

**Styre:** Fakultetsstyret ved Det juridiske fakultet

**Styresak:** 35/23 **Møtedato:** 21.03.2

**Møtedato:** 21.03.2023 **Journalnummer:** 2023/1803

NEDLEGGING AV JUS296-2-A LAW OF ARMED CONFLICT, WITH EMPHASIS ON MARITIME OPERATIONS OG OPPRETTING AV 2318 LAW OF ARMED CONFLICT, WITH EMPHASIS ON MARITIME OPERATIONS OG 3518 LAW OF ARMED CONFLICT, WITH EMPHASIS ON MARITIME OPERATIONS

# **Bakgrunn**

I sak 76/22 til fakultetsstyret 27.9.2022 vedtok fakultetsstyret ny modell for engelskspråklege emne ved fakultetet der dei engelskspråklege emna som hovudregel skal finnast i to variantar med ulike emnkodar: Den eine versjonen av emnet skal ha læringsutbyteskildring i samsvar med bachelornivået i nasjonalt kvalifikasjonsrammeverk, og den andre versjonen av emnet skal ha læringsutbyteskildring i samsvar med masternivå i nasjonalt kvalifikasjonsrammeverk.

Som oppfølging av dette vedtaket har dei emneansvarlege for engelskspråklege spesialemne blitt bedne om å utarbeida nye emneskildringar. Emneansvarleg Knut Einar Skodvin har utarbeidd dei to emneskildringane som ligg ved.

Som vedlegg følgjer saka slik ho vart presentert for studieutvalet, inkludert ei oppsummering av skilnadene på bacheloremnet og masteremnet, samt emneskildringar for begge emna.

# Handsaming i studieutvalet

Studieutvalet handsama saka i sitt møte den 08.03.2023 og oversender saka til fakultetsstyret med følgjande uttale:

«Studieutvalet oppfordrar fakultetsstyret til å leggja ned emnet JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations etter studieåret 22/23 og istaden oppretta JUS2318 Law of Armed Conflict, with Emphasis on Maritime Operations og JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations som skal undervisast første gong haustsemesteret 2023, og til å vedta overgangsordningar og tal på vurderingsforsøk som skildra. »

# Merknader frå dekan og fakultetsdirektør

Dekan og fakultetsdirektør sluttar seg til forslaget frå Studieutvalget.

På denne bakgrunn blir det sett fram følgjande:

## forslag til vedtak:

1. JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations blir lagt ned etter studieåret 2022/2023.

# [Skriv her]

- 2. Emna JUS2318 Law of Armed Conflict, with Emphasis on Maritime Operations og JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations blir oppretta og skal undervisast første gong haustsemesteret 2023.
- 3. Overgangsordning for studentar som treng å gjennomføra vurdering i gamalt emne JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations etter studieåret 2022/2023: Studentane avlegg i staden eksamen i nytt emne JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations.
- 4. Studentar har tre vurderingsforsøk samla både for det gamle emnet JUS296-2-A i kombinasjon med eitt av dei to nye emna, og samla for dei to nye emna i kombinasjon.

Karl Harald Søvig dekan

Øystein L. Iversen fakultetsdirektør

10.03.2023 INTØ

# Vedlegg:

- 1. Sak 11/23-10 til Studieutvalet
- 2. Emneskildring JUS2318 Law of Armed Conflict, with Emphasis on Maritime Operations
- 3. Emneskildring JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations

Nedlegging av JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations og oppretting av JUS2318/JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations, samt justering av emneskildring for JUS667 Law of Armed Conflict, with Emphasis on Maritime Operations

I sak 76/22 til fakultetsstyret 27.9.2022 vedtok fakultetsstyret ny modell for engelskspråklege emne ved fakultetet der dei engelskspråklege emna som hovudregel skal finnast i to variantar med ulike emnkodar: Den eine versjonen av emnet skal ha læringsutbyteskildring i samsvar med bachelornivået i nasjonalt kvalifikasjonsrammeverk, og den andre versjonen av emnet skal ha læringsutbyteskildring i samsvar med masternivå i nasjonalt kvalifikasjonsrammeverk.

Som oppfølging av dette vedtaket har dei emneansvarlege for engelskspråklege spesialemne blitt bedne om å utarbeida nye emneskildringar. Emneansvarleg Knut Einar Skodvin har utarbeidd dei to emneskildringane som ligg ved. Skilnadene mellom bacheloremnet og masteremnet er markert med spor endringar i bacheloremnet.

Mål og innhald er i hovudsak likelydande for dei to emna, mens forventa læringsutbyte er nedjustert for studentar på 3. studieår (bachelornivå). Skilnadene mellom forventa læringsutbyte på masternivå og bachelornivå er markert med spor endringar i emneskildringa for bachelornivået. Emneansvarleg opplyser at omtalen av det eksisterande kurset (JUS296-2-A) var meint å ligga på MA-nivå den gong det vart føreslått, slik at det er ikkje gjort framlegg til endringar i masterversjonen av emnet (JUS3518). Endringane mellom gamal og ny utgåve av masterversjonen av emnet er dermed berre av administrativ art, idet vi i samband med omlegginga også har sytt for klargjeringar og straumlinjeforming av dei administrative formuleringane i emneskildringane.

Begge emna har obligatorisk arbeidskrav i form av ei gruppeoppgåve på maks 1500 ord som blir vurdert som greidd eller ikkje greidd. Begge emna har heimeeksamen som vurderingsform.

Litteraturlista for masterversjonen av emnet er som i dag, medan litteraturlista for bacheloremnet er redusert med ein artikkel samt nokre sider om nøytralitet. Emneansvarleg opplyser at elles er det samanfall, basert på at det er djupne – og ikkje breidd – som er skilnaden på dei to emna. Til saman er litteraturen i bacheloremnet på 454 sider.<sup>1</sup>

Det kan vera verd å nemna at emnet på masternivå allereie har eit tvillingemne i Etter- og vidareutdanningsporteføljen til fakultetet, då emnet også inngår i det erfaringbaserte masterporgrammet i operativ leiing og myndighetsutøving. På grunn av samundervisning mellom til no dei to masteremna, og for framtida mellom både dei to masteremna og det nye bacheloremnet, vil studentar som tek desse emna ha fordel av meir undervisning enn det som er normen ved fakultetet. Dette kjem av at også studentane på masterprogrammet i rettsvitskap får vera med på oppgåveseminaret som er lagt til som eit tillegg i det oppdragsfinansierte vidareutdanningsemnet. Denne tilleggsundervisninga belastar ikkje fakultetets undervisningsrekneskap, men studentar frå dei

<sup>&</sup>lt;sup>1</sup> SU vedtok i sak 54/16 at for det integrerte masterprogram i rettsvitenskap ved Det juridiske fakultet gjeld følgjande sidetalsnorm: Hovudlitteraturen skal ha eit omfang på mellom 30 og 60 tekstsider pr. studiepoeng. I same sak uttalte også SU at «Det skal videre tas hensyn til hvor i studiet emnet er plassert, sånn at hovedlitteraturen i emner som er plassert mot slutten av studiet normalt vil være mer omfattende enn emner tidlig i studiet.» Ut frå dette reknar studiedekanen at eit spesialemne på 5. studieår bør ha opp mot 60 sider hovudlitteratur per studiepoeng, og at eit valemne på 3. studieår bør ha kring 45 sider hovudlitteratur per studiepoeng.

ulike studieprogramma har gjensidig nytte av kvarandre i undervisninga, idet studentar frå Kystvakten har nytte av den juridiske kompetansen jusstudentane har med seg inn i undervisningssituasjonen, medan jusstudentane har nytte av den praktiske erfaringa som studentane på det erfaringsbaserte masterprogrammet har med seg inn i undervisningssituasjonen.

Overgangsordning og tal på eksamensforsøk

§3-2-4 i Forskrift om opptak, studier, vurdering og grader ved Universitetet i Bergen (UiB-forskrifta) seier: «Ved nedlegging av studieprogram, studieretninger og emner skal vedtaksorganet fastsette overgangstid for undervisning og vurdering. Studenter som er tatt opp til studieprogram som vedtas nedlagt, har rett til å fullføre dette i samsvar med vedtak om overgangstid. Ved nedlegging av emner skal det normalt avholdes vurdering i emnet i ett eller to påfølgende semestre etter siste undervisningssemester.»

I dette tilfellet er emna på masternivå så like at studentar som treng å gjennomføra vurdering i gamalt emne JUS296-2-A etter haustsemesteret 2023, i staden vil bli viste til å avlegga eksamen i nytt emne JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations.

§ 6-8-1 i UiB-forskrifta seier følgjande om antall vurderingsforsøk: «Ved Universitetet i Bergen gjelder det ordinært en øvre grense på tre vurderingsforsøk for det enkelte emne. Begrensningen i antallet vurderingsforsøk gjelder også dersom emnet har skiftet emnekode, inngår med ulik kode i flere studieprogrammer eller inngår i ny form i et studieprogram i tilknytning til en overgangsordning.

I medhald av dette gjeld at studentar har tre vurderingsforsøk samla både for det gamle emnet JUS296-2-A og kvart av dei to nye emna, og samla for dei to nye emna i kombinasjon. Ein student som tidlegare har nytta alle vurderingsforsøka i emnet på 3. studieår, kan ikkje få nye høve til å greia emnet ved å i staden melda seg til den andre utgåva av emnet på 5. studieår.

# Justering av emneskildring for JUS667 Law of Armed Conflict, with Emphasis of Maritime Operations

Som følge av at ordlengda på den obligatoriske gruppeoppgåva no er slått fast i emneskildringane for dei to emna som inngår i masterprogrammet i rettsvitskap, er det også naudsynt å gjera same presisering i emneskildringa for det nemnde tvillingemnet i EVU-porteføljen.

Informasjonen under overskrifta Compulsory Assignments and Attendance blir endra frå

"Mandatory group assignment. This is assessed as a pass/non-pass." til "Mandatory group assignment of maximum 1500 words. This is assessed as a pass/non-pass."

#### Studieutvalet uttalar:

Studieutvalet oppfordrar fakultetsstyret til å leggja ned emnet JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations og istaden oppretta JUS2318 Law of Armed Conflict, with Emphasis on Maritime Operations og JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations som skal undervisast første gong haustsemesteret 2023, og til å vedta overgangsordningar og tal på vurderingsforsøk som skildra.

#### Studieutvalet vedtek:

Emneskildringa for JUS667 Law of Armed Conflict blir endra som føreslått.

Vedlegg: Emneskildringar

# Law of armed Conflict, with emphasis on maritime operations

#### **ECTS Credits**

10 ECTS

#### **Level of Study**

Bachelor level

#### **Teaching semester**

Autumn

#### Place of Instruction

Faculty of Law, University of Bergen

### **Objectives and Content**

The Law of Armed Conflict (LOAC) applies between parties to an armed conflict, be it an international armed conflict or non-international armed conflict (sometimes called an internal armed conflict). The subject of LOAC is therefore not when or if parties to a conflict have the right to resort to armed force - but the rules applicable between them if they do.

The use of armed force, unfortunately, remain characteristic for the international society. Whether the world has become more peaceful - typically measured in the number of people who lose their lives in armed 7 conflicts - is disputed. But while the number of lives lost may be diminishing, there is no doubt that the number of armed conflicts is on the rise. Even a small country like Norway is active in over ten military operations abroad, and has since the second world war contributed to over 100 operations in more than 40 countries.

For the international community, it, therefore, remains a central question to what extent and in which manner armed force may be utilized once a conflict has escalated to the level of an armed conflict. And while much of the law rests on legal developments that took place in the aftermath of the second world war, technical and cultural development did not cease.

Technically the law is ever challenged by new methods of warfare. To mention but some examples:

- the use of over the horizon weapons have greatly expanded
- the use of drone technology has profoundly changed the nature of the battlefield
- the battlefield has been significantly extended by the addition of a cyber dimension
- the battlefield may again be changed by the introduction of artificial intelligence into man controlled, or entirely self-controlled, weapon systems.

Culturally international law has seen a significant influence of human rights law affecting all fields - of course also LOAC. International criminal law has seen significant developments, aimed among others

at underpinning and strengthening LOAC. Significant attempts have also been made at preserving human life and limit suffering, i.e. in the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction as well as the Convention on Cluster Munitions. Both conventions arguably resting on a changed view of the value of human life measured against military benefits. Both conventions also demonstrate the freedom States pursue under LOAC, non-signatories to both including some of the major actors on the international stage, and other States considering a withdrawal in order to enhance military capacity.

The Law of Armed Conflict exists in this constantly developing interplay, at all times central to the State. And when applicable, LOAC concerns a State¿s most fundamental interest; its survival. As such LOAC is therefore also one of the most interesting fields in which to study international law, for no field attempts more directly to regulate the core interests of the State and to balance two more competing interests; to safeguard the life and health of humans while in no way impeding military efficiency.

The Law of Armed Conflict is built around four principles: (i) Distinction between military and civilian targets, (ii) Proportionality, (iii) Military necessity and (iv) Limitations. The course will focus on these basic principles in depth. The course will further focus on the interplay between LOAC and general human rights obligations.

As LOAC applies in situations where life is routinely taken, and suffering routinely caused, LOAC is also fraught with ethical dilemmas. The role of ethics in the determination of the law, as well as its implications for professionals working in the field of LOAC, must thus be addressed and discussed.

For its theatre of operations, the course will focus on the oft less discussed maritime theatre. Being the main source of force projection for non-neighbouring States as well as playing a vital role in resupply, allied support and early threat detection as well as self-defence, the oceanic space is of great importance in large scale conflicts.

In relation to the programme description for the five-year Master in Law programme, the course will

- Help students build an understanding of how national law and national decision making is affected by international law
- Help students gain a deeper understanding of how legal methodology may vary between different disciplines of law
- Emphasize the role of lawyers also in conflict situations and put to the forefront the deep ethical considerations that affect the determination of the law and how these may explain different views of the law
- Help students understand how the law is affected by the development of new technologies
- Broaden the range of sources familiar to students
- Sharpen their ability to make an independent, critical and ethical assessment of what the law on any matter is

- Sharpen their ability to apply the law to fields which may not have been considered when central sources were created
- Broaden their competence to cooperate with lawyers with a different cultural background
- Broaden their ability to cooperate in interdisciplinary teams and benefit in their legal analysis from crossdisciplinary information

#### **Learning Outcomes**

#### Knowledge

After successfully completing the course students will have a general knowledge of

- Why States resort to armed conflict in their international relations
- When international law permits the use of force
- The historical development of LOAC
- Different levels of conflict and the application of LOAC
- The relationship between LOAC and International Criminal Law
- The rights and duties of an occupying power

After successfully completing the course students will be familiar withhave a good knowledge of

- The method and sources of international law, with particular emphasis on questions and differences that arise in LOAC
- The four central principles of LOAC, and <u>their basic especially their application</u> in maritime operations
- The meaning and importance of status as a combatant, non-combatant and civilians
- The limitations LOAC presents on means and methods of armed conflict, especially as these apply to operations conducted at or from the sea
- The legal status, as well as rights and obligations that concern neutrals
- Special questions that arise in maritime operations covered by LOAC, like questions of blockade and the establishment of security/exclusion zones
- The application of Human Rights Law in situations that are also covered by LOAC
- The rules concerning protected persons and objects

#### **Abilities**

After completing the course, the student should be able to <u>identify</u>, <u>reflect upon</u>, <u>address and</u> <u>formulate a reasoned opinion independently analyze</u>, <u>discuss</u>, <u>and take a stand</u> on issues that fall under LOAC.

This entails that students must be able to

- identify, systematize and formulate LOAC issues based on comprehensive and complex fact
- find and <u>address</u> systematize relevant sources of law, and carry out independent legal analysis of LOAC issues <u>based on primary and secondary sources</u> in a thorough, comprehensive, critical and in a balanced way
- <u>identifyreason out a professionally</u> sound position through clarification of tensions between different types of arguments that are valid under international law
- identify ethical impacts on the determination of law, particularly in the field of study
- discuss questions of legal policy that arise in the context of LOAC in a thorough and balanced manner

The student must also be able to convey and evaluate legal analyzes and points of view in the LOAC context through

- systematically prepared independent written analyzes
- orally present legal argumentation
- to comment on and evaluate other students' analyzes and to receive and make use of such comments
- to work with others in groups to analyze LOAC issues

## General competence

After completion of the course, students shall have

- an understanding of LOAC as a separate discipline of international law
- have insight in LOAC's place in international law and how it works in conjunction with and is
  affected by other disciplines of international law (like international human rights law and
  international criminal law), as well as how it works in conjunction with national law
- recognize and work within be able to handle a field of law where sources are fragmented and to some degree dated

# **Required Previous Knowledge**

Two years of law studies

## **Recommended Previous Knowledge**

Good command of English language.

A basic understanding of international law is not required but will be helpful.

## **Credit Reduction due to Course Overlap**

[Skriv her]

Combined with JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations or JUS3518 Law of Armed Conflict, with Emphasis on Maritime Operations will generate no new credits.

The course combines well with

JUS2316/JUS3516 Law of the Sea and its Uses and JUS3518 International Criminal Law.

#### **Access to the Course**

The course is available for the following students:

- Admitted to the five-year master programme in law
- Granted admission to elective courses at the Faculty of Law
- Exchange students at the Faculty of Law

The pre-requirements may still limit certain students' access to the course

#### **Teaching and learning methods**

The course will be taught through blended learning, combining the use of digital modules with seminar modules. Through these students will be given an overview as well as be invited (and required) to actively participate in knowledge sharing and production.

In conjunction these forms of evaluation will encourage students to work together and share of experience and emphasis exchanges across legal cultures as well as fostering the ability to both orally and in written form present legal arguments within the field of LOAC

## **Compulsory Assignments and Attendance**

Mandatory group assignment of maximum 1500 words. This is assessed as a pass/non-pass.

#### **Forms of Assessment**

Home exam

Resit next semester only for those who have passed the mandatory assignment

# **Examination Support Material**

Open book. Please note the rules concerning <u>source citation</u>.

## **Grading Scale**

A-E for pass, F for fail.

### **Assessment Semester**

Autumn

#### **Reading List**

The reading list will be ready 1 July for the autumnsemester.

## **Course Evaluation**

According to the administrative arrangements for course evaluation at the Faculty of Law

# **Programmeme Committee**

The Academic Affairs Committee (Studieutvalget) at the Faculty of Law

#### **Course Coordinator**

Professor Knut Einar Skodvin

## **Course Administrator**

The Faculty of Law's section for students and academic affairs (Studieseksjonen)

## **Reading list**

- The Handbook of International Humanitarian Law, Dieter Fleck & Michael Bothe (eds.), 4. Ed.,
   Oxford University Press, 2021
- Pages 10 50, pages 81 275, pages 360 390, pages 449 457, pages 516 612 and pages 690 752. Pages outside the mentioned range do not form part of the required reading.
- Yoram Dinstein, The conduct of hostilities under the law of international armed conflict, 3. Ed, Cambridge University Press, 2016. Pages 8 12, 70 76, 149 163. Pages outside the mentioned range do not form part of the required reading.

# Law of armed Conflict, with emphasis on maritime operations

#### **ECTS Credits**

10 ECTS

## **Level of Study**

Master level

#### **Teaching semester**

Autumn

#### Place of Instruction

Faculty of Law, University of Bergen

## **Objectives and Content**

The Law of Armed Conflict (LOAC) applies between parties to an armed conflict, be it an international armed conflict or non-international armed conflict (sometimes called an internal armed conflict). The subject of LOAC is therefore not when or if parties to a conflict have the right to resort to armed force - but the rules applicable between them if they do.

The use of armed force, unfortunately, remain characteristic for the international society. Whether the world has become more peaceful - typically measured in the number of people who lose their lives in armed 7 conflicts - is disputed. But while the number of lives lost may be diminishing, there is no doubt that the number of armed conflicts is on the rise. Even a small country like Norway is active in over ten military operations abroad, and has since the second world war contributed to over 100 operations in more than 40 countries.

For the international community, it, therefore, remains a central question to what extent and in which manner armed force may be utilized once a conflict has escalated to the level of an armed conflict. And while much of the law rests on legal developments that took place in the aftermath of the second world war, technical and cultural development did not cease.

Technically the law is ever challenged by new methods of warfare. To mention but some examples:

- the use of over the horizon weapons have greatly expanded
- the use of drone technology has profoundly changed the nature of the battlefield
- the battlefield has been significantly extended by the addition of a cyber dimension
- the battlefield may again be changed by the introduction of artificial intelligence into man controlled, or entirely self-controlled, weapon systems.

Culturally international law has seen a significant influence of human rights law affecting all fields - of course also LOAC. International criminal law has seen significant developments, aimed among others

at underpinning and strengthening LOAC. Significant attempts have also been made at preserving human life and limit suffering, i.e. in the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction as well as the Convention on Cluster Munitions. Both conventions arguably resting on a changed view of the value of human life measured against military benefits. Both conventions also demonstrate the freedom States pursue under LOAC, non-signatories to both including some of the major actors on the international stage, and other States considering a withdrawal in order to enhance military capacity.

The Law of Armed Conflict exists in this constantly developing interplay, at all times central to the State. And when applicable, LOAC concerns a State¿s most fundamental interest; its survival. As such LOAC is therefore also one of the most interesting fields in which to study international law, for no field attempts more directly to regulate the core interests of the State and to balance two more competing interests; to safeguard the life and health of humans while in no way impeding military efficiency.

The Law of Armed Conflict is built around four principles: (i) Distinction between military and civilian targets, (ii) Proportionality, (iii) Military necessity and (iv) Limitations. The course will focus on these basic principles in depth. The course will further focus on the interplay between LOAC and general human rights obligations.

As LOAC applies in situations where life is routinely taken, and suffering routinely caused, LOAC is also fraught with ethical dilemmas. The role of ethics in the determination of the law, as well as its implications for professionals working in the field of LOAC, must thus be addressed and discussed.

For its theatre of operations, the course will focus on the oft less discussed maritime theatre. Being the main source of force projection for non-neighbouring States as well as playing a vital role in resupply, allied support and early threat detection as well as self-defence, the oceanic space is of great importance in large scale conflicts.

In relation to the programme description for the five-year Master in Law programme, the course will

- Help students build an understanding of how national law and national decision making is affected by international law
- Help students gain a deeper understanding of how legal methodology may vary between different disciplines of law
- Emphasize the role of lawyers also in conflict situations and put to the forefront the deep ethical considerations that affect the determination of the law and how these may explain different views of the law
- Help students understand how the law is affected by the development of new technologies
- Broaden the range of sources familiar to students
- Sharpen their ability to make an independent, critical and ethical assessment of what the law on any matter is

- Sharpen their ability to apply the law to fields which may not have been considered when central sources were created
- Broaden their competence to cooperate with lawyers with a different cultural background
- Broaden their ability to cooperate in interdisciplinary teams and benefit in their legal analysis from crossdisciplinary information

## **Learning Outcomes**

#### Knowledge

After successfully completing the course students will have a general knowledge of

- Why States resort to armed conflict in their international relations
- When international law permits the use of force
- The historical development of LOAC
- Different levels of conflict and the application of LOAC
- The relationship between LOAC and International Criminal Law
- The rights and duties of an occupying power

After successfully completing the course students will have a good knowledge of

- The method and sources of international law, with particular emphasis on questions and differences that arise in LOAC
- The four central principles of LOAC, and especially their application in maritime operations
- The meaning and importance of status as a combatant, non-combatant and civilians
- The limitations LOAC presents on means and methods of armed conflict, especially as these apply to operations conducted at or from the sea
- The legal status, as well as rights and obligations that concern neutrals
- Special questions that arise in maritime operations covered by LOAC, like questions of blockade and the establishment of security/exclusion zones
- The application of Human Rights Law in situations that are also covered by LOAC
- The rules concerning protected persons and objects

#### **Abilities**

After completing the course, the student should be able to independently analyze, discuss, and take a stand on issues that fall under LOAC.

This entails that students must be able to

- identify, systematize and formulate LOAC issues based on comprehensive and complex fact
- find and systematize relevant sources of law and carry out independent legal analysis of LOAC issues in a thorough, comprehensive, critical and balanced way
- reason out a professionally sound position through clarification of tensions between different types of arguments that are valid under international law
- identify ethical impacts on the determination of law, particularly in the field of study
- discuss questions of legal policy that arise in the context of LOAC in a thorough and balanced manner

The student must also be able to convey and evaluate legal analyzes and points of view in the LOAC context through

- systematically prepared independent written analyzes
- orally present legal argumentation
- to comment on and evaluate other students' analyzes and to receive and make use of such comments
- to work with others in groups to analyze LOAC issues

## General competence

After completion of the course, students shall have

- an understanding of LOAC as a separate discipline of international law
- have insight in LOAC's place in international law and how it works in conjunction with and is
  affected by other disciplines of international law (like international human rights law and
  international criminal law), as well as how it works in conjunction with national law
- be able to handle a field of law where sources are fragmented and to some degree dated

# **Required Previous Knowledge**

Three years of law studies

## **Recommended Previous Knowledge**

Good command of English language.

A basic understanding of international law is not required but will be helpful.

#### **Credit Reduction due to Course Overlap**

Combined with JUS296-2-A Law of Armed Conflict, with Emphasis on Maritime Operations or JUS2318 Law of Armed Conflict, with Emphasis on Maritime Operations will generate no new credits.

The course combines well with

JUS2316/JUS3516 Law of the Sea and its Uses and JUS3518 International Criminal Law.

#### **Access to the Course**

The course is available for the following students:

- Admitted to the five-year master programme in law
- Admitted to the two-year master programme in law
- Granted admission to elective courses at the Faculty of Law
- Granted additional right to study following completed Master in Law degree at UiB
- Exchange students at the Faculty of Law

The pre-requirements may still limit certain students' access to the course

## **Teaching and learning methods**

The course will be taught through blended learning, combining the use of digital modules with seminar modules. Through these students will be given an overview as well as be invited (and required) to actively participate in knowledge sharing and production.

In conjunction these forms of evaluation will encourage students to work together and share of experience and emphasis exchanges across legal cultures as well as fostering the ability to both orally and in written form present legal arguments within the field of LOAC

## **Compulsory Assignments and Attendance**

Mandatory group assignment of maximum 1500 words. This is assessed as a pass/non-pass.

#### **Forms of Assessment**

Home exam

Resit next semester only for those who have passed the mandatory assignment.

# **Examination Support Material**

Open book. Please note the rules concerning source citation.

## **Grading Scale**

A-E for pass, F for fail.

# **Assessment Semester**

Autumn

#### **Reading List**

The reading list will be ready 1 July for the autumnsemester.

#### **Course Evaluation**

# [Skriv her]

According to the administrative arrangements for course evaluation at the Faculty of Law

# **Programme Committee**

The Academic Affairs Committee (Studieutvalget) at the Faculty of Law

# **Course Coordinator**

Professor Knut Einar Skodvin

# **Course Administrator**

The Faculty of Law's section for students and academic affairs (Studieseksjonen)