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2018-08-22

Course Syllabus

Course Title:

International Law of Military Operations

Course title in Swedish:

Folkrätt i militära operationer

Course code: 1FR005

Valid from: HT2017

Confirmed By: This is an English translation of the syllabus that has been approved by the Board of Education and Education at the Swedish Defense College 2018-08-22.

Department: ISSL

Subject: Law with specialization in International Law

Level: Undergraduate

Higher Education Credits: 30hp

Entry requirements and specific admission requirements:

For admission to the course, besides basic eligibility for university studies, the course International Law in crisis and conflict, and both B-level courses in International Law or equivalent.

Main Field of Study:

International Law

Progressive specialisation:

G2E. Undergraduate level has at least 60 credits (hp) as an entry requirement. The course includes examined work for the degree.

Level of specialisation:

Advanced course

Course content and structure:

The advanced course in International Law of Military Operations is a 30 credit course which allows you to deepen your knowledge of the international legal system with a special focus on issues related to crisis and conflict. The course also gives you the opportunity to apply a legal methodology to the course's central component which is the writing of an essay. The course is divided into three modules, two of which are taught course sections and the third, a supervised essay (thesis).

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Module 1 - International Law Aspects of Military Operations (7.5hp).

This module involves an in-depth look at the UN Charter, with particular focus on the use of force in international relations, human rights in situations of conflict and crises with a focus on the use of force and detention, international humanitarian law and responsibility issues under international law.

Module 2 – Legal Methodology (7.5hp)

The second taught module reviews legal method and methodology with the aim of preparing students for the essay component of the course. Within the framework of this part, students will be acquainted with methods to identify international law sources, study various sources of law and how they are interpreted. In this part, you are given the opportunity to begin the formulation of the legal problem which will form the basis for the future work of the thesis. Compulsory seminars on plagiarism and other research issues will be conducted during this module.

Module 3 – Thesis (15hp)

The third component of the course is the thesis work. Work on essay writing involves an opportunity to deepen your knowledge of a particular international legal issue. It also gives you an opportunity to learn through application of the legal doctrinal method for solving international law problems. The essay writing component puts high demands on independence and requires the student to plan the timing and scope of the work. The thesis work is supervised and the course will end with a final seminar where you will be required to defend your thesis and act as opponent on another student's essay.

Instruction on the course consists of lectures (not mandatory) and seminars (mandatory) where the student is expected to contribute by active listening and participation in the discussion.

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Intended Learning Outcomes:

Module 1 - International Law Aspects of Military Operations (7.5hp).

After completion of the course students should be able to:

- Identify, independently assess and critically analyze selected international legal issues relating to military operations and formulate, orally and in writing, arguments for and against particular positions.
- Independently and together with others solve complex problems in the field of international law with particular reference to military operations.

Module 2 – Legal Methodology (7.5hp)

After completion of this course students should be able to:

- Identify and formulate a legal issue and discern the appropriate methodology to conduct research on selected issues.
- Search for, interpret and use international legal sources.
- Identify and correctly apply the primary sources of international law to an international legal problem.
- Critically evaluate sources of international law.

Module 3 – Thesis in international law with a focus on the international law of military operations (15hp)

After completing the course the student should be able to:

- Independently write an essay with a relevant international law research problem and, based on the research issue selected, identify appropriate materials, select a relevant research and theoretical approach, demonstrate independent analysis, a clear connection between the question (s) and conclusions.
- Identify the need for further knowledge and to discuss some relevant scientific, social and ethical aspects in relation to the chosen subject of the essay.
- Orally defend their own thesis and act as an opponent to criticize and evaluate other students' independent work in a constructive manner.
- Apply the rules of good research practice, including the correct language, spelling and formal referencing.

Assessment and Examination:

Examination of each of the two taught-course modules is by written task and take-home exam. The Examiner can decide on a supplementary task in order to pass the course. Late submissions are not assessed, except in the case of special circumstances, which must be approved by the Examiner. The student has three

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(3) days to submit the supplementary task after it has been assigned, except in the case of special circumstances, which must be approved by the Examiner.

Examination of the thesis (the result of the independent research task), is by assessment of the written work, the defense of the thesis at the seminar presentation and opposition on another student's thesis. Active participation during the full schedule of seminars is mandatory. Other seminars (e.g. information on what is plagiarism, such as paper presentation seminars, group mentoring) in the course are also compulsory.

Overall guidelines for the course are specified below:

- It is a course requirement that students prepare for the compulsory elements according to instructions, including by group preparation and preparing an oral presentation.
- It is a course requirement that students have fulfilled the requirement of active participation which means that the student participates in discussions and verbally relates to the current theme.
- Completion of all mandatory elements is a prerequisite for the student to pass the module and achieve their learning objectives.
- A student who fails to attend more than one (1) compulsory element cannot, as a rule, pass the module. In exceptional cases, where events beyond the student's control so justify, can absence from more than one compulsory element be accepted. Absence from compulsory elements of the course must be replaced by a (written or oral) task. The student has three (3) days to submit the supplementary task after it has been assigned, except in the case of special circumstances, which must be approved by the examiner. Defending one's own thesis and opposition on another essay, however, cannot be so replaced. Other compensation tasks may occur, according to specific instructions from the examiner.
- A student who fails to attend more than one (1) compulsory part may attend that part in the next course.
- The examiner may decide that any examination assignment (essay) not achieving the required grade may, *in some cases*, be supplemented or revised and resubmitted as decided by the examiner.
- Students have, unless special reasons exist, the right to supervision on the thesis component only for the first time a student is registered for the course. Thereafter students will be given supervision only if resources are available.

Number of examinations:

For modules 1 and 2 of the course, one (1) ordinary exam and one (1) re-exam will be offered. Thereafter, additional examinations are determined in agreement with the examiner. Module 3 (thesis) will be examined at the end of the course. Thereafter, a possibility exists to be examined at certain reexamination dates and at the next course examination.

There are no limitations to the total number of re-examinations.

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Grading:

Pass with Distinction (VG), Pass (G) or Fail (U) is given on the course. The grades G and U may be given in respect of module 1 and 2. For module 3 the grades VG, G and U may be given.

Grading criteria are provided by the teacher.

Reading List (located in Appendix): See appendix

Interim Regulations:

When the course is no longer offered, or when its contents change significantly, the student is entitled to one time per semester for three further semesters examined according to this syllabus.

Miscellaneous:

The course is offered as an elective course.

The course and its modules are assessed through a written evaluation.