

Part 1:

Victim or perpetrator? To target or to protect?



Introduction

Preparation

This “*Ambiguities of identity in conflicts*” lesson is part of a course developed to help teachers introduce a basic understanding of International Humanitarian Law (IHL) as part of the Citizenship curriculum and Citizenship Studies GCSE specifications.

IHL (also known as the Law of Armed Conflict) is a separate strand of international law which sets out rules for conducting war to limit the suffering and damage it inflicts on people, property and the environment. It is important to distinguish IHL from the body of international law which deals with the legality of going to war (e.g. the United Nations Charter 1945).

“ IHL is a distinct and separate body of law to human rights law. ”

It is also separate from Human Rights Law which deals with promoting and protecting the human rights of individuals across the world, irrespective of whether they are living in peace or conflict. Instruments of human rights law include the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and the Convention on the Elimination of All Forms of Discrimination against Women (1979).

The study of IHL offers students more than a set of legal rules to apply to distant conflicts. IHL provides a stimulating framework in which to introduce students to principles of distinction, humane treatment and respect for human dignity – fundamental principles of IHL but also useful concepts which can inform their decisions about their own relationships and communities.

“ IHL serves to protect those who are not, or no longer taking part in fighting and to restrict the means and methods of warfare ”

Also, in an increasingly media-fuelled society, students are surrounded by images and stories of conflict, and the human, social and environmental devastation these can cause. This information is often delivered as soundbites. The effect is a lot of often incomplete and biased information.

By working through the topics and exercises in these lessons, the course helps equip students with skills that will enable them to approach information as critical young adults. They will learn to assess information for completeness, challenge their own preconceptions, identify universal values in seemingly remote issues and empathise with their fellow human beings.

The first lesson will introduce students to different categories of people and places involved in an armed conflict and how those different categories of people and places may be treated.

The students will develop an insight into how it is not always easy to identify which category a person or place belongs to in fast-changing situations that accompany armed conflicts, and how an individual's circumstances could, rightly or wrongly, impact on decision-makers' attempts to categorise people and places.

Age group: 14-16-year-olds.

Summary of lesson

Preparation

People are often defined by their role in society. For example, a person could be seen as a leader (political or business), a parent, a doctor, a teacher, a civil servant or even a celebrity. In countries further afield, a person may be defined by their role as a clan leader, a herdsman, a religious leader or a warrior. On the one hand, there is more to a person than this one role and categorising people based on one role or characteristic should be avoided as it can limit the opportunities available to individuals. On the other hand, societies have always organised themselves, and their rules about how people should behave and be treated are based on which categories a person belongs to. In many societies for example, women will be entitled to maternity leave while men may not necessarily be entitled to paternity leave. Similarly, many societies will have rules requiring young people up to 14, 16 or 18 to attend school, or setting the retirement age for women at 60 but at 65 for men.

In the same way, categorisation of people (and places) plays a key role in IHL as different types of protection and obligations apply to different people, depending on which category or group they belong to.

While the rules that apply to different categories under IHL are easy to understand, it may not always be easy to assess and categorise people in the changing environment of a conflict. Fighters will make decisions based on their analysis of the facts available to them at the time. In conflict situations, however, access to full information is often limited and facts can change quickly.

This lesson introduces students to some ambiguities that can arise in connection with preconceived ideas about who belongs to which legal category under IHL by looking at key actors such as combatants, persons “hors de combat” and civilians.

It also looks at how perceptions of such actors can change, depending on the information that active participants in the conflict or external observers have.

In conflicts, categorisation of people could also become confused by the behaviour and choices of individuals. Although a person appears in every respect to belong to one category, certain behaviour or circumstances may suggest he/she belongs to another group, or may even on occasions legally push him/her into another group. For example a group of women may be school teachers in everyday life but, due to the breakdown of society in war, they may have spontaneously taken up arms to defend their children from an attack on their village (*levée en masse*).

“Levée en masse is a term used to refer to civilians who spontaneously take up arms to resist invading forces.”

Via extension activities, this lesson expands these ambiguities relating to identity and categorisation in conflict to places, buildings and other types of facilities by introducing concepts such as military targets, safe havens and collateral damage.

NOTE FOR TEACHERS

The term combatant is used in the context of international conflicts. Persons “hors de combat” literally means people outside the fighting i.e. individuals who no longer take part in the fighting e.g. due to injury, being captured or having surrendered.

Learning outcomes

Preparation

By the end of this lesson and the extension activities, the students will understand an important distinction which underlies many of the principles of non-discriminatory and humane treatment in conflicts: the difference between key categories of people and places (combatants, persons “hors de combat” and civilians, and military and non-military targets) as well as an understanding of what protection and treatment are associated with such categories.

“ A civilian is any person who is not a combatant. They are a protected category under IHL. However, if civilians take a direct part in fighting, they lose their protected status during this time. ”

By the end of the lesson, students should also be familiar with concepts such as *civilians* (including children, *refugees* and *interned people*), the *wounded* (whether soldiers or civilians) and *prisoners of war*.

On a personal level, students will have discovered how conflict can affect different individuals in different ways – often causing individuals to act differently from what they might expect. They will, therefore, understand the importance of analysing situations critically, based on the information rather than on preconceived ideas.

Students will develop their critical thinking skills and ability to explore other points of view by analysing:

- how to apply the principles of legal concepts to different scenarios
- how perceptions of an individual or an individual’s acts may vary depending on circumstances and what information is available about the individual at any time.

The class-based exercises are designed to develop students’ critical thinking, and debating and presentation skills. The extension activities and project work are designed to develop analytical, research, writing and presentation skills.

“ Students will understand an important distinction which underlies many of the principles of non-discriminatory and humane treatment in conflicts ”

Background information and legal principles/rules

 Preparation

IHL makes an important distinction between those who take active part in hostilities and those who (for whatever reason) are not or are no longer active in combat.

“ In IHL, the term combatant refers to members of the armed forces of a party to a conflict (except medical and religious personnel). ”

It is a basic principle that the lives and physical and mental integrity of those who are not or are no longer taking part in *hostilities* must be respected. They are also entitled to *humane treatment*. IHL also provides that different categories of people should be treated in different ways and should benefit from different types of protection by *combatants* (whether military decision-makers or low-ranking soldiers).

The key categories are:

- *combatants*
- people “*hors de combat*”
- *civilians*.

Civilians should not be the subject of attack.

Once injured, wounded or having surrendered, *combatants* become *persons “hors de combat”* and may not be treated in a way that's discriminatory.

In the same way, IHL distinguishes between military targets, i.e. targets being used for military purposes, and non-military targets. It sets out certain rules and principles about the protection of non-military targets. Targets that do not have a military purpose should not be attacked. If such targets are located near a military target, combatants should use *proportionate* force to minimise any *collateral damage* to such *non-military targets*. (This will be covered in more detail in later modules.)

“ Hors de combat means ‘out of the fight’. ”

The following international treaties set out the legal principles intended to protect *non-combatants* and *non-military targets* in a conflict: *First Geneva Convention on the Amelioration of the Condition of Wounded in Armies in the Field* (1949)

Fourth Geneva Convention on the Treatment of Civilian Persons in the Time of War (1949)

Protocol I – *Additional Protocol to the Geneva Conventions on the Protection of Victims of International Armed Conflicts* (1977)

Protocol II – *Additional Protocol to the Geneva Conventions on the Protection of Victims of Non-International Armed Conflicts* (1977)

Background information and legal principles/rules

Preparation

The context of these IHL treaties

IHL consists of four Geneva Conventions, three Additional Protocols and numerous other international treaties dealing with specific issues e.g. protecting cultural property and banning certain types of weapons.

The international treaties setting out rules of armed conflict developed over many years.

The events of the Second World War provided an impetus for the international community to re-affirm and further develop the principles in the 1929 Geneva Convention, resulting in the First, Second and Third 1949 Geneva Conventions. The impact of war on non-combatants during the Second World War also prompted the formulation of additional principles relating to the treatment of civilians in international wars in the Fourth 1949 Geneva Convention.

The First and Second Additional Protocols developed as a result of the changing nature of warfare following the Second World War, and, in particular, the increase in wars for national liberation and internal armed conflicts. A Third Additional Protocol was adopted in 2005, introducing an additional distinctive emblem - the red crystal emblem*.

* There are three distinctive emblems which are a sign of neutrality and protection in armed conflict: the red cross, the red crescent and the red crystal (all on a white background).

The principles of IHL

As many of the rules of IHL are based on basic principles of non-discrimination, proportionality and humanity, the students will discover the key principles set out in these international documents themselves during the course of these lessons. The exercises will allow students to refine the rules applicable to distinct groups - *civilians*, *injured soldiers* and *prisoners of war* - as well as additional obligations relating to children in conflict (including *child soldiers*) as they are considered particularly vulnerable. However, to provide a framework, this opening lesson includes a list of key principles on which students can build over the course of the lessons.

* Terms shown in italics can be used to help students build up a glossary of terms related to armed conflicts over the course of the lessons. The glossary can be an extension activity.

“ There are three distinctive emblems which are a sign of neutrality and protection in armed conflict: the red cross, the red crescent and the red crystal (all on a white background). ”

Exercise 1

 Exercises

Discussion on the legal categories and the ambiguity of identity in conflict using the **Photo cards** (pairs of photos designed to stimulate discussion) in small groups, followed by a presentation of each group's conclusions to the wider group and a summary of the key principles of IHL.

TIMINGS: 45-50 minutes.

Divide the class into small groups of four to six students.

PART A (20 minutes)

Give each group a pair of **Photo cards**. Each group of students will explore the concept of civilians, combatants and persons "hors de combat" as distinct categories of people, and the practicalities (and possible difficulties) involved in categorising individuals into legal categories in the context of an armed conflict.

NOTE FOR TEACHERS

Initially, students should be given the **Photo cards** and **Opening questions** only and discuss their reactions to the photos without further information. The **Opening questions** are designed to prompt discussion and have been divided into two parts. Depending on the dynamics of the class or individual groups, the teacher can give the students both parts at the same time or consecutively. During this initial discussion, students should consider how they would legally categorise the individuals in the photos.

After about 10-15 minutes, give each group the **Additional information** related to the **Photo card**. The **Additional information** asks the students to imagine the subject of the photo in the context of new information then encourages them to re-examine their views of the subjects in the photos in light of this additional information. The students should consider whether they think the different scenarios affect how they would categorise the individual(s) in the photos. They should also discuss what protection and treatment combatants should show the different categories of individuals in the photos. It is useful to suggest that students think in terms of humane treatment, distinction (e.g. between civilians and combatants) and restraint.



Resources

For group use

- 1A.** Photo cards
- 1B.** Opening questions (divided into Part 1 and Part 2)
- 1C.** Additional information

For use by the teacher as additional information/material

- 1D.** Story behind the picture
- 1E.** Real-life situations

Words marked in **bold** are resources available to the teacher in this lesson pack.

The Principle of Distinction

Parties to a conflict are required to always distinguish between civilians and combatants, and between civilian objects and military objects when carrying out an attack.

Exercise 1

 Exercises

Suggestion!

Students may look for a 'black and white' solution or a 'right or wrong' answer. It is important to stress that the exercise focuses on considering the individuals in the photos in light of the changing information provided. As circumstances and information can change quickly during a conflict, this may affect the decisions combatants take. Also, although the protections and obligations that apply under IHL are linked to the category to which a person belongs, in some circumstances, the categorisation could vary depending on the behaviour of the individual which itself may change depending on circumstances.

However, as the individuals in the photos are real people in real conflicts, this resource pack contains background information about these photos (see **“Story behind the picture”**) which can be discussed with the students after the exercises.

If students are intrigued about this subject, and the complexities and ambiguities surrounding legal categories and individual behaviour in conflict, and want to know more, the teacher may find it helpful to refer students to some of the **Real-life situations**.

The inclusion of references to **Real-life situations** intends to highlight a range of complex situations that might challenge preconceptions and give students further scenarios to research themselves or as part of an extension activity.



Resources

For group use

- 1D. Story behind the picture
- 1E. Real-life situations

Exercise 1

Exercises

PART B (15 minutes)

Follow the small group discussions with a class feedback session.

Each group can nominate a speaker to feed back the group's key thoughts to the class. During their group discussions, the students should have explored what type of protection and treatment combatants should show different categories of people. The students should focus on articulating these impressions and thoughts in a couple of general principles as part of their feedback to the plenary group. The optional additional class activity (Charter on the principles of warfare) could provide a focus for this feedback.

In light of the ambiguous nature of the photos, there is likely to be a range of views. As a key focus of this course is to encourage students to consider other perspectives and to analyse situations critically, the teacher should actively encourage a debate in the class discussion. This will also help students develop their debating, reasoning and persuasion skills.



Resources

A3/flip chart sheets to allow students to start to write their Charter on the principles of war.



Exercise 1

 Exercises

OPTIONAL ADDITIONAL CLASS-BASED TASK OR EXTENSION ACTIVITY

 **Resources**

Charter on the principles of warfare

For group use**3B.** Research source

The additional task for the lesson or extension activity “Charter on the principles of warfare” fulfils a number of roles:

1. During their group discussions, students should have considered what obligations combatants may have with respect to the protection and treatment of different individuals/groups in the photos. The charter provides a vehicle for students to develop general principles from specific examples.
2. Developing a charter based on their own evaluation of what type of protection and treatment is appropriate should empower students and give them an insight into some of the difficulties involved in being a lawmaker. By putting themselves in the shoes of lawmakers, students may find codes of conduct and laws appear less remote. Also, by asking themselves the same questions as the people who codified IHL (i.e. collated and developed IHL as a set of written rules), students should no longer find the existence of IHL surprising.

Drafting a charter is an empowering act so students should not feel intimidated about the style of the document. They can use everyday words and phrases. This lesson pack includes some **Opening phrases** to help students get started as well as some **Example clauses** to allow teachers to guide students in this exercise.

To encourage class ownership of the charter, the students may prepare these principles on large A3 sheets that they can display in the classroom. At the end of each lesson on IHL, the students could add principles to build up a full charter over the course of the lessons. This activity could even be structured as a school project to promote common values within the school.

Exercise 2

Exercises

Exercise 1 can be repeated using the **Photo cards (targets)** to extend the concept of categorising individuals to categorising places, buildings and other types of structures.

If used as a class-based exercise, this exercise would follow the same format as Exercise 1 but using the:

Opening questions (targets)

Additional information (targets)

Alternatively, Exercise 2 can be used as an optional extension activity (see page 14).

Resources

For group use

- 2A.** Photo cards
- 2B.** Opening questions (divided into Part 1 and Part 2)
- 2C.** Additional information

For use by the teacher as additional information/material

- 2D.** Story behind the picture
- 2E.** Real-life situations



Extensions

 Extensions

EXERCISE 1: OPTIONAL EXTENSIONS/HOMEWORK OPPORTUNITIES

Glossary of terms associated with armed conflict (Course glossary)

To conclude the lesson, set the class the following extension activity. This extension activity could be adopted for some or all of the IHL lessons, and the output of these extension activities will be a useful resource for students in developing their understanding of IHL and preparing for exams.

As a class, the students should start to collate a dictionary of terms associated with armed conflict (including terms defined under IHL) with an explanation of each term and a relevant real-life example.

Allocate one or two terms to each student e.g. *combatant*, *persons "hors de combat"*, *prisoner of war*, *collateral damage*, *safe haven*, *civilians*, *displaced persons*, *child soldier*, *human shields*, *siege*, *peacekeepers*. The teacher can select other terms from the glossary referred to in the resources section of this lesson pack.

Ask each student to write a definition of the term. Additionally, the students should produce a short summary (one or two paragraphs) of a recent or historical conflict in which such a term is used in context. An example has been included in the resources section of this lesson pack to help teachers guide the students.



Resources

For group use

3B. Research source

Extensions

**Extensions**

Project opportunity

As conflicts are part of human society, “Ambiguities of identity in conflicts” is a topic that can be explored in a variety of ways within the curriculum. Teachers could, therefore, liaise with teachers of English, history, religious education, media studies and so on, to develop a more substantial project opportunity for different classes or students with different skills.

An approach might be to pair students up and set them a joint research project, the results of which could be delivered as a written report, a presentation, a debate or a media project.

Each pair of students should decide to research one character, battle scene or target from a contemporary, historical or fictional conflict that is in some way contentious. Some scenarios have been suggested in this lesson plan but the students are free to pick a topic of their choice.

When they have researched the subject, one student should examine how the combatants may not have shown another person, group of people, place or structure the protection or treatment that IHL specifies for that category, while the other should find ways to play devil’s advocate, arguing why the treatment or protection was appropriate (see *Resources*).

In addition to developing students’ research, written, presentation, debating and co-operation skills, this type of project will encourage them to put themselves into other people’s shoes. It will also give students a feeling for the range of information that soldiers and military decision-makers could be faced with in conflict situations.



Resources

For group use

- 3A.** Take-away materials
- 3B.** Research source

Extensions

 Extensions

EXERCISE 2: OPTIONAL EXTENSIONS/HOMEWORK OPPORTUNITIES

The students could work individually or in groups to explore the **Photo card (targets)** and add one of the following two components by way of a short presentation or written report:

Option 1

The students should prepare (as a memo or a presentation) a 'Briefing to soldiers' which explains to soldiers of all ranks the key principles about the treatment of places, buildings and other types of facilities in a conflict. This work should focus on the issues that soldiers should consider before attacking a place or infrastructure installation. In setting this additional activity, it is useful to ask students to think about three categories of places/infrastructure:

- those which obviously look as if they have a military use
- those which obviously look as if they have a civilian use
- those where the use is not clear.

The teacher could also suggest the students research what internationally recognised protective signs have been developed to identify places and property that are not considered a military target.

For this work, it is useful to remind the students that this lesson concentrates on challenging preconceptions. Their work should, therefore, include advice to soldiers about how to deal with a piece of infrastructure that obviously has a military purpose but may actually be used by civilians, and vice versa.



Resources

For group use

- 3A.** Take-away materials
- 3B.** Research source

Extensions

Extensions

OR

Option 2

Students should add a short case study in which they research a real place, building or other type of facility which was attacked or inadvertently hit in a conflict. The students could use one of the incidents referred to in the **Real-life situations** or research an incident they have heard or read about in the media.

When working on this second option, the students should look for information about what was attacked and in what context. They should focus on researching the purpose of the property, the purpose of the attack and the consequences of the attack (both military and civilian). Rather than expressing an opinion on whether the attack was justified, they should consider what they would have done in light of the information they have found. Would they have attacked, not attacked or attacked using different weapons? Or what additional information would they have tried to obtain before deciding whether to attack or not?

Suggestion!

Related issues will be addressed in Module 3: (Basic Guidelines) so these optional activities could be used in the context of Module 3, when the students will have a wider knowledge of IHL, if preferred.



Resources

For group use

- 1E.** Real-life situations
- 2E.** Real-life situations
- 3A.** Take-away materials
- 3B.** Research source

Part 1: Resources



LESSON PLANNING

For teachers' use

Lesson flowchart
Key categories
Key principles
Common Article 3

EXERCISE 1

For group use

- 1A. Photo cards
 - 1B. Opening questions
 - 1C. Additional information
 - 1D. Story behind the picture
 - 1E. Real-life situations
 - 1F. Charter on principles of warfare
-

EXERCISE 2

For group use

- 2A. Photo cards
 - 2B. Opening questions
 - 2C. Additional information
 - 2D. Story behind the picture
 - 2E. Real-life situations
-

EXTENSION ACTIVITIES RESOURCES

For teachers' and students' use

- 3A. Take-away materials/homework
- 3B. Research source

Lesson flowchart



5 mins Introduction, divide class into groups of 4-6, give groups resources and instructions about exercise.

PART A

20-25 mins Students to discuss **Photo cards** based on the **Opening questions**.
Students to revisit views on **Photo cards** based on the **Additional information**.

PART B

15 mins A class discussion with feedback from a spokesperson from each group.
Each group to contribute a couple of principles to the “Charter on the principles of warfare” (optional activity).
Teacher to expand on any points missed.

5 mins Set extension activity/project opportunity.

Key categories



Combatant

Combatant (in international conflict).

A member of the armed forces taking a direct part in hostilities. Does not include medical and religious personnel.

Combatants do not include mercenaries.

Person “hors de combat”

Literally a person “outside the fight”.

Combatants who are no longer active in hostilities e.g. due to injury, capture or surrender.

Persons “hors de combat” include:

- prisoners of war
- injured or shipwrecked combatants
- combatants who have surrendered.

Civilian

Anybody who is not a combatant.

Civilians include (among others):

- children
- refugees/(internally) displaced people
- interned civilians.

Key principles



- Persons “hors de combat” and those who do not take direct part in hostilities are entitled to respect for their physical and mental integrity. They must be protected and treated with humanity.
- It is forbidden to kill or wound an adversary who surrenders or who can no longer take part in the fighting.
- The wounded and sick must be collected and cared for. Medical personnel and medical establishments must be spared. The red cross, red crescent or red crystal on a white background is the sign indicating this protection. It must be respected.
- Captured combatants and civilians are entitled to respect for their life, their dignity, their personal rights and their convictions. They must be protected against reprisals.
- No one shall be subjected to physical and mental torture or to inhuman or degrading treatment or punishment.
- It is forbidden to use weapons or methods of warfare that cause unnecessary losses or excessive suffering.
- Attacks may be made solely against military objectives. The parties to a conflict must distinguish between the civilian population and combatants. Neither the civilian population nor civilian property may be attacked.

Common Article 3



Common Article 3 establishes fundamental rules from which no derogation is permitted. It is like a mini-Convention within the Conventions as it contains the essential rules of the Geneva Conventions in a condensed format and makes them applicable to conflicts not of an international character:

- It requires humane treatment for all in enemy hands, without any adverse distinction. It specifically prohibits murder, mutilation, torture, cruel, humiliating and degrading treatment, the taking of hostages and unfair trial.
- It requires that the wounded, sick and shipwrecked be collected and cared for.
- It grants the International Committee of the Red Cross (ICRC) the right to offer its services to the parties to the conflict.
- It calls on the parties to the conflict to bring all or parts of the Geneva Conventions into force through so-called special agreements.
- It recognises that the application of these rules does not affect the legal status of the parties to the conflict.

1A. Photo card 1



Child or soldier?



AFP/Getty



AFP/Getty

1A. Photo card 2



Soldier or victim?



ICRC



ICRC

1A. Photo card 3



Upstanding citizen or war criminal?



Getty Images



Time and Life Pictures /Getty Images

1B. Opening questions



Who do you think these people are?

- Where do they live?
- What role do they have in everyday life?
- How does their role affect other people?
- How do other people treat them in everyday life?

Who do you think these people are in a conflict situation?

- What might each one's life be like?
- Are they likely to be a perpetrator of violence, a victim or a bystander?
- How does the conflict affect their life?
- How does their role in the conflict affect other people?
- What legal category of IHL do you think they belong to: combatant, person "hors de combat" or civilian? Why?
- How should other people treat these people in the conflict?
- If you think they are civilians, do you think they:
 - > should receive additional levels of protection or
 - > may have become an active participant in hostilities?

1C. Additional information



PHOTO CARD 1

Child with pink backpack

- Imagine you receive the following information about this boy:
 - > he is using his father's weapon to defend his sister
 - > he is carrying ammunition in his backpack
 - > he is actively taking part in an armed conflict.
- How would your opinion of this boy change in each scenario?
- Do you think the different scenarios impact on which legal category he belongs to?
- Would you treat him differently depending on his circumstances?
- How do you think he should be treated under IHL e.g. what type of protection should he receive?

Group of boys

- Imagine you receive the following information about these boys:
 - > they are in a refugee camp waiting to be reunited with their parents
 - > they are young offenders in a young people's detention centre
 - > they are part of the cadets corps receiving basic training.
- How would your opinion of these boys change in each scenario?
- Do you think the different scenarios impact on which legal category they belong to?
- Would you treat them differently depending on their circumstances?
- How do you think they should be treated under IHL e.g. what type of protection should they receive?

1C. Additional information



PHOTO CARD 2

Soldiers marching in line

- Imagine you receive the following information about this group of soldiers:
 - > the soldiers are carrying equipment to an area struck by natural disaster
 - > the soldiers are carrying military equipment for an assault on a town
 - > the soldiers are prisoners forced to carry their enemy's military equipment.
- How would your opinion of these soldiers change in each scenario?
- Do you think the different scenarios impact on which legal category they belong to?
- Would you treat them differently depending on their circumstances?
- How do you think they should be treated under IHL e.g. what type of protection should they receive?

Soldiers walking to van

- Imagine you receive the following information about this group of soldiers:
 - > the soldiers are helping an injured colleague to the van to be taken to field hospital
 - > the soldiers are helping a drunken colleague to the van so they can start their daily operations
 - > the soldiers are taking part in an army training exercise.
- How would your opinion of these soldiers change in each scenario?
- Do you think the different scenarios impact on which legal category they belong to?
- Would you treat them differently depending on their circumstances?
- How do you think they should be treated under IHL e.g. what type of protection should they receive?

1C. Additional information



PHOTO CARD 3

Man giving 'thumbs-up' gesture

- Imagine you receive the following information about this man:
 - > he is a leading politician giving a positive gesture to his followers
 - > he is a business man gesturing after a successful meeting
 - > he is gesturing at a war crimes tribunal in response to alleged charges against him.
- How would your opinion of this man change in each scenario?
- Do you think the different scenarios impact on which legal category he belongs to?
- Would you treat him differently depending on his circumstances?
- How do you think he should be treated under IHL e.g. what type of protection should he receive?
- Do you think the obligations he owes to others vary depending on which category he belongs to?

Man in white shirt at a restaurant

- Imagine you receive the following information about this man:
 - > he is a doctor and anthropologist (i.e. a scientist specialising in the study of origin, behaviour, and social and cultural development of humans)
 - > he is a husband and father having an evening meal with friends
 - > he is an army doctor at a concentration camp.
- How would your opinion of him change in each scenario?
- Do you think the different scenarios impact on which legal category he belongs to?
- Would you treat him differently depending on his circumstances?
- How do you think he should be treated under IHL e.g. what type of protection should he receive?
- Do you think the obligations he owes to others vary depending on which category he belongs to?

1D. Story behind the picture



PHOTO CARD 1

Boy with gun and pink backpack

This boy was a child soldier. The photo was taken on 27 June 2003 and shows him pointing a gun at a photographer in a street of Monrovia (the capital of Liberia) at the end of the second Liberian civil war.

Group of boys behind wire

This photo was taken on 10 December 2004 and shows child soldiers who are no longer active in hostilities standing in a rehabilitation centre in Gitega, Burundi. Burundi has a history of internal conflicts.

PHOTO CARD 2

Soldiers marching in line

This photo was taken in Laos. These soldiers were captured by the Popular Army of Liberation. It is not clear what the fate of these soldiers was but it probably depended on the instructions that the armed guard received.

Soldiers walking to a van

This photo was taken in 2002 and shows soldiers taking part in a field exercise of the evacuation of a wounded soldier during the “Senezh” course on international humanitarian law in Russia. This IHL training course is held six times a year for military personnel in Russia.

PHOTO CARD 3

Man giving ‘thumbs-up’ gesture

This is Milan Martić who is photographed gesturing as he appears at a war crimes tribunal in the Hague on 21 May 2002. Martić was a former Serb rebel leader and was jailed for 35 years on 12 June 2007 for war crimes carried out in Croatia.

Man in white shirt at a restaurant

The second person on the left is doctor Josef Mengele. He worked as an army doctor at the Nazi concentration camp Auschwitz-Birkenau during the Second World War where, among other things, he performed human experiments on prisoners. He escaped to South America where he died in 1979.

1E. Real-life situations



POSSIBLE RESEARCH TOPICS

This pack includes some topics for students to research to challenge pre-conceptions about roles of people in conflicts.

A map is also included to suggest other conflicts that students could research, both with respect to the recruitment of children as fighters and possible breaches of other IHL principles.

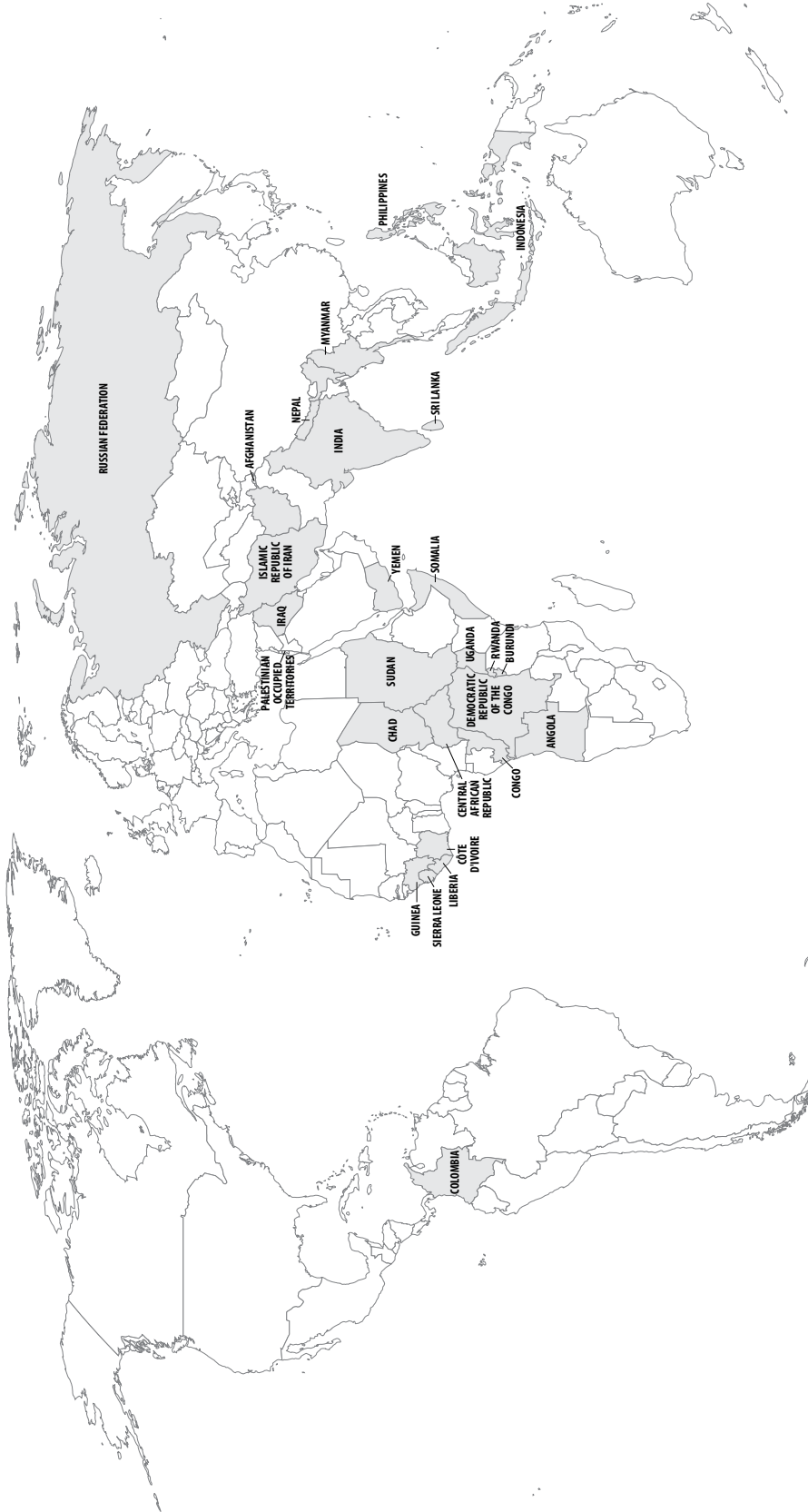
Child soldiers

- Map of child soldiers around the world – countries/territories concerned.
- Under-aged soldiers who lied about their age to sign up to fight during the First World War.
- The 12-year-old twins Johnny and Luther Htoo are reported to have formed the breakaway group from the Karen National Union (KNU) called God's Army in 1997. At this time, the KNU was fighting for independence from Burma (now Myanmar). External access to the group was limited but it was reported that many of the soldiers surrounding the twins were barely out of their teens.

1E. Real-life situations



CHILD SOLDIERS* AROUND THE WORLD – COUNTRIES/TERRITORIES CONCERNED



Source: Child Soldiers Global Report 2004 of the Coalition to Stop the Use of Child Soldiers.
This map and the data included are for information purposes only and have no political significance.

* The Coalition to Stop the Use of Child Soldiers considers as a child soldier any person under the age of 18 who:
"is a member of or attached to government armed forces or any other regular or irregular armed force or armed political group, whether or not an armed conflict exists".

1E. Real-life situations



Prisoners of war (POWs)

- The Burma-Siam Railway between Bangkok, Thailand and Burma (now Myanmar) was built during the Second World War to support Japanese forces during their Burma campaign. The Japanese used forced labour to construct the railway, including about 180,000 Asian labourers and 60,000 Allied POWs (i.e. imprisoned British, American, Australian and French soldiers, who fought against the Japanese during the Second World War). Of these, around 90,000 Asian labourers and 16,000 Allied POWs died – mainly of sickness, malnutrition or exhaustion.
- In January 1991, during Operation Desert Storm in Iraq, John Nichol and John Peters' plane was shot down over Iraqi territory. The two men were captured by Iraqi forces and they were shown on Iraqi television. John Nichol read out a message to camera but the stilted content and incorrect grammar suggested he was doing so under duress and his swollen, disfigured face suggested he had been violently treated.

1F. Charter on principles of warfare



OPENING PHRASES

Suggested opening phrases for a class Charter might include:

During a war or armed conflict:

- *Soldiers may not...*
- *Soldiers must...*
- *Civilians should not be...*
- *Children may not be...*
- *Injured people must be...*
- *Prisoners of war must be...*

EXAMPLE CLAUSES

“All parties must treat everybody who does not take part in the conflict with respect and in a humane way.”

“All parties must make sure that children on all sides of a conflict receive extra protection. Children cannot be made to fight. If children have been separated from their parents in a conflict, they should be cared for and the authorities should try to unite them with their families.”

“Soldiers must not attack opposition soldiers if they are wounded and can no longer fight. Wounded soldiers must be treated with respect and are entitled to receive medical care.”

2A. Photo card 1



To target or to protect?



David Rutter



British Red Cross

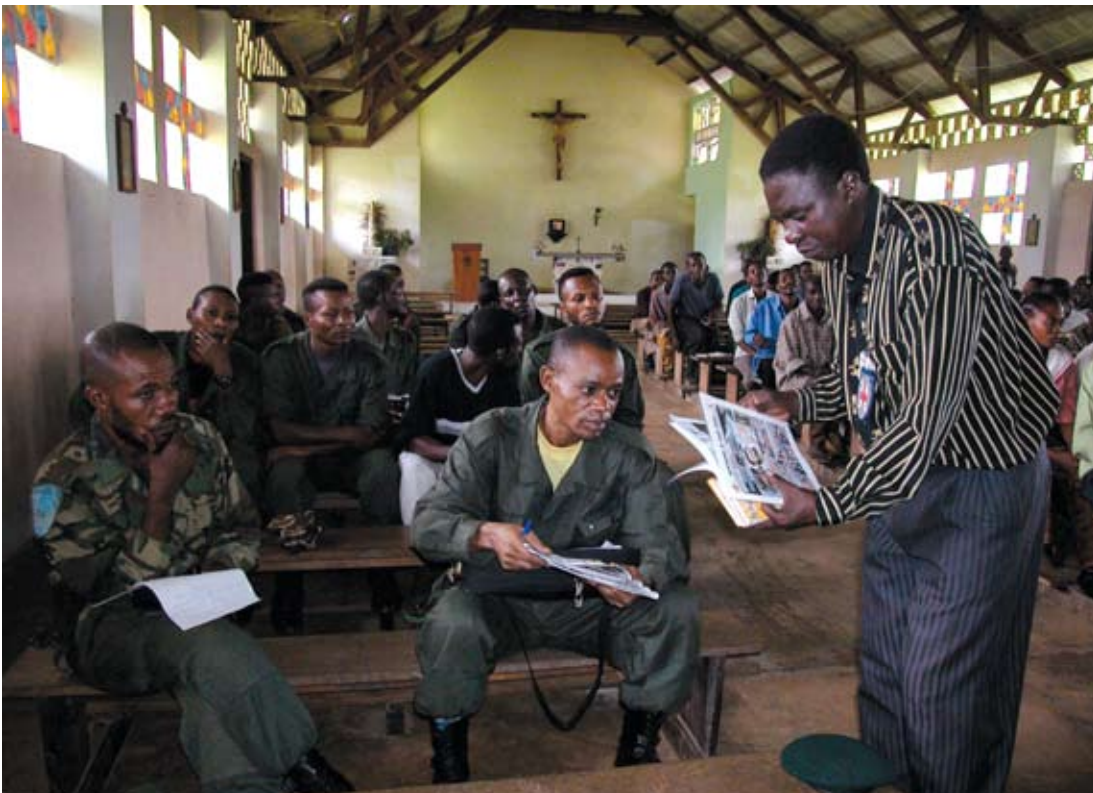
2A. Photo card 2



To target or to protect?



Thierry Gassman, ICRC (1994)



ICRC

2B. Opening questions



What do you think of this place/structure in general?

- What do you think it is?
- Who do you think it belongs to?
- How do you think it is used?
- Who benefits from this place/structure?

What would you think of this place/structure in a conflict?

- Who do you think it belongs to?
- How do you think it is used?
- Do you think it should be attacked?
- When do you think forces may attack it?
- Do you think it makes any difference to your answers depending on who uses it or how it is used?
- If so, what type of difference does it make? for example:
 - > Does it affect whether armed forces may attack it?
 - > Are there limits on the methods that armed forces can use to attack it?

2C. Additional information



PHOTO CARD 1

Satellite communications centre

- Imagine you receive the following information about this structure:
 - > it is used to broadcast national news programmes, weather reports and traffic information
 - > it is used to send military messages to commanders in the field
 - > it is used to incite the population to kill people from different tribes.
- How would your opinion of this structure change in each scenario?
- Would you treat it differently depending on the circumstances?
- If so, how would you treat it differently? for example:
 - > Does it change whether you are allowed to attack it?
 - > Are there limits on the methods that you can use to attack it?

Water dam

- Imagine you receive the following information about this structure:
 - > the dam creates a water reservoir which serves the water needs of a capital city
 - > the dam has been attacked and the water in the reservoir has been poisoned by opposition forces
 - > the dam holds back water to prevent the flooding of key transport routes.
- How would your opinion of this structure change in each scenario?
- Would you treat it differently depending on the circumstances?
- If so, how would you treat it differently? for example:
 - > Does it change whether you are allowed to attack it?
 - > Are there limits on the methods that you can use to attack it?

2C. Additional information



PHOTO CARD 2

Green and blue tents

- Imagine you receive the following information about this place:
 - > it is a refugee camp for displaced people in a civil war
 - > it is a field hospital treating civilians and injured soldiers
 - > it is the military base of an invading army.
- How would your opinion of this place change in each scenario?
- Would you treat it differently depending on the circumstances?
- If so, how would you treat it differently? for example:
 - > Does it change whether you are allowed to attack it?
 - > Are there limits on the methods that you can use to attack it?

Church filled with men

- Imagine you receive the following information about this place:
 - > it is being used for prayer by a priest preaching the use of violence against an ethnic group
 - > it is being used as a neutral area to teach soldiers about International Humanitarian Law
 - > it is being used as a base by the military to organise the evacuation of civilians and soldiers from a war-torn area.
- How would your opinion of this place change in each scenario?
- Would you treat it differently depending on the circumstances?
- If so, how would you treat it differently? for example:
 - > Does it change whether you are allowed to attack it?
 - > Are there limits on the methods that you can use to attack it?

2D. Story behind the picture



PHOTO CARD 1

Communications satellite

This is a satellite dish on the roof of a television studio. A civilian broadcasting station will house journalists and technicians, and may be involved in relaying important information for the safety of the local civilian population.

If, however, it is being used to relay military information it becomes a military target. In this case, the principle of precaution must be respected and warning should be given to allow any civilians to leave before the attack.

Dam

This is a view of Kerr Dam, near Polson Montana (USA) on the Flathead Indian Reservation. The Flathead Lake/River has a high water level so some flood gates are open.

A dam is protected under IHL as an “installation containing dangerous forces”. IHL forbids the attack of structures such as dams and nuclear power stations, due to the possible consequences of severe losses among the civilian population.

Neither of these photos are taken from conflict scenarios but communications and water resources are often targeted in conflicts.

PHOTO CARD 2

Green and blue tents

A camp at Nyarushishi for people displaced by the conflict in Rwanda. Nine thousand civilians remained here under the protection of the International Committee of the Red Cross. They were later protected by French troops taking part in Operation Turquoise, which aimed to establish safe humanitarian areas for the victims of conflict.

Church filled with men

This is a photo of soldiers and representatives from the Red Cross in the Democratic Republic of Congo. The church is being used as a neutral area to inform armed groups about the importance of IHL.

2E. Real-life situations



SUGGESTED RESEARCH TOPICS

This pack includes a range of topics for students to research to challenge preconceptions about roles of people in conflicts.

Communications facilities

- Both sides in the Rwandan civil war used radio for propaganda purposes. For example, on 7 and 8 April 1994, RTLM (Radio Télévision Libre de Mille Collines) began to broadcast a message for Hutus to kill the Tutsis, calling them “cockroaches” and urging their “extermination”.
- During the war in Kosovo, NATO bombed the headquarters of Serbian TV, claiming it was used for military propaganda.

Water resources

- In 1938, during the Second Sino-Japanese war, Chang Kai-Shek ordered dams and ditches that controlled floods on the Yellow River to be destroyed. As a result, part of the invading Japanese army was flooded but so were many Chinese inhabitants of the flooded areas.

Place of worship

- Nyarubuye Church, in Rusumo in eastern Rwanda, was the scene of a notorious massacre during the Rwandan genocide of 1994. On 15 and 16 April 1994, between 20,000 and 30,000 Tutsis were killed in an attack on the church. For more on this example, see Global Lines Module 2, Telling the whole story, Story Pack 3, Story 1: Pastor Elizaphan Ntakirutimana & Son Dr Gerard Ntakirutimana at: <http://www.redcross.org.uk/temp/GlobalspLinenspModulesp2.pdf>

3A. Take-away materials



TAKE-AWAY RESOURCES FOR STUDY PURPOSES:

Students can collate their own research and resources based on the output of the class-based exercises and extension activities e.g. the Course glossary of terms related to armed conflicts and a Charter on the principles of warfare.

For revision purposes, the following can be shared with the class:

- Glossary of terms related to armed conflict: once the students have completed the Course Glossary extension activity, they can be given both a copy of the other students' definitions and case studies, as well as the relevant extracts from the **“Terms used in EHL”** from www.ehl.icrc.org.
- **Key principles of IHL**, including **Common Article 3**
- **Story behind the picture**
- **Real-life situations**

PHASE/EXERCISE 1 HOMEWORK B:

The following topics can be used by students for a project opportunity or may stimulate ideas of their own:

See **Real Life Situations**:

20th Century examples

Bombing of Dresden or Coventry during Second World War; the use of female Tamil Tiger suicide bombers; shelling of the headquarters of the Serbian state television network in Belgrade during the Kosovo War of 1999.

Historical examples

Siege of Constantinople during the Crusades; the recruitment and use of the Janissary (forced recruits including POWs and seized children); the scorched earth tactics used in many conflicts, including by Czar Alexander I during Napoleon's invasion of Russia.

Literary example

The use of young boys as soldiers in the siege of Gondor in *The Lord of the Rings*.

The teachers involved in this project opportunity can propose other examples from their curriculum.

3B. Research Source



GLOSSARY OF TERMS

Child soldier: A child soldier is a person under the age of 15 who participates as a fighter in an armed conflict, whether an international war or an internal conflict. During hostilities, they are treated as combatants and, if captured in an international armed conflict, will be treated as prisoners of war.

Example: *In the conflict in the Democratic Republic of Congo (DRC), local warlords often recruited children under 15 as soldiers. Some child soldiers were used as spies but often they were also forced to take part in active battle and ordered to carry out violent acts, including killing opposition troops and civilians.*

The recruitment of children under the age of 15 is forbidden under International Humanitarian Law. A warlord from the DRC is currently being tried at the International Criminal Court in The Netherlands for, among other things, recruiting child soldiers.

RESEARCH RESOURCES

- www.icrc.org
- www.ehl.icrc.org
- www.redcross.org.uk

Mainstream media

- www.bbc.co.uk; www.guardian.co.uk; www.timesonline.co.uk; www.independent.co.uk; www.economist.com
- www.icty.org; www.ictr.org
- Encyclopaedias
- Websites of human rights organisations e.g. Human Rights Watch, Amnesty International. Please explain that human rights law is a separate and distinct body of law to international humanitarian law but these websites may provide a useful starting point for abuses in conflicts.

It is useful to remind students that both media and human rights organisations have their own agenda and, therefore, it is useful to check facts in a number of sources.

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