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**Presidency University**

**Bengaluru**

 **SCHOOL OF LAW**

**Make-Up Examinations, July 2024**

**Semester**: 9TH

**Course Code**: LAW316

**Course Name**: International Humanitarian Law and Refugee Law

**Program** : LAW

**Date**: 02-07-2024

**Time**: 9:30AM-12:30PM

**Max Marks**: 100

**Weightage**: 50 %

 **Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*
3. *x*

**Part A**

**Answer any 4 Questions. Each question carries 5 marks. (4Qx 5M= 20M)**

1. Explain the term ‘Non-Combatants.’

2. Examine the concepts of ‘Jus ad bellum’ and ‘Jus in bello.’

3. Who is a refugee according to the 1951 Refugee Convention?

4. Write a brief note on Martens Clause.

5. List the criteria that must be met for an individual to be recognized as a refugee under International Law.

6. What are the basic rights guaranteed to refugees under International Refugee Law?

**Part B**

**Answer any 4 Questions. Each question carries 10 marks. (4Qx10M=40M)**

7. How does International Humanitarian Law differ from International Human Rights Law?

8. Describe the concept of proportionality along with other principles that govern IHL.

9. Discuss the evolution of International Humanitarian Law with special emphasis on Battle of Solferino and Lieber Code.

10. Describe the principle of non-refoulement and its significance in protecting refugees.

11. Evaluate the role of the United Nations High Commissioner for Refugees (UNHCR) in providing protection and assistance to refugees. Discuss its strengths and limitations.

12. Assess the effectiveness of current IHL provisions in protecting civilians during non-international armed conflicts. Suggest potential improvements to enhance civilian protection.

**Part C**

**Answer any 2 Questions. Each question carries 20 marks. (2Qx20M=40M)**

13. Critically evaluate India's approach to refugee protection, considering its non-ratification of the 1951 Refugee Convention. Analyze the strengths and weaknesses of India's current legal framework and suggest reforms to better align with international standards.

14. Compare and contrast the refugee protection regime under the 1951 Refugee Convention and regional refugee frameworks.

15. Analyze the strategies and tactics used in combat. Name the means and methods that are prohibited along with supporting provisions under Geneva Conventions.