

## Interdisciplinary Programmes

Academic year 2021-2022

### "A HARD SELL" Generating Respect for the Law in War

#### MINT205 - Autumn - 3 ECTS

Wednesday 18h15 - 20h00

6 October; 20 October and 3 November **Room S5**

17 November; 1st December and 15 December **Room P3-506**

#### Course Description

"Good luck! It's a hard sell!" with these words the colonel sits down and gives the floor to the NGO representative at the briefing session on International Humanitarian Law (IHL) to a group of field commanders. Indeed, it will take more than legal arguments to impress the group of frontline fighters, engaged in a cruel campaign of counter-insurgency... What are the factors that will make armed actors chose to respect the law... or not? How to influence them?

Atrocities have been committed in warfare through time immemorial. In parallel, religions, codes of honour, individual commanders or legal philosophers have attempted to set limits to violence. Since the 19th century a growing body of international norms has been created to regulate the means and methods of warfare and protect victims of war. But how to turn these norms of restraint into acts? How to meet the challenges of influencing the actual behaviour of armed actors? A growing number of local and international actors are taking up the challenge.

The purpose of the course is to present a case of how an international body of norms gets translated into an operational reality through a number of approaches developed by actors involved in the governance of armed conflicts, and to initiate a discussion on their efficacy and possible new avenues.

The course will first analyse the roots of behaviour in war and trace the formal implementation mechanisms before turning to examine various strategies (such as capacity building, advocacy or frontline negotiation), by various actors (Geneva Call, ICRC, ICoCA etc.), specific patterns of violence (such as the prevention of torture) and specific actors in contemporary armed conflicts (such as non-state armed groups, Islamic circles or private military and security companies).

The course will allow students to move from theory to practice. It will take stock of the formal rules and mechanisms of prevention of international law violations, decades of research in the field of behavioural change and recent operational experience and strategies geared to generate actual respect for the law in war. It will use multimedia resources and draw on the experience of guest lecturers from different organisations, backgrounds and disciplines, giving students a unique opportunity to engage directly with the leading experts in their respective domains.

At the end of the course participants will be able to:

- Define and discuss key factors that condition behaviour in war as well as the key existing mechanisms that regulate such behaviour;
- Apply specific influencing tools to a humanitarian scenario;
- Select and manage the most appropriate influencing and communication modes with various stakeholders in a negotiation process;
- Explore new avenues and strategies to generate respect for the law in war.

## > PROFESSOR

[Vincent Bernard](#)

[Office hours](#)

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## Syllabus

### **ASSESSMENT**

The course does not presuppose expertise in International Humanitarian Law (IHL) but familiarity with the key notions is needed. Students with no prior knowledge should complete the ICRC IHL e-learning (5 hours) on Kaya: “Introduction to International Humanitarian Law”

Preliminary readings will be provided before each class.

Students taking this course are requested: i) to sit an exam based on a fictitious scenario, presenting their group work orally (80%) (ii) to participate actively in class (20%).

### **Vincent Bernard**

Executive in Residence at the Geneva Center for Security Policy (GCSP).

Vincent studied political science, law and international relations at the Political Science Institute and Law Faculty in Strasbourg, The King’s College, London and the Graduate Institute of International Studies in Geneva.

Vincent taught law and political sciences at the University of Marmara in Istanbul. He then joined the International Committee of the Red Cross (ICRC) and worked in humanitarian operations in West and East Africa and in the Middle East for 6 years before supervising field communication in Africa at ICRC’s HQ. As head of the ICRC’s global field communication from 2006 to 2010 he travelled and worked in most of today’s conflict zones.

From 2010 to 2020, he was editor in chief of the International Review of the Red Cross, the leading academic journal on humanitarian law, policy and action, published by the ICRC and Cambridge University Press. In 2013, he created the Law and Policy Forum, which led ICRC’s engagement with expert audiences interested in teaching, researching and debating international humanitarian law (IHL).