

CHUKA



UNIVERSITY

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**EXAMINATION FOR THE AWARD OF DEGREE OF BACHELOR OF ARTS IN
CRIMINOLOGY AND SECURITY STUDIES AND BACHELOR OF PSYCHOLOGY**

SIHL 100: SOCIETY AND INTERNATIONAL HUMANITARIAN LAW

STREAMS: CRSS Y1S2 PSYCHOLOGY Y1S1

TIME: 2 HOURS

DAY/DATE: TUESDAY 11/12/2018

11.30 A.M. – 1.30 P.M.

INSTRUCTIONS:

- **Answer question one and any other two.**
- **Do not write on the question paper.**

Q1. For several years there has been a territorial dispute between Kenyani and Gandani two sovereign states over the Igingoisland. Both state territorial sovereignty over the highlands. Diplomatic relations between states have been tense. Gandani has started sending warships and military aircraft into the area. Kenyani has responded by declaring that no planes would be allowed to fly over the islands. The president of Kenyani goes on National TV instructing his forces and the population to have zero tolerance against Gandani residents in the island, spies and collaborators. These statements lead to a number of executions and inter-ethnic fighting between tribes loyal to the president.

- (i) What are the main rules regarding carrying out attacks during an armed conflict and what are the restraints? (7 marks)
- (ii) Discuss the requirements to be fulfilled for a civilian to be considered to be directly participating in hostilities and what are the consequences of such participation. (7 marks)
- (iii) Explain the relationship between international humanitarian law and international human rights law in international and non-international armed conflicts. Give examples to illustrate your answer. (10 marks)
- (iv) Explain the main sources of international humanitarian law. (6 marks)

- Q2. (a) Discuss the meaning of indiscriminate attacks on the basis of articles 51(5)(b) of additional protocol 1 to the Geneva conventions. Illustrate your answer by giving examples. (5 marks)
- (b) “Armed conflicts do not occur unexpectedly.” Identify and describe three immediate factors that support this claim. (6 marks)
- (c) What is the difference between perfidy and ruses of war? Give examples of each. (4 marks)
- (d) What are War Crimes (5 marks)
- Q3. (a) Explain the prohibited means of armed conflicts. What are the reasons for prohibiting certain weapons? (10 marks)
- (b) Are suicide attacks prohibited in International Humanitarian Law? Do the perpetrators of such attacks lose their IHL protection in case they are captured? (5 marks)
- (c) To what extent does international humanitarian law apply to peace keeping and peace enforcement operations? Give contemporary examples. (5 marks)
- Q4. (a) Explain the basic principles of International Humanitarian Law. (8 marks)
- (b) How far does international humanitarian law protect refugees and displaced persons? (6 marks)
- (c) Write short notes on
- (i) Restorative Justice. (2 marks)
 - (ii) Kinds of Crimes investigated by the international Criminal court. (2 marks)
 - (iii) De-Facto Government (2 marks)
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