Outcomes
This module introduces students to the key concepts and principles of international Law as they relate to humanitarian action. The module is an element of the second component (Core Course, 25 ECTS) of the NOHA Joint Master’s Degree in International Humanitarian Action to be completed during the first semester. It is a compulsory part of the curriculum and is a requirement for obtaining the MSc in Humanitarian Action.
The overall objective of the module is to familiarise students with the key legal instruments, concepts and issues of international law as they relate to humanitarian action and to enable them to apply this learning to concrete cases. Relevant bodies of international law addressed by the module include international humanitarian law, international human rights law, refugee law and disaster law. The module envisages the following overall learning outcomes:

- A good understanding of the basic concepts of International Law.
- An ability to identify different aspects of International Law and their implications for humanitarian action.
- An ability to apply key legal instruments.
- The principal skills for applying mechanisms of dispute settlement.
- The ability to convince as far as legal argumentation in HA is concerned.
- A clear understanding of the possibilities and limits to the applicability and enforcement of International Law.
- The capacity to introduce personal responsibility.

2. Module Delivery
The module will employ a combination of lectures and problem-based learning to achieve the learning outcomes identified. Students are expected to attend each lecture/seminar having read the advance reading assigned. This will enable students to work collaboratively to address the
questions posed by case studies provided in class. Students are encouraged to engage in classroom exercises.

3. **Assessment**

This module is assessed on the basis of a two hour unseen written examination.

4. **Lecture Schedule & Lesson Plan**

<table>
<thead>
<tr>
<th>1. Topic: <strong>Introduction to Legal Methodology and International Law</strong></th>
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</thead>
<tbody>
<tr>
<td>Date: 9th January 2017</td>
<td>Venue: E1.17/1.18 Science East</td>
</tr>
<tr>
<td>Time: 14.00 - 17.00</td>
<td>Lecturer: Dr Ronan McDermott</td>
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</table>

**Expected learning outcome:**
- A good understanding of the basic concepts and principles of public international law.

**Readings:**
- **Advance Reading:**
- **Optional Reading:**

<table>
<thead>
<tr>
<th>2. Topic: <strong>International Human Rights Law I</strong></th>
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</thead>
<tbody>
<tr>
<td>Date: 10th January 2017</td>
<td>Venue: 232 Science North</td>
</tr>
<tr>
<td>Time: 14.00 - 17.00</td>
<td>Lecturer: Dr Ronan McDermott</td>
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</table>

**Expected learning outcome:**
- A good understanding of the basic concepts and principles of international human rights law, especially those elements of most relevance to humanitarian action.

**Readings:**
- **Advance Reading:**
- **Optional Readings:**

<table>
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<tr>
<th>3. Topic: <strong>International Human Rights Law II</strong></th>
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<tbody>
<tr>
<td>Date: 11th January 2017</td>
<td>Venue: 1.47 Agriculture Building</td>
</tr>
<tr>
<td>Time: 10.00 - 13.00</td>
<td>Lecturer: Dr Ronan McDermott</td>
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</table>

**Expected learning outcome:**
- The capacity to determine the duties of states in international human rights law during emergencies.

**Readings:**
Advance Reading:
- General Comment No. 29, CCPR/C/21/Rev.1/Add.11. [Issued by the UN Human Rights Committee and available online]

Optional Reading:

### 4. Topic: International Humanitarian Law I

<table>
<thead>
<tr>
<th>Date: 11th January 2017</th>
<th>Venue: 1.47 Agriculture Building</th>
<th>Time: 14.00 - 17.00</th>
<th>Lecturer: Dr Heike Spieker</th>
</tr>
</thead>
</table>

**Expected learning outcomes:**
- The capacity to determine what constitutes an armed conflict from the perspective of international humanitarian law and to distinguish between international and non-international armed conflicts.
- A good understanding of the core substantive concepts and key principles of international humanitarian law

**Readings:**
- Advance Reading:
- Optional Reading:
  - D. Fleck (ed.) *The Handbook of International Humanitarian Law*, Oxford: OUP
- Additional Resources:

### 5. Topic: International Humanitarian Law II

<table>
<thead>
<tr>
<th>Date: 12th January 2017</th>
<th>Venue: 1.47 Agriculture Building</th>
<th>Time: 14.00 - 17.00</th>
<th>Lecturer: Dr Heike Spieker</th>
</tr>
</thead>
</table>

**Expected learning outcomes:**
- The capacity to determine what constitutes an armed conflict from the perspective of international humanitarian law and to distinguish between international and non-international armed conflicts.
- A good understanding of the core substantive concepts and key principles of international humanitarian law

*Readings:* Please see readings for International Humanitarian Law I

### 6. Topic: Legal Regime of Humanitarian Action in Armed Conflict

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<tr>
<th>Date</th>
<th>Venue</th>
<th>Time</th>
<th>Lecturer:</th>
</tr>
</thead>
<tbody>
<tr>
<td>13th January 2017</td>
<td>1.47 Agriculture Building</td>
<td>14.00 - 17.00</td>
<td>Dr Heike Spieker</td>
</tr>
</tbody>
</table>

*Expected learning outcome:*
- A good understanding of how international law protects and constrains humanitarian operations in armed conflict settings.

*Readings:*
- **Advance Reading:**
- **Follow up Readings:**
- **Additional Resources:**

### 7. Topic: Forced Displacement and International Law

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<th>Date</th>
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<th>Time</th>
<th>Lecturer:</th>
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</thead>
<tbody>
<tr>
<td>16th January 2016</td>
<td>E1.17/1.18 Science East</td>
<td>14.00 - 17.00</td>
<td>Dr Ronan McDermott</td>
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*Expected learning outcome:*
- A capacity to determine the legal status in international law of forcibly displaced persons.

*Readings:*
- **Advance Reading:**
International Law’, Berkeley Journal of International Law, 94-160 [available on the UCD Connect EBSCO Library Database].


- Additional Resources:

8. Topic: Legal Regime of Humanitarian Action in Natural/Technological Disaster Settings

Date: 17th January 2016
Venue: 232 Science North
Time: 14.00 - 17.00
Lecturer: Dr Ronan McDermott

Expected learning outcomes:
- An awareness of the common legal and regulatory obstacles that can hamper an international relief effort in the aftermath of natural and technological disasters
- A capacity to identify the relevant legal and policy instruments designed to address such legal and regulatory obstacles.

Readings:
- Advance Reading:
- Optional Reading:
9. Simulation Exercise and Examination Preparation Seminar

| Date: 19th January 2017 | Venue: G-01 | Time: 14.00 - 17.00 | Lecturer: Dr Ronan McDermott |

*Expected learning outcomes:*
- The ability to apply substantive learning concerning different bodies of international law to a concrete case study.