

THE 20TH INTERNATIONAL COMMITTEE OF THE RED CROSS ESSAY COMPETITION FOR EAST AFRICAN UNIVERSITIES



Cattani Michele/ICRC

QUESTION

“Detention by non-State armed groups often presents several practical and legal challenges. These derive primarily from the significant diversity of non-State armed groups: this diversity is related to their differing operational realities, organizational structures, material capabilities, knowledge and acceptance of international law, and motivation or ideology... More complex legal issues arise regarding the prohibition against arbitrary detention; IHL rules on fair trials; procedural safeguards required for internment; and the prohibition against detainee transfers in violation of the principle of non-refoulement.” - *ICRC 2019 Report on International Humanitarian Law and the Challenges of Contemporary Armed Conflicts*.

Deprivation of liberty is a common occurrence in situations of armed conflict, including those involving non-State parties to a non-international armed conflict. The proliferation of non-state armed groups, and the concomitant prevalence of non-international armed conflicts, has resulted to many people being detained by such groups. Indeed, more than 80 armed groups hold detainees in the countries in which the ICRC operates. In spite of this, it remains clear that the body of law designed to regulate deprivation of liberty by armed groups in non-international armed conflicts is very limited in scope and specificity.

Critically analyze and discuss the legal and practical challenges posed by detention by armed groups during armed conflict.

INSTRUCTIONS

- The competition is open to all undergraduate students from Eastern Africa universities.
- Essays must be typed, properly referenced and structured, and a bibliography provided.
- Essays must not exceed **4000 words** (including the footnotes but excluding the bibliography).
- Any essay found to have been plagiarized will be disqualified from the competition.
- The essay and a copy of student's identification card must be received at the ICRC Regional Delegation in Nairobi by **30 June 2022** by email (nai_IHLmailbox@icrc.org).
- Late entries will not be accepted.
- The winner of the competition will receive a cash prize. There will also be awards for the first and second runners- up, as well as for the best essay from each country.

ASSESSMENT GUIDE

Participants will be assessed on their logical arguments, the depth to which they develop their answers, structure and demonstrated knowledge of the subject matter. Each of the criterion will be awarded points as below:

Knowledge of the subject matter	Critical thinking and Analysis	Structure, referencing and evidence of research	Total
40	30	30	100

CASH PRIZES

- Best Essay – CHF 350
- 2nd Best Essay – CHF 250
- 3rd Best Essay – CHF 100
- Top in each country – CHF 50

For further information please contact:

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