

LLM International Criminal Law and Justice

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Teaching and assessment (2014): Semester 1, Essay - 6,000 words

Module description:

This module deals with one of the most important, and controversial areas of contemporary international and criminal law, international crimes. In the past fifteen years, the subject has moved from being a largely-overlooked specialism to a major area of study, and of practical relevance.

This module covers both the institutions and substantive law applicable to international crimes to give a broad introduction to this fascinating area of study. We will begin by investigating what is meant by international criminal law, what its sources are and some of the appropriate frameworks of analysis to take to international criminal law. We will then move on to what can be considered the birth of modern international criminal law; the Nuremberg and Tokyo International Military Tribunals after the Second World War. There has been a lot of criticism made of the Military Tribunals. The validity of these arguments as well as the IMTs' contribution to the development of International Criminal Law will be explored. We will then look at more modern international criminal tribunals, taking in the International Criminal Tribunal for former Yugoslavia (ICTY), International Criminal Tribunal for Rwanda (ICTR) before turning to the 'Internationalised' Tribunals in Sierra Leone and Cambodia, and the permanent International Criminal Court (ICC).

Having investigated the institutions we will turn to the substantive criminal law applied by the international criminal tribunals (and national courts prosecuting international crimes). As a result, the course will cover the law relating to genocide, crimes against humanity and war crimes, as well as the general principles of liability that apply to international crimes, and the defences applicable to them.

Seminar topics:

- Introduction – the idea of international criminal law
- The Nuremberg and Tokyo International Military Tribunals
- The ad hoc Tribunals (ICTY and ICTR)
- Internationalised Tribunals
- The International Criminal Court
- Genocide
- Crimes Against Humanity
- War Crimes
- Principles of Liability
- Defences