

Scope of application of IHL

This is a template for a multiple-choice poll covering different aspects of the scope of application of IHL. It can be used to create interactive online polls using [Poll Everywhere](#) or [Socrative](#).

For some questions, there may be more than one correct answer. For others, more information may be required, the idea being to spark a discussion about what additional information is needed.

MATERIAL SCOPE

1. State Alpha is involved in direct and violent confrontations with an organized non-state armed group called the Fight for Independence, which has controlled northern Alpha since the beginning of 2020. In July 2020, neighbouring State Beta intervened indirectly to support the Fight for Independence by coordinating the armed group's military activities from its own territory. How would you classify the situation after July 2020?

- A NIAC between Alpha and the Fight for Independence *and* an IAC between Alpha and Beta
- Only a NIAC between Alpha and the Fight for Independence
- Only an IAC between Alpha and Beta
- It depends

2. Which two criteria must be met for a situation to be classified as a NIAC in which at least one of the parties is not a state?

- The hostilities between the parties reach a minimum level of intensity.
- The non-state armed group(s) involved has/have a minimum degree of organization.
- The non-state armed group(s) involved has/have a clear political objective and is/are supported by the local population.
- The non-state armed group(s) involved is/are supported by a state.

PERSONAL SCOPE

3. In December 2020, after months of fighting, State Beta occupied northern Alpha. Under the Fourth Geneva Convention, who is considered a protected person in the occupied territory of Alpha?

- Nationals of Alpha
- Dual nationals of Alpha and Beta
- Nationals of Beta
- Nationals of Zeta, a country that neighbours Beta that never took part in the conflict

4. Based on the scenario in question 1, who is protected against direct attack under IHL?

- A member of the Fight for Independence, severely injured while fighting
- Inhabitants of northern Alpha who gather to shield the Fight for Independence headquarters from Alpha's attacks
- The prime minister of Alpha
- The spokesperson of the political wing of the Fight for Independence

TEMPORAL SCOPE

5. For the purposes of IHL, which criteria need to be fulfilled to determine the existence or beginning of an occupation?

- The presence of foreign forces in the territory concerned and the lack of consent from the local authorities to such a presence
- The foreign forces' ability to exercise authority (governmental functions) over the territory concerned or parts thereof, in lieu of the local sovereign
- The inability of the local sovereign to exert its authority over the territory concerned or parts thereof
- All of the above

6. When does IHL stop applying in a NIAC?

- When a peaceful settlement between the parties to the armed conflict is achieved
- As soon as one of the criteria for the existence of a NIAC is no longer met
- When one of the parties declares itself to be no longer involved in the armed conflict

GEOGRAPHICAL SCOPE

7. Based on the scenario in question 1, does IHL apply in Beta?

- Yes
- No
- It depends

8. Based on the scenario in question 1, does IHL apply to the whole of Alpha's territory?

- It depends
- No, it only applies in northern Alpha where the fighting is taking place
- Yes

9. According to intelligence available to Alpha, affiliates of the Fight for Independence are emerging in Delta and Gamma, two countries on another continent across the ocean. Alpha decides to launch drone strikes against these "terrorists", a term State Alpha has used to label all members of the Fight for Independence and its affiliates in the territories of Delta and Gamma. Consider the factors below and decide which are the most relevant when determining whether IHL would apply to the drone strikes in Delta and Gamma? Why?

- Whether there is a link between the drone strikes in Delta and Gamma and the NIAC taking place in Alpha between Alpha and the Fight for Independence
- Whether the Fight for Independence and its affiliates can be considered members of the same organized armed group or coalition
- Whether the conditions for the existence of a NIAC are also fulfilled in Delta and Gamma
- Whether the Fight for Independence's members and its affiliates are actually "terrorists"