



**COLLEGE OF BUSINESS, PEACE, LEADERSHIP, AND GOVERNANCE**

**NPHP 510: INTERNATIONAL HUMANITARIAN LAW AND  
REFUGEE LAW**

**END OF SECOND SEMESTER EXAMINATIONS**

**APRIL 2023**

**LECTURER: DR. E. RUTSATE**

**DURATION: 3 HOURS**

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***INSTRUCTIONS TO CANDIDATES***

1. **Question 1** in Section A is **compulsory**
2. Select and answer any **two questions** from **Section B**.
3. **Question 1** in **Section A** has a total of **50 marks** while the **2** questions of your choice from **Section B** carry **25** marks each.
4. You are encouraged to provide appropriate references where necessary in your work.
5. Any cases of positive exam misconduct will be punished in terms University Regulations.

## **SECTION A**

### **Question 1**

Define and briefly explain the basic frameworks underlining the concepts given in **any five** of the following subsections under either international human rights law, or international humanitarian law or international refugee law. Your answer should encompass both concepts falling under a subsection e.g. 4 (b) on jus ad bellum and jus in bello as one answer;

- (a) War crime and how war criminals are treated under humanitarian law. **(10 marks)**
- (b) Jus Ad Bellum and Jus In Bello. **(10 marks)**
- (c) Internally displaced persons (IDP) and Refugee. **(10 marks)**
- (d) Stateless person and Asylum seeker. **(10 marks)**
- (e) International humanitarian law and international refugee law. **(10 marks)**
- (f) Terrorism and how it is treated under international humanitarian law. **(10 marks)**
- (g) Prohibited means of armed conflict and justification for their existence. **(10 marks)**
- (h) Principle on proportionality and military necessity. **(10 marks)**
- (i) Principle of distinction between military objectives and civilian objects. **(10 marks)**
- (j) Limitations on means and methods of armed conflicts. **(10 marks)**

## **SECTION B**

### **Question 2**

- (a) Refugees are often confused with economic migrants. Giving illustrations or examples, discuss the distinguishing factors between an economic migrant and a refugee?  
**(10 marks)**
- (b) Define the principle of '*non refoulement*' and discuss the various situations in international law under which it applies. **(15 marks)**

### **Question 3**

- (a) As based on the Geneva Conventions and Hague Conventions, define and discuss the basic principles of International Humanitarian Law? **(15 marks)**
- (b) Under what circumstances are the two International Conventions applied? **(10 marks)**

### **Question 4**

While its provisions closely follow those of the 1951 Refugee Convention, the 1969 African (AU) Convention on Refugees has been widely touted as having provisions that have greatly improved upon what is provided for under the 1951 Refugee Convention.

You are required to discuss the above statement particularly its veracity. Whether you agree with the statement or not, you are required to discuss why you take the position you have taken supporting it with reasonable and factual arguments based on the relevant provisions.

### **Question 5**

- (a) Identify and discuss the legal classification of armed conflicts. **(10 marks)**
- (b) Explain why it is important to make a distinction between and among the different categories of armed conflict. **(15 marks)**

**END OF EXAMINATION**

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