University of Pretoria Yearbook 2021

LLM International Humanitarian Law and Human Rights in Military Operations (Coursework) (04250079)

Department	Public Law
Minimum duration of study	2 years
Total credits	200
NQF level	09

Programme information

Closing date for applications: SA applicants – 30 September; non-SA applicants – 31 August.

A limited number of approximately between 10 and 25 students are selected per year according to the general selection guidelines.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

i. a demonstrated professional, academic and personal interest in and commitment to international air, space and telecommunications law;
ii. an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
iii. geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
iv. gender representation (in the sense that an equitable balance between women and men is sought);
v. equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

Also refer to the Postgraduate Brochure for the complete study programme as well as the Postgraduate administrative processes after registration.

The curriculum will generally consist of:

- Three modules counting 30 credits each (at least one of these modules must be completed during the first year of registration).
- A module in research methodology (RHP 801 - 5 credits) (this module must be completed during the first year of registration).
- A research proposal (RHP 803 - 5 credits). The student must submit the research proposal to the supervisor no later than the end of the first semester of the second year of registration for the degree, prior to commencing with the writing of the mini-dissertation. This period may be extended with the approval of the relevant head of department.

- A mini-dissertation. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM/MPhil degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Postgraduate Committee on recommendation of the relevant head of department.

Admission requirements

In addition to an LLB, BProc or equivalent qualification from a foreign university that allows the applicant entrance to the formal legal profession, the following requirements are set for admission of a prospective student to the LLM Coursework programme:

A minimum average mark of 65% with respect to the prescribed final-year modules of the undergraduate programme is required for admission to an LLM coursework programme.

Where an average of below 65% is achieved, the student may be admitted on recommendation of the relevant head of department after consultation with the programme coordinator and consideration of other merits (eg relevant professional experience; the applicant’s performance in undergraduate modules related to the particular LLM; the candidate’s performance in independent research essays or similar components) and/or an admission examination.

Linguistic competence, primarily in English; foreign applicants who did not complete undergraduate studies through the medium of English must show proof of competence in English at a minimum average level of 6 out of 10 for IELTS or a minimum total score of 83 in TOEFL calculated as follows: reading 21, listening 17, speaking 23 and writing 22. In any other instance where there is doubt as to the English linguistic competence of an applicant, the Dean may require the same proof as prescribed for foreign applicants.

Foreign qualifications are subject to SAQA evaluation. (Some LLM coursework programmes or modules as indicated in the yearbook may only be available to students who hold a relevant South African legal qualification.)

Even though a student may comply with the above requirements, the Dean may, on the recommendation of the head of department presenting a specific degree or module, refuse to accept a prospective student for any LLM programme if such a student's performance in the chosen modules or field of study during undergraduate study was not satisfactory. Alternatively, the Dean could set additional requirements with a view to admission.

An admission examination may also be required in respect of a particular programme or module.

Additional requirements

Please contact the Faculty with regard to specific requirements pertaining to the MPhil degree programmes.

Other programme-specific information

Mini-dissertation

- The mini-dissertation must comprise 13 000 – 15 000 words – including footnotes but excluding the list of contents and the bibliography.
- The examination copies of the mini-dissertation, to send out to the external examiners, must be submitted to Student Administration not later than the end of October for the Autumn Graduation Ceremony, end of April for the Spring Graduation Ceremony. A final electronic version must be submitted to Student Administration on or before 15 February for the Autumn Graduation Ceremony, 15 July for the Spring Graduation Ceremony after the evaluation of the examination copies of the mini-dissertation to comply with degree requirements.

Examinations and pass requirements

In the event of having failed all modules during a particular year of study, a student will only be allowed to continue with his/her studies with the consent of the Postgraduate Committee.

Although no supplementary examination will be granted with regard to LLM and MPhil modules, the General Regulations and rules apply with regard to special and ancillary examinations.

Research information

The relevant head of department must recommend a supervisor and title for a mini-dissertation and these must be approved by the Postgraduate Committee. The mini-dissertation must be assessed and finalised as set out in the Faculty Board-approved LLM/MPhil Policy Document of the Faculty.

Mini-dissertations, where required, must be submitted in the format determined by the supervisor and approved by the Postgraduate Committee. The supervisor may likewise, subject to the approval of the Postgraduate Committee, also determine the research topic and the scope of the proposed research. (Refer to the Faculty of Law regulations regarding mini-dissertations and also Postgraduate administrative processes brochure for the Faculty)

Pass with distinction

For the degree to be awarded with distinction a student must obtain an average of at least 75% for all the coursework modules, as well as a minimum of 75% for the mini-dissertation. The modules must have been written for the first time.

General information

Period of registration

The duration of the programme will in general be four semesters (2 years) but may be completed within two semesters (1 year) where possible, subject to fulfilment of all the requirements for the degree and payment of the full amount prescribed for the LLM degree. Programmes may also be structured to allow for one year of study only. The one- or two-year period may only be extended by the Postgraduate Committee on recommendation of the relevant head of department based on good reason shown and if it is clear that the student will be able to complete the programme in a further year of study.

Limiting of modules on offer in a particular academic year and availability to foreign students

The Dean determines which modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances. The Dean may, on recommendation of the relevant head of department, determine the maximum number of registrations for a specific elective module in terms of the prescribed guidelines. The Dean may also, on recommendation of the relevant head of department, determine that a particular LLM module will not be offered where on the first day of lectures four or fewer students are registered for such module.

Re-registration for modules

A student may not register more than twice for the same module. In order to pass a module the student must obtain a final mark of 50%.

Curriculum: Year 1

Minimum credits: 100

Core modules

Advanced international law 802 (AIL 802)

Module credits	30.00
NQF Level	09
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1 or Semester 2

Module content

The topics covered include:

a. International humanitarian law
b. Use of force
c. Terrorism
d. Humanitarian intervention
e. Extradition
f. Diplomatic law

International humanitarian law and human rights in military operations 801 (IHM 801)

Module credits	30.00
NQF Level	09
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1

Module content

a. The applicability of international human rights law (IHRL) and international humanitarian law (IHL)
b. Basic principles of IHRL and IHL
c. Interplay, convergence and conflict between IHRL and IHL
d. Implementation and enforcement of IHRL and IHL
e. The relation of IHRL and IHL to other fields of international law
f. The deprivation of liberty in IHRL and IHL
g. The use of force in IHRL and IHL

Applied international law 801 (MCL 801)

Module credits	30.00
NQF Level	09
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1 or Semester 2

Module content

The module deals with the principles of international law at an advanced level. It focuses on theoretical questions pertaining to sources of the law and the relationship between international and national law. It analyses new developments in international law such as the changing content of sovereignity and the phenomenon of regional integration.

Research methodology 801 (RHP 801)

Module credits	5.00
NQF Level	09
Prerequisites	No prerequisites.
Contact time	8 seminars or block sessions
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Semester 1 or Semester 2

Module content

a. Planning and organising a research project
b. Drafting a research proposal: Hypotheses and research question
c. Theory in research and methodological approaches to legal research
d. Language
e. Citation and ethics of citation
f. Drafting of chapters and presentation

Research proposal 803 (RHP 803)

Module credits	5.00
NQF Level	09
Prerequisites	No prerequisites.
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Year

Module content

Development and presentation of a research proposal. (A research proposal must be submitted to the supervisor and accepted in the first semester of the second year of study before the student will be allowed to register for the mini-dissertation.)

Curriculum: Final year

Minimum credits: 100

Core modules

Mini-dissertation 800 (MND 800)

Module credits	100.00
NQF Level	09
Prerequisites	RHP 801 and RHP 803
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Year

Module content

a. The student must submit a research proposal during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.
b. A mini-dissertation (MND 800) of 13 000 to 15 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the LLM Committee

The information published here is subject to change and may be amended after the publication of this information. The General Regulations (G Regulations) apply to all faculties of the University of Pretoria. It is expected of students to familiarise themselves well with these regulations as well as with the information contained in the General Rules section. Ignorance concerning these regulations and rules will not be accepted as an excuse for any transgression.