

THE ANNUAL ILAC DEBATES

2018

Students taking the course on the International Law of Armed Conflict learn about how International Law regulates the use of force (*jus ad bellum*) and also the use of force in armed conflict (*jus in bello*). They are taught using a range of approaches. One of the methods is through an event in which the whole class participates: the annual ILAC Debates.



Taurai Castro Dongo challenging the use of force against Iraq, with Ngaatendwe Magara listening intently

This year, eight students in teams of two tackled the controversial uses of force in Kosovo in 1999 and in the Second Gulf War in 2003. Professor Suzannah Linton, who teaches the course, provided materials, support and guidance to the students in preparing for the debates.



Yunus Tashliyev justifies the invasion of Iraq to overthrow Saddam Hussein while debate partner Maajida Mia listens



Tinaye Njagu preparing her rebuttal



Charlotte Ruguwa listens to her debate partner argue that the attack on Kosovo was a violation of sovereignty and interference in domestic affairs

The event was held in the Law School's Moot Court. On the day itself, 31 October 2018, the rest of the class sat as judges, and some were judge-interrogators. The first debate concerned NATO's use of force to attack Serbia in relation to alleged human rights violations being committed in Kosovo in 1999. Over the course of an hour, the four debaters argued for and against, citing Security Council Resolutions, the United Nations Charter, the NATO Charter and the humanitarian intervention doctrine. Several judge-interrogators intervened to challenge the debaters on their positions.



**Rahmanhoja
Hudayberdiyev
insisting that NATO
acted unlawfully in
attacking Serbia
without a UN Security
Council Resolution.**



The second debate tackled the US-led coalition attack on Iraq in 2003, also known as the Second Gulf War. The four debaters engaged here with Security Council Resolutions notably taking opposite positions on whether Resolution 1441 was sufficient to revive the authorisation to use force in Resolution 678 from the First Gulf War. They sparred over the UN Charter, 'dodgy dossiers', weapons of mass destruction, regime change and Saddam Hussein's track record including over whether he had anything to do with the September 11 attacks on the USA. Here too, the debaters were actively questioned by judge-interrogators.



Lydia Thadeous Mkude defends NATO's actions in Kosovo



Tinaye Njagu dismisses the claims of her opponents



Ngaatendwe Magara challenges the legality of the attack on Iraq with debate partner Taurai Castro Dongo supporting her

The judges ruled in favour of the following submissions:

The team arguing against the motion 'NATO's use of armed force in Kosovo was lawful under international law'

Rahmanhoja Hudayberdiyev

Charlotte Ruguwa

The team arguing against the motion 'The invasion and occupation of Iraq in 2002 was not in accordance with International Law'

Maajida Mia

Yunus Tashliyev

Maajida Mia

was judged by her peers to be the Best Speaker of the International
Law of Armed Conflict Debate Competition in 2018.

The judges also declared the following to be the best debaters:

First place: Maajida Mia

Second place: Charlotte Takudzwa Rugura

Third place and best rebuttal: Rahmanhoja
Hudayberdiyev

Students enjoyed the event, and found it helped their understanding. Gamuchirai Grace Chimuka, who served as a judge, said that 'The class debate proved to be a fun but educational way to learn more about real issues pertaining International Law of Armed Conflict and issues of aggression between states. The question segment was my favourite as it provided an opportunity for all students to engage in the debate through their questions to the debaters.' Belinda N Zona felt that 'The coming together of minds in an adversarial manner proved to be beneficial to me. As one of the judges I managed to be in a position to fully listen and understand all facets of the cases. In a word the experience was surreal.' Debater Ngaatendwe Magara used vivid imagery to explain how it impacted on her: 'A nude statue was unveiled before my eyes as I could picture what the debaters were putting across their points. I learnt that creating images in people's minds using words can convince even a blind man, I mean I could never understand the legality of the use of force under international law any better.' For debater Rahmanhoja Hudayberdiyev, 'When I came to study in Gongshang to major in International Law, I dreamed about being in a real lawsuit, and I promised myself that I will realize it. This dream is pushing me, and to be in this debate is helping me to realize my dreams. I am very thankful to Professor Linton that she gave me such opportunity; for me she is a great person with huge knowledge.'

The event ended with a celebration of the 21st birthday of Nazly Sadik Bakr.

