



SCHOOL OF LAW

NLLB531: INTERNATIONAL HUMANITARIAN LAW

END OF SECOND SEMESTER EXAMINATIONS

APRIL 2026

LECTURER: DR LK MASEKESA

DURATION: 3HRS

GENERAL INSTRUCTIONS TO CANDIDATES

- 1. Do NOT write your name on the answer sheet.**
- 2. Write legibly.**
- 3. Answer QUESTION 1 from Section A, and any TWO questions from Section B.**
- 4. You are advised to read all questions carefully before answering any.**
- 5. Begin your answer for each question on a new page.**
- 6. CITE RELEVANT authorities to support your arguments.**

SECTION A

QUESTION 1: THIS QUESTION IS COMPULSORY

A State (Zarania) is engaged in an armed conflict with an organized rebel group (The People's Defenders) operating within its borders. The People's Defenders has taken control of Bono City, where most of the civilians in the region reside. During a military operation, Zarania bombed a large shopping mall located in Bono City that was allegedly being used as a base for planning attacks by The People's Defenders.

The mall, which had been operational before the conflict, was known to host medical facilities and warehouses that stored food and essential supplies. Reports from humanitarian organizations suggest that hundreds of civilians were killed or injured in the bombings. Amnesty International claims there is no conclusive evidence that the mall was being used for military purposes.

Furthermore, during the same military operation, Zarania conducted another airstrike on schools, and hospitals and destroyed an agricultural field, and churches citing that these were being used to hide weapons and ammunition by The People's Defenders. However, witnesses claim there was no evidence of The People's Defenders' presence in the area, and the destruction of the field caused significant shortages of food and medical supplies for the community.

Meanwhile Zarania's armed forces captured 60 wounded members of the People's Defenders as well as women and children who were assisting the rebel group with food and helping them carry their ammunition. Zarania's armed forces also enforced a blockade around Bono City. The blockade prevented the delivery of food, medical supplies, and other essential services to civilians trapped inside the area.

International organizations, including the United Nations, have called for investigations, alleging potential violations of International Humanitarian Law (IHL) by Zarania.

- (a) With the aid of case law and international Humanitarian law instruments, classify the armed conflict between the State of Zarania and the People's Defenders. **[10 Marks]**
- (b) Using the IRAC formula, determine the legality of State A's actions under the principles of distinction, proportionality, and necessity. **[30 Marks]**
- (c) What is the legal status of captured members of the armed forces and Zarania's obligations under IHL to facilitate humanitarian access to civilians? **[10 Marks]**

TOTAL: [50]

SECTION B: ANSWER ANY TWO QUESTIONS FROM THIS SECTION

Question 2

State X is involved in a non-international armed conflict with an organised armed group operating within its territory. During the conflict, State X's security forces:

- (a) killed several suspected members of the armed group during a military operation, even though the individuals were not posing an immediate threat at the time;
- (b) detained civilians suspected of assisting the armed group without trial for an extended period; and
- (c) subjected some detainees to severe physical abuse after State X had formally derogated from certain obligations under the International Covenant on Civil and Political Rights (ICCPR).

Relatives of the deceased and detained persons institute proceedings before a regional human rights court, alleging violations of the right to life, right to liberty, fair trial rights, and freedom from torture.

With reference to relevant case law and legal principles, discuss the extent to which IHL and International Human Rights Law (IHRL) apply concurrently in this situation. **[25 Marks]**

Question 3

Discuss the key differences between the Geneva Conventions and the Hague Conventions, and explain the circumstances under which each body of law applies. **[25 Marks]**

Question 4

In the context of cyber warfare, explore ways in which IHL may be applied to regulate cyber operations during armed conflicts, and the challenges of adapting IHL to evolving technologies. **[25 Marks]**

END OF EXAMINATION