

Faculty of Economic, Social and Political Sciences



HUMA3840 Humanitarian law

[30h] 5 credits

This course is taught in the 1st semester

Teacher(s): Henri Bosly
Language: French
Level: Third cycle

Aims

To give students information about, and to enable them develop a critical reflection on, the legal rules relating to the deployment of humanitarian action, particularly at international level, the specific provisions that facilitate access to victims (both in a conflict situation and in the absence of any conflict at all), and the institutional framework in which emergency aid operates.

Main themes

Analysis in legal terms, that is to say using the relevant instruments (e.g. international treaties, national laws, UN Resolutions, national and international case law, and literature), and the development of critical reflection about the manifestations of a relatively recent reality covered by the phrase "the duty of right to carry out humanitarian interference", and of legal relationships between actors (both public and private) and humanitarian aid. A distinction will be drawn between situations caused by armed conflicts and situations in which there is no armed conflict.

Content and teaching methods

Content

Although humanitarian aid has only been practicable for a long time with the backing of the state where the emergency situation existed, a movement has developed over the last 15 years or so aimed at claiming the right of humanitarian intervention that transcends astute sovereignty. Humanitarian corridors for the dispatch of aid, humanitarian staging-posts facilitating the return of refugees, peacekeeping (or peace re-establishment) military operations imposed by the UN mainly ensuring that the aid is protected - all the realities covered by these phrases rely on a corpus of legal rules and politico-legal practices that are often run together in the expression "duty or right to carry out humanitarian interference". It will be important to clarify the exact scope of this expression, and its ability to satisfactorily justify (or not) the wide range of humanitarian actions. Bodies that have been tasked (or are being tasked) with providing humanitarian aid have proliferated as the concept of interference has emerged, with classic non-governmental organisations such as the ICRC and MSF being joined by state apparatuses that lead to the setting up of new humanitarian actors.

The methodology will include a professorial component, and debate-lectures with humanitarian actors.

Other information (prerequisite, evaluation (assessment methods), course materials recommended readings, ...)

There will be an oral examination. Students will have time to prepare, and they will be able to use their collection of special texts (e.g. of international treaties and laws).

Students will have two files: the first will contain a detailed plan of the subject-matter as presented on the professorial course, and will be followed by a bibliography chosen according to the subjects; the second will be a collection of legal texts (e.g. treaties and laws).

Other credits in programs

HUMA3DS	Diplôme d'études spécialisées en actions humanitaires internationales	(4 credits)	Mandatory
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