

AUSTRALIAN DEFENCE FORCE LEGAL SERVICES

LEGAL TASK JOURNAL

OPERATIONS LAW

LEVELS – COMPETENT

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Qualification

1. In order to satisfy the Legal Task Journal qualification criteria in Operations law ADF Legal Officers are to have assessed as satisfactory completion of the Task criterion set out below.

Competent Level Criterion

2. Within the Operations law Task Journal – Competent Level, 9 tasks.
3. Assessment is to be by self-assessment and an assessor of each of the completed task.

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The Law of Armed Conflict (LOAC) – basic principles

1. Demonstrate knowledge on the history or development of LOAC. Where relevant, the demonstration of knowledge should include an explanation of:
 - a. sources of international law,
 - b. historical development of international law, and
 - c. basic principles of international law.

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2. Demonstrate knowledge on the basic principles of international law that apply to armed conflict. Where relevant, the demonstration of knowledge should include an explanation of:
 - a. jus in bello,
 - b. jus ad bellum,
 - c. rights and obligations under the Charter of the United Nations:
 - d. other relevant case law.

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3. Demonstrate knowledge on the basic principles of LOAC. Where relevant, the demonstration of knowledge should include an explanation of:
 - a. military necessity,
 - b. unnecessary suffering, and
 - c. proportionality.

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International Humanitarian Law

4. Demonstrate knowledge on International Humanitarian Law. Where relevant, the demonstration of knowledge should include an explanation of:
- war crimes,
 - crimes against humanity,
 - genocide, and/or
 - torture and other forms of cruel, inhuman or degrading treatment.

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5. Demonstrate knowledge on protective symbols annexed to the Geneva Conventions. Where relevant, the demonstration of knowledge should include an explanation of:
- the international special sign for works and installations containing dangerous forces,
 - the international sign for civil defence,
 - emblems for medical activities,
 - emblems for cultural property,
 - markings for hospital and safety zones,
 - markings for prisoner of war camps, and/or
 - markings for civil internment camps.

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6. Demonstrate knowledge on the application of the Geneva Conventions and Additional Protocols. Where relevant, the demonstration of knowledge should include an explanation of:
- wounded and sick in the field,
 - wounded and sick at sea,
 - treatment of prisoners of war,
 - protection of civilians,
 - protection of victims of international armed conflict, and/or
 - protection of victims of non-international armed conflict

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Land and General Operations

7. Demonstrate knowledge on the conduct of operations against an enemy. Where relevant, the demonstration of knowledge should include an explanation of:
- any limitations on the employment of weapons, projectiles and materials and means of warfare,
 - the distinction between perfidy and ruses of war, and/or
 - any restrictions on attack upon those who are hors de combat.

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8. Demonstrate knowledge on the duties and rights under LOAC in relation to the treatment of detainees. Where relevant, the demonstration of knowledge should include an explanation of:
- the collection of information from/interrogation of detainees,
 - international legal obligations relating to the construction and maintenance of holding facilities, and/or
 - retention of captured medical personnel.

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9. Demonstrate knowledge on the duties and rights under LOAC in relation to the treatment of wounded and sick. Where relevant, the demonstration of knowledge should include an explanation of the:
- collection and search for wounded and sick,
 - care of wounded and sick,
 - search for, collection of and treatment of bodies, and/or
 - protected status of medical personnel.

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10. Demonstrate knowledge on ROE or OFOF issues.

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11. Demonstrate knowledge of the legal considerations in the planning and/or conduct of an Operation or Exercise.

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Maritime operations

12. Demonstrate knowledge on the sovereign immunity of warships.

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13. Demonstrate knowledge on hot pursuit. Where relevant, the demonstration of knowledge should include an explanation of:

- a. customary law, including the *I'm Alone* case,
- b. rights and restrictions provided in the Law of Sea Convention

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14. Demonstrate knowledge on the different maritime zones. Where relevant, the demonstration of knowledge should include an explanation of:

- a. the origins/history of the law of the sea, including early competing treatises such as *mare liberum* and *mare clausum*,
- b. maritime zones under the Law of Sea Convention.

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15. Demonstrate knowledge on navigation regimes applicable in different maritime zones. Where relevant, the demonstration of knowledge should include an explanation of:
- transit passage,
 - archipelagic sealane passage,
 - innocent passage, and/or
 - freedom of the high seas.

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Air operations

16. Demonstrate knowledge on the distinction between civil and state aircraft.

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17. Demonstrate knowledge on the principle of sovereign immunity of state aircraft.

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18. Demonstrate knowledge on the navigation regimes applicable in domestic and international airspace.

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