

LAWS 3034 INTERNATIONAL CRIMINAL LAW

Credit Points 10

Legacy Code 200220

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Description This subject analyses the current state of international criminal law and its place in the modern international legal system in light of important recent developments. It discusses why States should reform their national criminal laws to accord with international developments. It focuses on both the substantive and procedural law. It 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 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 Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2004

Learning Outcomes

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

1. Demonstrate a comprehensive grasp of the fundamental principles of international criminal law, including an understanding of the issues involved in the regulation of international crimes.
2. Critically evaluate the principal institutions of the international criminal legal system and explain their procedures at the international level and the principle sources of law that they apply in resolving disputes.
3. Describe the major differences between international and national law in dealing with acts that constitute international crimes.
4. Assess the major challenges/weaknesses/effectiveness to/of the international criminal law and the international criminal legal system.
5. Apply principles of international criminal law to contemporary issues by problem solving.
6. Research, develop, refine and produce short written essays and make presentations to the class that demonstrate clear, well structured, appropriately referenced, critical analysis and arguments about salient points of international criminal law.

Subject Content

1. The Evolution of International Criminal Law
2. The Structure of the International Criminal Legal System
3. The Sources of International Criminal Law
4. The Fundamental Principles of International Criminal Law
5. The Definition of Substantive Crimes
6. Establishment of International Criminal Tribunals
7. The Nuremberg and Tokyo Tribunals

8. The United Nations ad hoc Tribunals (Former Yugoslavia/Rwanda)
9. Other international(ised) Tribunals
10. The International Criminal Court
11. Jurisdiction and Procedural Issues
12. International v National Jurisdiction
13. Immunity from Jurisdiction
14. Punishment under International Criminal Law
15. 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	Whole semester	10	N	Individual
Essay	3,000 words	45	N	Individual
Final Exam	24 hours	45	N	Individual

Prescribed Texts

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