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**BENGALURU
School of Law**

Mid - Term Examinations -November 2024

Semester: IX SEMESTER

Date: 06-11-2024

Course Code: LAW 316

Time: 09:30am – 11:00am

Course Name: INTERNATIONAL HUMANITARIAN LAW AND
REFUGEE LAW

Max Marks: 60

Program: BA LLB (HONS.)/ BBA LLB (HONS)/ BCOM LLB (HONS)

Weightage: 25%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Do not write anything on the question paper other than roll number.

Part A

Answer ALL the Questions. Each question carries 2 marks.

6Qx2M=12M

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|---|---|---------|---|---------|
| 1 | Assess the effectiveness of the Geneva Conventions in shaping contemporary IHL. | 2 Marks | L | CO1 |
| 2 | Outline the challenges facing IHL in the 21st century. | 2 Marks | L | CO2 |
| 3 | Explain the scope of application of IHL in relation to international and non-international armed conflicts. | 2 Marks | L | CO1,2,3 |
| 4 | Define the terms "combatant" and "non-combatant" under IHL. | 2 Marks | L | CO1 |
| 5 | Discuss the significance of the Geneva Cross in ensuring protection to non-combatants. | 2 Marks | L | CO1,2 |
| 6 | Discuss the rights available to non-repatriated aliens residing within a party to conflict. | 2 Marks | L | CO1,2,3 |

Part B

Answer ALL Questions. Each question carries 12 marks.

4QX12M=48M

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|---|--|---------|---|-----|
| 7 | 7a. Define and differentiate between jus in bello and jus ad bellum, explaining their roles in regulating the conduct of armed conflict. | 3 Marks | L | CO1 |
| | 7b. Examine the philosophical principles on the basis of which IHL has developed over the years. | 3 Marks | L | CO1 |

	7c.	Examine the rights of PoWs to pursue their spiritual afflictions under the III Geneva Convention. Discuss how spiritual personnel are protected under the convention.	6 Marks	L	C01,2,3
	Or				
	8a.	Explain the significance of Common Article 2 in defining the scope of application of IHL to non-international armed conflicts.	3 Marks	L	C01
8	8b.	Examine the interface between international humanitarian law and international human rights law.	3 Marks	L	C01
	8c.	The medical camp within the territory of a party to an armed conflict is alleged of carrying out unauthorized experiments and clinical trials on the wounded and sick persons. The medical unit claims exception and seeks protection under the Geneva Conventions. Decide.	6 Marks	L	C01
	9a.	Evaluate India's attempts to enforce IHL.	3 Marks	L	C01
9	9b.	During an armed conflict, a journalist is embedded with a military unit. The unit comes under attack, and the journalist picks up a weapon to defend themselves. Analyze how this action affects the journalist's protected status under IHL.	3 Marks	L	C01,2,3
	9c.	Examine the role of Neutral parties under the Geneva Conventions.	6 Marks	L	C01,2
	Or				
	10a.	Describe the concept of "grave breaches" as defined in the Geneva Conventions and explain their significance.	3 Marks	L	C01,2,3
10	10b.	Discuss the role of the protecting powers and international humanitarian organizations in providing assistance to victims of armed conflict.	3 Marks	L	C01,3
	10c.	Analyse the role of the Detaining power in promoting the holistic welfare of a PoW.	6 Marks	L	C01,3
11	11a.	Evaluate the process of repatriation and accommodation of POW.	3 Marks	L	C01,2,3

	11b.	Examine the duties of the detaining power under the III Geneva Convention.	3 Marks	L	C01
	11c.	During a naval battle, a hospital ship clearly marked with red cross emblems is approached by an enemy warship demanding to search for enemy combatants. The hospital ship's captain refuses. Analyze the rights and obligations of both vessels under the Second Geneva Convention.	6 Marks	L	C01,2
	Or				
	12a.	Discuss the importance of creating awareness of the Geneva Conventions in the internment camps under the III Geneva Conventions.	3 Marks	L	C03
12	12b.	Outline the need to distinguish between military medical units, personnel and convoys and that of civilians. Discuss the same in light of the principle of distinction.	3 Marks	L	C01,2,3
	12c.	Outline the measures taken by the Detaining power to ensure adherence to the convention when interning civilians. .	6 Marks	L	C01,3
	13a.	Discuss the importance of the principle of national treatment in the treatment of a PoW.	3 Marks	L	C01,3
13	13b.	During an armed conflict, a state uses starvation as a method to elicit information from POW. Assess the legality of this tactic under IHL.	3 Marks	L	C01,2
	13c.	During an armed conflict, a military unit establishes a "safe zone" for civilians but requires all adults to undergo screening for enemy affiliations. Evaluate the legality of this practice under IHL and its impact on civilian protection.	6 Marks	L	C01,3
	Or				
	14a.	Discuss the scope of the principle of non-discrimination enumerated in the Geneva Conventions.	3 Marks	L	C01,2, 3
	14b.	Discuss the importance of establishing identity of PoWs prior to internment.	3 Marks	L	C01,2
14	14c.	Following a naval engagement, shipwrecked sailors from both sides are spotted by a military vessel. The captain decides to rescue only his own nationals. Assess the captain's decision in light of the Second Geneva Convention's provisions on shipwrecked persons.	6 Marks	L	C01,2