

## **INTERNATIONAL CRIMINAL LAW**

### **1 – COURSE INFORMATION**

Professor Patrícia Galvão Teles

Academic Year: 2015/2016 / 2sd Semester

Teaching week: 3 hours (week) / 4 ECTS

### **2 – OBJECTIVES**

International Criminal Law is the branch of Public International Law that deals with the criminal responsibility of individuals for international crimes. The core international crimes, i.e., crimes over which international tribunals have been given jurisdiction under international law, are: genocide, war crimes, crimes against humanity, and aggression. Terrorism, piracy and torture can also be considered international crimes. International Criminal Law finds its origin in both International Law and Criminal Law and closely relates to other areas of International Law. The most important are Human Rights Law and International Humanitarian Law. The Nuremberg and Tokyo trials signaled the birth of present-day International Criminal Law, i.e., the prosecution of individuals for international crimes before international tribunals. In the early nineties of the previous century international criminal law received a major stimulus with the establishment of the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda by the United Nations Security Council. Also the creation of various internationalized or mixed criminal courts and the proposals of the International Law Commission, which resulted in the creation of the International Criminal Court in 2002, contributed to the rapid development of International Criminal Law during the last two decades.

The objective of this course is to provide students with knowledge about the structure, content and implementation mechanisms of International Criminal Law, as well as to provide them with the ability to analyze and research the main aspects of this branch of International Law and relevant international practice.

### **3 – PROGRAMME**

1. International Criminal Law and International Law
2. Fundamentals of International Criminal Law: Notions, Features, Sources and History

3. General Principles of International Criminal Law: Individual Criminal Responsibility and the Principle of Legality
4. The Elements of International Crimes: Objective and Subjective Elements of International Crimes
5. War Crimes
6. Crimes Against Humanity
7. Genocide
8. Aggression
9. Torture
10. Terrorism
11. Piracy
12. Modes of Criminal Liability and Circumstances excluding Criminal Liability
13. Prosecution and Punishment by International and National Courts: Primacy, Cooperation, Complementarity and Universal Jurisdiction
14. The International Criminal Tribunals
15. The International Criminal Court

#### **4 – ASSESSMENT METHODS**

- Oral Presentation in Class (30%) and Written Exam (70%)

or

- Written Exam (100%)

#### **5 – BIBLIOGRAPHY**

O’Keefe, R., *International Criminal Law*, Oxford University Press (2015)

Cryer, R., *An Introduction to International Criminal Law and Procedure*, Cambridge University Press (2014)

Cassese, A. (et al.), *Cassese’s International Criminal Law*, Oxford University Press (2013)

- Cherif Bassiouni, M., *International Criminal Law*, Martinus Nijhoff (2012)
- Schabas, W.A., *International Criminal Law*, Elgar (2012)
- Brown, B.S. (ed.), *Research Handbook on International Criminal Law*, Elgar (2011)
- Bantekas, I., *International Criminal Law*, Hart (2010)
- Belleli, R. (ed.), *International Criminal Justice*, Ashgate (2010)
- Cassese, A. (ed.), *The Oxford Companion to International Criminal Justice*, Oxford University Press (2009)
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- Zahar, A. and Sluiter, G., *International Criminal Law*, Oxford University Press (2008)
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- Lyal S. Sunga, *The Emerging System of International Criminal Law: Developments in Codification and Implementation*, Kluwer (1997)