

**COURSE DATA****DATA SUBJECT**

Code: 35252
Name: International humanitarian law
Cycle: Undergraduate Studies
ECTS Credits: 4.5
Academic year: 2025-26

STUDY (S)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Facultat de Dret	4	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
1303 - Degree in Law	International humanitarian law	ELECTIVES

COORDINATION

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SUMMARY**I. INTRODUCTION**

The Teaching Guides for undergraduate studies include information on teaching and learning processes in accordance with a model designed and recommended by the Educational Innovation Unit of the University of Valencia - Estudi General, which includes, among other aspects, learning outcomes and competencies.

This document is the Teaching Guide for the optional semester course International Humanitarian Law.

In accordance with the Academic-Teaching Protocol for Degrees at the Faculty of Law of the University of Valencia Estudi General (hereinafter, the Protocol), page 4, this Teaching Guide has been prepared by the Department of Public International Law and International Relations of this University and has been approved by the Academic Committee of the Law Degree (hereinafter, CAT-Law).

This Teaching Guide will be applied to all groups of the International Humanitarian Law course. Each professor teaching a group of the International Humanitarian Law course must attach, as an annex to this Teaching Guide, the programme of activities they intend to carry out in their group. The programme of activities of each professor must be highly specific in relation to the contents of this Teaching Guide. In any case, it should be noted that the Protocol expressly states on page 5 that the teacher's programme of



activities may not contradict the teaching guide it implements.

II. BRIEF SUMMARY OF THE SUBJECT

The *Verifica* (the new name for the curriculum) for the Degree in Law (page 82) states the following:

CONTENTS OF THE MODULE/SUBJECT AND COMMENTS

Brief description of the contents.

Subject:

International Humanitarian Law, 4.5 ECTS credits, optional subject in the fourth year of the International Law programme.

Contents of the subject:

International protection of human rights. Protection of individuals during armed conflicts. International responsibility of individuals.

Comments:

The teaching programmes for each of the groups in the International Humanitarian Law course must comply with the Academic Framework Guide prepared by the Department of Public International Law and International Relations at the University of Valencia.

III. LOCATION OF THE SUBJECT IN THE CURRICULUM

The subject International Humanitarian Law is taught during the second semester of the fourth year of the Bachelor's Degree in Law, in the International Law track.

According to the *Verifica del Grado en Derecho* (Law Degree Verification) of the *University of Valencia Estudi General*, the course International Humanitarian Law has a special link with the compulsory course Public International Law, a good knowledge of which is a prerequisite for a proper understanding of the course International Humanitarian Law. In fact, the course International Humanitarian Law is a specialisation of the course Public International Law.

PREVIOUS KNOWLEDGE



RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE

There are no specified enrollment restrictions with other subjects of the curriculum.

OTHER REQUIREMENTS

I. PREREQUISITES

None

II. RECOMMENDATIONS

A good command of spoken and written Spanish is recommended.

Attendance at classes is recommended.

Attendance at classes in the International Humanitarian Law group in which the student is enrolled is recommended.

Completion of the course Public International Law is recommended.

COMPETENCES / LEARNING OUTCOMES

1303 - Degree in Law

Be able to analyse legal problems and synthesise their approach and resolution.

Be able to apply constitutional principles and values, the respect for human rights, with special attention to equality between men and women, sustainability and the culture of peace as working tools in the interpretation of the legal system.

Be able to communicate correctly both orally and in writing in the field of law.

Be able to read and interpret legal texts.

Be able to use information and communication technology to obtain and select legal information.

Be able to use legal sources (legal, jurisprudential and doctrinal).

Develop critical awareness for the analysis of the legal system and develop the legal dialectic.

Know the community and international regulatory framework, its institutions and their functioning.

Know the content and application of each of the branches of the legal system.

Recognise the importance of law as a system for regulating social relations.

Understand the legal system as unitary and have an interdisciplinary perspective of legal problems.

DESCRIPTION OF CONTENTS



PART ONE: INTERNATIONAL PROTECTION OF HUMAN RIGHTS

Topic 1: THE STATUS OF THE INDIVIDUAL IN INTERNATIONAL LAW: FROM PROTECTION AS AN OBJECT TO PROTECTION AS A SUBJECT

1. The protection of the person in international law: 1.1. The person as an object of protection as a member of the `population¿ of the State: nationality, foreign status and diplomatic protection. 1.2. The right of the State to protect persons in situations of danger to their life and liberty: asylum. 1.3. The protection of the person for its own sake on the basis of its dignity: human rights, international humanitarian law and international refugee law. 2. Background, characteristics and structure of the `International Human Rights Protection System¿: 2.1. The process of internationalisation of human rights. 2.2. Characteristics of the International Human Rights Protection System.

TOPIC 2: INTERNATIONAL PROTECTION OF HUMAN RIGHTS IN THE UNIVERSAL CONTEXT: THE REGULATORY FRAMEWORK

1. The United Nations human rights protection subsystem. 2. The normative framework of the protection system: basic texts: 2.1. The International Bill of Human Rights: A) The Universal Declaration of Human Rights; B) The International Covenants on Human Rights of 1966. 2.2. The basic treaties specifying the Charter of Human Rights: A) Treaties specifying the human rights of vulnerable groups; B) Human rights treaties addressing specific phenomena; C) Other international human rights instruments within the United Nations.

TOPIC 3. INTERNATIONAL PROTECTION OF HUMAN RIGHTS IN THE UNIVERSAL CONTEXT: THE INSTITUTIONAL FRAMEWORK

1. The main bodies of the United Nations and human rights. 2. Subsidiary bodies and treaty bodies: 2.1. Types of bodies. 2.2. Subsidiary bodies: A) The Human Rights Council; B) Special Procedures; C) The complaint procedure; D) The Human Rights Council Advisory Committee. 2.3. Treaty bodies: A) The examination of reports; B) The communications system; C) Investigations; D) General observations and comments; E) Other functions of treaty bodies. 2.4. The United Nations High Commissioner for Human Rights. 3. Common characteristics of the institutional framework. 4. Institutional coordination of the United Nations system.

Topic 4. THE PROTECTION OF HUMAN RIGHTS AT THE REGIONAL LEVEL: SPECIAL REFERENCE TO THE EUROPEAN SYSTEM

1. Human rights in Europe: the convergence of various European subsystems: 1.1. The main instrument of the Council of Europe for the protection of civil and political rights: A) The regulatory framework: the



European Convention on Human Rights and Fundamental Freedoms; B) The institutional framework for protection established by the ECHR: The ECtHR. 1.2. The Council of Europe's main instrument for the protection of economic and social rights: A) The regulatory framework: the European Social Charter; B) The institutional framework for guaranteeing the European Social Charter. 1.3. Other conventions for the protection of individuals within the framework of the Council of Europe. 1.4. The protection of fundamental rights in the European Union: A) The evolution of the recognition of human rights in the founding treaties. From the four classic freedoms to a quasi-constitutional catalogue; B) The Charter of Fundamental Rights of the European Union.

2. Other regional subsystems for the international protection of rights: 2.1. The Inter-American Human Rights System: A) Regulatory framework; B) Institutional framework. 2.2. The African Human Rights System: A) Regulatory framework; C) Institutional framework.

Topic 5. THE PROTECTION OF HUMAN RIGHTS AT THE NATIONAL LEVEL: THE NATIONAL APPLICATION OF INTERNATIONAL PROTECTION

1. General measures of implementation in human rights treaties. 2. The application of the regulatory framework: the value of human rights treaties in Spanish law: 2.1. Human rights treaties as international treaties. 2.2. The value of human rights treaties as a criterion for interpreting the Constitution: Article 10.2 of the Spanish Constitution. 3. The application of the institutional framework: Acts of international human rights protection institutions in the Spanish system: 3.1. The problem as raised in Spanish case law. 3.2. The diversity of acts adopted by treaty bodies. 4. The internal applicability of legally binding acts in the international sphere: 4.1. International obligation and internal obligation. 4.2. The need for legislative reform.

Topic 6. STRATEGIC LITIGATION IN THE FIELD OF HUMAN RIGHTS

1. Concept of strategic litigation in human rights. 2. The roadmap for developing a strategy: 2.1. The objectives pursued. 2.2. Mapping the actors. 2.3. Mapping the procedures. 2.4. The convergence of strategies. 3. Issues related to international procedure. 4. The scope of social rights. 5. Conclusions

PART TWO: THE PROTECTION OF INDIVIDUALS IN SPECIAL SITUATIONS

TOPIC 7: THE PROTECTION OF INDIVIDUALS DURING ARMED CONFLICTS

1. The ¿meaning¿ of international humanitarian law. 2. International humanitarian law and international human rights law: 2.1. Autonomy of the two sectors of the international legal order. 2.2. Relations between the two sectors. 3. The normative framework. 4. The basic principles of international humanitarian law.



Topic 8. INTERNATIONAL PROTECTION OF REFUGEES

1. International refugee law. 2. The regulatory framework: Legal instruments guaranteeing the protection of refugees. 3. The institutional framework for the protection of refugees.

PART THREE: INTERNATIONAL RESPONSIBILITY OF INDIVIDUALS

Topic 9. INTERNATIONAL RESPONSIBILITY OF INDIVIDUALS: THE PROSECUTION OF INTERNATIONAL CRIMES

1. General ideas. 2. The prosecution of international crimes in the domestic sphere: the scope of state criminal jurisdiction: 2.1. Territorial jurisdiction. 2.2. Extraterritorial jurisdiction: A) Extraterritorial jurisdiction of a personal nature; B) Extraterritorial jurisdiction of a real or protective nature; C) Extraterritorial jurisdiction of a universal nature. 3. The prosecution of international crimes in the international sphere: international courts: 3.1. Ad hoc international courts. 3.2. Courts created by an international instrument but of mixed composition. 3.3. Permanent international courts: the International Criminal Court. 4. Conclusions.

WORKLOAD

PRESENCIAL ACTIVITIES

Activity	Hours
Theoretical and practical classes	45,00
Total hours	45,00

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	0,00
Individual or group project	0,00
Independent study and work	45,50
Preparation of lessons	22,00
Preparation for assessment activities	0,00
Resolution of case studies	0,00
Total hours	67,50

TEACHING METHODOLOGY



The **theoretical-practical classes** last 45 hours of effective classroom teaching. Theoretical classes are considered one of the training activities that make up classroom teaching. This means that both the teacher and the students must be present during the class.

During the first hour of theory classes, each teacher gives an introduction to the content of the various training activities they have planned (training activities include theory classes, practical classes, complementary activities and exams, guided activities and independent work. Each and every one of these activities is explained in general terms in this section, followed by the assessment section. To this end, it is essential that students bring both this teaching guide for the course International Humanitarian Law and its appendix, which contains the programme of activities that the teacher has planned for their group for this course, on the first day of class. Both documents are available in the Virtual Classroom and on the website of the Department of International Law `Adolfo Miaja de la Muela`.

In the remaining sessions devoted to theory classes, each lecturer will explain the teaching programme for the course International Humanitarian Law (reproduced above). The theory classes will not cover all the sections that make up the different topics of the teaching programme, but only the fundamental ideas of each topic. However, it should be emphasised that the subject of assessment in the so-called global test (see below) is the entire teaching programme and not just the basic ideas explained in the theoretical classes.

In the theoretical classes, each lecturer uses the methodology they consider most appropriate, and in general a combination of different teaching methods. In exceptional cases (when there is no time for more), some lectures may be given, theoretical classes may be structured around questions or doubts raised by students, individual or group comments on legal texts may be made, etc. In some classes, the teaching methodology will correspond to what are known as applied or practical classes, as well as to that of Applied classes are similar to the old practical classes. According to the Protocol, these classes involve applied activities or activities that use active teaching-learning methodologies: case studies, problem solving, computer practice, problem-based learning, simulations, etc.

Complementary activities are a new feature introduced in undergraduate studies that must be completed in each group of the International Humanitarian Law course.

The term `complementary activities` is too broad. Complementary activities may consist of the organisation of coordination or methodological seminars or seminars on a specific topic or problem related to the subject; attendance at conferences; etc. In general, complementary activities consist of a variety of classroom-based activities (or outside the classroom) under the guidance of the teacher.

Directed activities are considered non-classroom activities (they are not carried out in the classroom, nor is the teacher present during their completion). However, they are activities directed by the corresponding teacher. They consist of work that each student must do on their own before each lecture (summaries or outlines of the topic, answers to questionnaires on each topic, etc.) in preparation for the lecture and which must be handed in to the corresponding teacher. For this reason, the written work that students do now is called assignments.

The total time spent on assignments is 22 hours of work for the student.



In the case of the International Humanitarian Law course, and with the aim of facilitating the theory classes and making them more dynamic, some teaching materials have been prepared, which are included in the appendix to the teaching guide and contain the programme of activities that each teacher has planned for their group for this course. Dialogue and reflection on the answers provided by students may form the content of some theoretical classes.

Independent work is considered to be a non-classroom, non-directed activity. This means that it must be carried out independently by students, without the presence of the teacher responsible for the subject and without the teacher directing or monitoring whether the activity is actually being carried out.

The term 'independent work' refers to work that students carry out individually, outside the classroom and without the guidance of the teacher. These are study and memorisation sessions for students on the content of the teaching programme set out in this teaching guide, aimed at acquiring the knowledge, skills and abilities necessary to successfully pass the International Humanitarian Law course.

With regard to what are commonly referred to as **exams** (which, between the two official exam sessions, may not exceed four hours in duration), this section provides a brief overview, which will be developed in detail in section 9 of this teaching guide.

Undergraduate studies have introduced significant changes to the assessment system used in the former degree programmes. The final grade for the subject is the result of a mixed learning assessment system, which combines an overall test on the course syllabus (previously known as the final exam) with a continuous assessment system that evaluates the work done by the student in three different learning activities: applied classes, complementary activities and guided activities.

EVALUATION

The evaluation system

Each lecturer may indicate in the Annex to their teaching guide any minimum requirements for passing the course (whether in relation to the final exam or continuous evaluation). If no minimum requirements are established in the Annex, it will be understood that no minimum is required in the final exam or continuous evaluation in order to pass the course.

A-Written and/or oral test(s), consisting of one or more exams that may be objective, include theoretical-practical questions and/or problems.

B-Continuous assessment of each student, based on regular attendance and active participation in the proposed classroom activities, such as practical work or participation in workshops, the preparation and/or submission of assignments, reports and/or oral presentations on such activities, either individually or collectively, taking into account the degree of involvement and effort shown during the course of these activities.

C- Continuous assessment of each student, based on the student's attendance at seminars or visits to



institutions; and, where applicable, the submission of assignments, reports, and/or oral presentations on the activity carried out, either individually or collectively, taking into account the degree of involvement and effort of the student in the teaching-learning process and the skills and attitudes shown during the development of this activity.

Weighting

The overall test should be worth between 50% and 70% of the final mark for the course, while the continuous assessment activities should be worth the remaining percentage.

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