

IS 06 Ukraine and Palestine in the Crosshairs: International Law Between War and Peace

Course Objectives

By the end of the course, students will be able to assess holistically and in context the main rules and doctrines of Public International Law related to the Use of Force, International Humanitarian Law, and International Responsibility. Additionally, students will develop the necessary tools to critically reflect on some of the most pressing problems and tensions defining the contemporary global order, particularly the ongoing armed conflicts in Ukraine and Palestine.

Upon successful completion of this course, students will be able to:

1. Utilize relevant knowledge to construct well-founded legal arguments.
2. Conduct independent research by analyzing diverse sources of information.
3. Engage in critical debates on international legal issues.
4. Pursue further specialized training in the field.

The course also aims to enhance participants' professional Legal English skills.

Course Content and Schedule

- **Total Sessions:** 16 (including introductory and closing sessions)
- **Total Attendance Hours:** 25 (in-person)
- **Independent Study:** 10 hours (essay preparation)
- **ECTS Credits:** 1

Modules

1. Use of Force under International Law: Does the Right to War Exist? (3 sessions – 5 hours)

This module will examine the prohibition of the use of force in international relations, with a retrospective analysis. Special attention will be given to the role of the UN in maintaining peace and security, its operational shortcomings, and the necessity for Security Council reform. The concept of self-defense as an exception to the prohibition will be explored, identifying the main criteria for its legality. A practical analysis of the Afghanistan war case will deepen participants' understanding of when self-defense may transform into aggression.

2. Human Rights between Military Necessity and Humanity (3 sessions – 5 hours)

This module will address the balance between human rights protection in peacetime and wartime. It will introduce the foundational principles and concepts of International Humanitarian Law (IHL), covering the classification of armed conflicts and the legal status

of combatants. Discussions will focus on how military necessity is used to justify war brutality. The module will conclude with an examination of occupation law, its effects on human rights, and a case study on the Second Congo War.

3. Responsibility for International Crimes: Is There Room for Justice? (3 sessions – 5 hours)

This section will analyze violations of the prohibition of force and the laws of war, focusing on international crimes such as aggression, genocide, war crimes, and crimes against humanity. The challenges of prosecuting these crimes under national jurisdictions will be explored. The International Criminal Court (ICC) will be examined, along with its principles, jurisdiction, and effectiveness. The Belarus case (2024) will be used as a case study.

4. The Situation in Ukraine through the Prism of International Law (3 sessions – 5 hours)

The module will analyze the Russian invasion of Ukraine (2022), tracing its roots back to the occupation of Crimea in 2014. Students will assess the legality of Russia's use of force, the application of IHL in the conflict, and the prospects for prosecuting war crimes. A debate on Ukraine's reconstruction will conclude this section.

5. The Situation in Palestine: An International Law Perspective (3 sessions – 5 hours)

The course will end with an in-depth study of the Israeli-Palestinian conflict, focusing on its historical background and the legal implications of Israel's prolonged occupation of Palestinian territories. New methods of warfare challenging International Law will be discussed. The role of the ICC in investigating alleged war crimes by Israeli officials will be examined, followed by a debate on the conflict and previous case studies.

Methodology

The course will be conducted in-person. Theoretical concepts presented in lectures will be reinforced through case studies focused on recent and ongoing armed conflicts.

Course materials will be available on the University of Cádiz's Virtual Campus, enabling students to engage in self-paced study with multimedia resources, recommended readings, and interactive discussions.

To complete the course, students must prepare a final essay on a topic related to the course, consolidating their knowledge and analytical skills.

Program Schedule

Monday, September 15th

- **9:00 – 10:00** | Introductory Session

- **10:00 – 11:30** | *Use of Force under International Law: Does the Right to War Exist?* – Prof. Olena Nihreieva
- **11:30 – 13:00** | *Self-Defense through the Prism of International Law: When the Victim Becomes the Aggressor* – Prof. Olena Nihreieva
- **13:00 – 14:00** | Case Study: *The War in Afghanistan (2001)* – Prof. Lorena Calvo Mariscal, Ms. María de los Ángeles Bellido Llorca

Tuesday, September 16th

- **9:00 – 11:00** | *Human Rights between Military Necessity and Humanity: Introduction to International Humanitarian Law* – Prof. Olena Nihreieva
- **11:00 – 13:00** | *Occupation and Human Rights: Life between War and Peace* – Prof. Olena Nihreieva
- **13:00 – 14:00** | Case Study: *The Second Congo War (1998-2003)* – Prof. Cristina Castilla

Wednesday, September 17th

- **9:00 – 11:00** | *Responsibility for International Crimes: Is There Room for Justice?* – Prof. Olena Nihreieva
- **11:00 – 13:00** | *The International Criminal Court: Jurisdiction and Legal Process* – Prof. Olena Nihreieva
- **13:00 – 14:00** | Case Study: *ICC Investigation of Belarus (2024)* – Mr. Enrique del Álamo Marchena

Thursday, September 18th

- **9:00 – 11:00** | *The 2022 Russian Invasion of Ukraine – The Major Conflict in Europe since WWII* – Prof. Olena Nihreieva
- **11:00 – 13:00** | *Justice for Ukraine: International Crimes and Responsibility Prospects* – Prof. Olena Nihreieva
- **13:00 – 14:00** | Debate: *Future for Ukraine* – Prof. Olena Nihreieva & Participants

Friday, September 19th

- **9:00 – 11:00** | *Israeli Occupation of Palestine: International Law Retrospective* – Prof. Michel Remi
- **11:00 – 13:00** | *War in Gaza 2023-2024: New Challenges for International Law* – Prof. Michel Remi
- **13:00 – 14:00** | Closing Session – Prof. Olena Nihreieva, Prof. Michel Remi