

<b>Program:</b> Undergraduate Academic Studies
<b>Course title:</b> DEFENSE LAW
<b>Teachers:</b> professor Vladan Jončić
<b>Course status:</b> optional
<b>Number of ECTS:</b> 2
<b>Requirements:</b> none
<p><b>Aims of the course:</b>          Acquiring legal knowledge and understanding in the field of defense law and fundamental sources of risks and threats to national security, as well as international legal norms in the field of armed conflicts, getting acquainted with the evolution of this branch of law, the connection between the norms of defense law and the constitutional and administrative norms regulating this the field and their harmonization, familiarization with the nature of the right to safety and defense and the basic directions of the development of legal doctrine, mastering the legal terminology of this branch of law, developing the ability to understand differences between internal and international legal norms of this branch of law and to assess the influence of other factors that affect the legal aspect of defense and security, assessment of the sanctions and the development of standards that should penalize breaches of security and the protection of society, training for use of the method applied in this branch of law.</p>
<p><b>Course result:</b>          The candidate should reach such a level of knowledge and skills that allows him to independently and critically discuss a wide range of issues in the field of defense law.</p>
<p><b>Course content:</b></p> <p>PART I</p> <p>1. CONCEPT AND SUBJECT MATTER OF DEFENSE LAW</p> <p>1.1. The concept, subject and methods of defense law and military law          1.2. Material and formal sources of defense law          1.3. Defense law and other branches of law</p> <p>2. INTERNATIONAL RELATIONS AND THE RIGHT OF DEFENSE</p> <p>2.1. The impact of international relations on the security of the country          2.2. Factors of international relations          2.3. Characteristics of the modern world and their reflections on relations in the world          2.4. Modern military-political doctrines          2.5. Disasters and protection against them</p> <p>3. CATASTROPHES AND GLOBAL AND LOCAL PROTECTION SYSTEMS</p> <p>3.1. Disasters and the global protection system          3.2. Catastrophes and regional and local protection systems</p> <p>4. CONFLICTS AND LAW OF DEFENSE</p> <p>4.1. The notion of conflict as a type of mass disaster          4.2. Disasters and their place in the protection system          4.3. Terrorism and protection</p> <p>5. SUMMARY OF BASIC CONCEPTIONS OF WAR, RIGHT TO WAR AND RULES OF WAR FROM CLASSICAL ANTIQUITY TO PRESENT DAY</p> <p>5.1. Classical antiquity          5.2. Middle Ages          5.3. Summary of contemporary views on war, the right to war and the rules of war.</p>

- Geographical theories
- Biological theories
- Racial theory
- Psychological theory
- Demographic theories
- Statist conception of war
- Marxist conception of war

## PART II

### 1. BASICS OF DEFENSE LAW OF THE REPUBLIC OF SERBIA

- 1.1. Sources of the State's right of defense
- 1.2. Fundamentals of the defense strategy of Serbia and Montenegro

### 2. BASICS OF DEFENSE LAW

- 1.1. The fundamental rights and duties of citizens in the defense of the country
- 1.2. State authorities and services and their role in the defense of the country
  - 1.2.1. Military
  - 1.2.3. Police
  - 1.2.4. Civil protection
  - 1.2.5. Other state services and authorities
- 1.3. Legal aspects of emergencies and extraordinary circumstances

## PART III

### 1. BASICS OF INTERNATIONAL DEFENSE LAW

- 1.1. Dispute settlement between states
- 1.2. Removing disputes between states by force
- 1.3. International and internal conflicts
- 1.4. The basics of International Law of Armed Conflict
- 1.5. Protection of persons in armed conflicts
- 1.6. Protection of facilities in armed conflicts
- 1.7. Forbidden ways and means of warfare
- 1.8. State of occupation
- 1.9. Concept and types of neutrality
- 1.10. Termination of the state of war
- 1.11. Repatriation
- 1.12. Sanctions for violations of international rules
  - 1.12.1. Criminal and ethical sanctions
  - 1.12.2. International Criminal Courts
    - International Criminal Courts in Nuremberg and Tokyo
    - *Ad hoc* courts after the Second World War
    - The International Criminal Tribunal in The Hague

### 2. RESPONSABILITY

- 2.1. Command responsibility
- 2.2. Criminal responsibility

#### **Literature:**

Mandatory:

Vučinić, Z., *Pravo odbrane*, Službeni glasnik, Beograd, 2008.

Additional:

Jončić, V., *Međunarodno humanitarno pravo*, Pravni fakultet, Beograd, 2010;

Jončić, V., „Katastrofe i ljudska prava“, *Pravni život*, br. 14. tom 6, knj. 564, Beograd, 2009;

Simić, M./Jončić, V., *Međunarodne organizacije i javno informisanje sa osnovama prava odbrane*“, Nomos, Beograd.

<b>Number of lectures – active classes</b>	<b>Theoretical classes:</b>	<b>Practical classes :</b>	
<b>Instruction method:</b> Lectures, consultations, seminars, study visits to relevant institutions			
<b>Grading system (maximum number of points 100)</b>			
<b>Pre-exam obligations</b>	points	<b>Final Exam</b>	points
Activities during lectures	30	Oral Exam	30-35
Activities during practical classes	20-25		
Tests			
Seminar classes	10+5 for public presentation		