

LAWS 7019 INTERNATIONAL CRIMINAL LAW AND JUSTICE

Credit Points 10

Legacy Code 200962

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Description This subject analyses the state of international criminal law and its place in the modern international legal system in light of important recent developments. It discusses why a State's national criminal laws should accord with international developments. It focuses on substantive and procedural law and examines relevant international legal concepts, general principles of international criminal law, and how international criminal tribunals function. It considers particular international crimes, participation in such crimes, defences, and important recent cases such as those of Augusto Pinochet and Slobodan Milosevic.

School Law

Discipline International Law

Student Contribution Band HECS Band 4 10cp

Check your fees via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 7 subject

Pre-requisite(s) LAWS 7057

Restrictions

Students must be in 2824 Master of Laws or 2826 Juris Doctor to enrol in this subject.

Students in program 8083 Bachelor of Research Studies or 1923 Master of Global Security and Justice should seek permission from the law school via a rule waiver to enrol in this subject.

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Evaluate fundamental principles of international criminal law, including an understanding of the issues involved in the regulation of international crimes;
2. Critically analyse and evaluate the principal institutions of the international criminal legal system;
3. Analyse and evaluate the major differences between international and national law in dealing with acts that constitute international crimes;
4. Assess the major challenges to, weaknesses and effectiveness of, the international criminal law and the international criminal legal system;
5. Apply principles of international criminal law and justice to contemporary issues by problem solving.

Subject Content

- evolution and structure of international criminal Law and legal system
- sources of international criminal Law and justice
- fundamental principles of international criminal Law and justice
- Substantive Crimes
- establishment of international criminal tribunals

- International Tribunals: the Nuremberg and Tokyo Trials, the United Nations ad hoc Tribunals (Former Yugoslavia/Rwanda), other International(ised) Tribunals
- The international criminal court, Jurisdiction and procedural Issues
- international v national Jurisdiction
- Immunity from Jurisdiction
- Punishment under international criminal Law and The function and role of Truth Commissions

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/ Group Task
Participation	Ongoing	10	N	Individual
Essay	3,000 words	45	N	Individual
Applied Project	4,500 words	45	N	Individual

Prescribed Texts

- Cryer, R, D Robinson and S Vasiliev, *An Introduction to International Criminal Law and Procedure* (Cambridge University Press, 4th ed, 2019)