This is a preliminary syllabus and it is subject to change by the instructor before the start of Fall 2018 semester

Rutgers University Political Science Department
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International Criminal Law - 790:530:90 - ONLINE

COURSE DESCRIPTION

This online course will examine selected current issues involving International Criminal Law (ICL). We will explore the history and development of ICL with a special emphasis on Ad Hoc International Tribunals and the International Criminal Court (ICC). The course will begin traditionally by analyzing the elements of substantive international crimes, such as War Crimes, Crimes against humanity, Genocide, Aggression and Corruption. We will take a non-traditional turn by exploring other crimes of international concern such as terrorism financing, anti-money laundering and tax evasion. This course will offer a detailed overview of the efforts from the international community to leverage the most critical tool we have for fighting international crime, the global monetary system.

Unlike more traditional ICL courses, we will examine the practical and modern aspects of crime that extends beyond all boards. We will ask: how do international crime networks finance themselves? How are governments responding? And what will the future of international crime look like?

Course Materials
Textbook:


In addition to the textbook, the readings will include a selected United Nations documents such as treaties, resolutions and reports.

Assignments and final Grade:

Regular attendance and meaningful participation in class are required and will constitute 25% of the final grade; the remaining 75% will be divided as follows:

1- Presentation and Quizzes 25% of the final grade

Each student will be assigned a topic on which to prepare an in-class presentation. The presentation has to be accompanied by a three-page paper on the subject area. There will be two in-class quizzes 5% each.
2- Final examination 50% of the final grade
Limit of 2,000 words Research Paper (roughly 10 double-spaced pages), students have to choose to research a topic of a list of topics that will be provided by the instructor at a reasonable time before the end of the course. The final examination is due at the week 13.

SYLLABUS

**Week 1: Introduction and overview to International Criminal Law**
What is international criminal justice; the relation to the international law and the national law; the need for international criminal law in our world?

Reading: Textbook, Chapter 1 and 2

**Week 2: Jurisdiction**
The different types of jurisdiction on the national level; primacy and complementarity of jurisdiction on the international level; universal jurisdiction- practice of states while implementing this principle- the United Nations handling the issue of the universal jurisdiction.

Reading: Textbook, Chapter 3

**Week 3: International prosecution**
The history of the international criminal tribunals; Nuremberg and Tokyo International Military Tribunals.
Reading: Textbook, Chapter 6

**Week 4: The ICTY and the ICTR**
The establishment of the ICTY and the ICTR, the Security Council involvement in the creation of the Ad Hoc International tribunals; assessment of the work; the residual mechanisms. Other International criminal tribunal established by the United Nations.

Reading: Textbook, Chapter 7 and 9

**Week 5: International Criminal Court ICC**
The establishment of the ICC; expectations and realities; its jurisdiction, the role of the prosecutor and the relation with the Security Council.

Reading: Textbook, Chapter 8

**Week 6: Genocide**
Elements of the crime as one of the core crimes; Material and Mental elements.

Reading: Textbook, Chapter 10

**Week 7: Crimes Against Humanity**
What constitutes a crime against humanity; historic background; elements of the crime; most known type of crimes (Enslavement- Deportation or forcible transfer- Imprisonment- Torture-Rape…)

Reading: Textbook, Chapter 11

**Week 8: War Crimes**

The interaction between the International Criminal Law and the International Humanitarian Law; brief introduction to the International Humanitarian Law;

Reading: Textbook, Chapter 12

**Week 9: The crime of Aggression ‘crime against peace’**

History of the crime of aggression; what is considered as an act of aggression; recent development within the ICC; Kampala conference; the role of the Security Council.

Reading: Textbook, Chapter 13

**Week 10: The future of the International Criminal Law**

The strength and weakness of the excising mechanisms; does the international criminal justice well served?

Reading: Textbook, Chapter 23

**Week 11: Introduction to corruption.**

Definition, basic forms and its manifestation and costs (political, economic, democratic and legal); the impact of corruption at the national and international level;


**Week 12: The United Nations Convention against Corruption (UNCAC)**

Reading:
1- UNCAC Chapters 1-8; Overview of Articles 1 – 71
5- SECRECY BREEDS CORRUPTION
http://blog.transparency.org/2015/02/11/secrecy-breeds-corruption/
6- Mainstreaming Anti-Corruption in Development: Anti-Corruption Practice Note

**Week 13: Prevention: Rule of Law and Good Governance - International Cooperation**

**Reading:**

1- UNCAC Chapter 2 (Summary of Articles 1-14 with emphasis on A7 – 9 & related A11.
2- UNCAC Chapters III & IV: Articles 42, 43 & 48 (and related Articles 11 and 13)
3- Corruption: Compendium of International Legal Instruments on Corruption (2nd Edition)
http://www.unodc.org/documents/corruption/publications_compendium_e.pdf

consequences.