Welcome to International Criminal Law. The information on this syllabus is vital to your success in this course. Please read it carefully.

Course Description:
International Criminal Law is concerned with defining and punishing behavior that the international community deems to violate fundamental human values. Some of these crimes include Genocide, War Crimes, Crimes against Humanity, and Torture. This course will explore the history and development of International Criminal Law, the courts and tribunals charged with interpreting it, the elements of international crimes, and potential defenses.

Course Objectives:
• To give students interested in international law topics the opportunity to delve into an area that has witnessed unprecedented expansion in recent years.
• To give students interested in criminal law topics the chance to learn about criminal law in the international context.
• To explore the theoretical bases for this field of the law.
• To consider contemporary transnational crime issues, and to understand the concept of extraterritorial jurisdiction.
• To learn about the sources and relevant institutions and to acquire the vocabulary of this field of law.
• To be able to construct and critique arguments involving this field of law.
• To consider what ethical issues might arise in this field of the law.
• To perform well on an exam or write a scholarly paper involving this field of law.

Course Materials:
The Casebook for this course is David Luban, Julie R. O'Sullivan, and David P. Stewart, International and Transnational Law (2010). You are required to bring the casebook and any additional assigned materials with you to class each day.
**Attendance and Preparation:**
Like any ethical, competent and courteous lawyer, I expect you to be on time and prepared for every class. You may not leave the room during class time unless you are experiencing an emergency.

You are responsible for signing the attendance sheet before each class begins to verify that you are present and prepared for class. If you do not sign the attendance sheet by the start of class according to the classroom clock, you will be counted as absent. You may attend class even if you are unprepared, but you may not sign the attendance sheet and will be counted as absent for the purposes of this policy. Don’t sign in if you are not prepared. If you signed the attendance sheet and are unprepared when called upon, your final grade is likely to be negatively impacted by up to one step (e.g., from a B to a B-).

Under UB’s attendance policy, you are allowed a maximum of five absences. A student who is absent or unprepared for more than five classes may be compelled to withdraw from the course and barred from taking the final exam, resulting in an “F.”

**Grades (Exam and Participation):**
Course grades will be determined on the basis of class participation, and either a three-hour, closed book final exam (on December 9) or a final paper (due November 30).

**Examination Option:** The examination will test your knowledge of the subjects covered in this course, as well as your critical thinking, legal analysis, and argument skills. It will be a three-hour, closed book final exam.

**Paper Option:** You are encouraged to write a 20 to 25 page paper on a topic to be approved by Professor Grossman in this fascinating and quickly evolving field. The topic must identify and describe a contemporary problem in international or transnational criminal law, or the functioning of international criminal courts and tribunals, analyze and explain the law relevant to the problem, and provide a proposal for resolving it. See information regarding the paper option at the end of this syllabus. Please note that this paper will NOT fulfill an upper level writing requirement.

**Participation:** Your participation in class discussions may help or hurt your grade by up to one step (e.g., B+ to A-, or B- to C+). Participation will be graded by the quality of your contributions to class discussion. High quality participation shows that you have done the work assigned and reflected on the issues therein. Low quality participation shows that you have either not done the assignment or spent insufficient time reflecting on it before coming to class.

**Computers:**
Laptops are permitted for the purpose of note-taking. On occasion, you may be required to close your laptop (e.g., if we are having a guest speaker or a simulation or debate). Consequently, you may want to bring some paper with you to class just in case.
Class Cancellation:
If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web page or call the University's Snow Closing Line at (410) 837-4201. If the University is not closed, students should presume that classes are running on the normal schedule.

Course Website:
This course has a TWEN site that includes the syllabus, announcements, forums, assignments, and other class materials. All students are required to register for the site. The casebook also has its own website with links to interesting websites: http://www.internationalcriminallaw.com/index.shtml.

List of Course Topics:
The list of topics and assignments are subject to change to maximize student learning (and we may not cover every topic). I will make every effort to notify you a week in advance of any changes. All changes will be emailed to you and posted on the TWEN site in the Syllabus folder.

UNIT I. INTRODUCTION TO ICL
   A. What is international criminal law?
   B. International Law Preliminaries
   C. International Criminal Tribunals

UNIT II. SOME ISSUES IN TRANSNATIONAL PRACTICE
   A. Comparative Criminal Procedure and Sentencing
   B. Principles of Transnational Jurisdiction
   C. Immunities

UNIT III: INTERNATIONAL CRIME
   A. The International Criminal Court
   B. Mens Rea
   C. Modes of Participation
   D. Substantive Crimes
      a. Crimes Against Humanity
      b. Genocide
      c. War Crimes
      d. Torture
   E. Defenses

UNIT IV. ALTERNATIVES TO PROSECUTION
You may choose to write a paper in this exciting and quickly evolving field. If you choose the paper option, you must turn in the assignments below. Please note that sample assignments are available on the TWEN site in the Assignment Dropbox. All assignments must be posted on the TWEN site Assignment Drop Box. You must also turn in a hard copy of the final paper to Professor Grossman, in Room 212 (classroom) on November 30, by 1:40 pm.

Assignment 1: What Question Does Your Paper Seek to Answer?
Due Date: Friday, October 1, at noon.
Description: First, state the question your paper seeks to answer. In formulating your question, remember that your paper can only be 20 to 25 pages long. Think about whether your question is too broad or too narrow. Next, explain in a paragraph why this question is relevant and important, making sure to bring up both the factual background and basic legal framework. Then, explain in a sentence or two what your paper’s goal is. Finally, list 5 sources that will assist you in formulating an answer to your question. The sources must include at least one international criminal law treatise or book, a law review article, and a Non-Governmental Organization or International Organization website. Below each source, provide a one to two-sentence description of the source and how you think it will be helpful to you. For books or treatises, include the page numbers where you found useful information. [10 points] Your topic must be approved by Professor Grossman.

Assignment 2: Thesis and Outline
Due Date: Friday, October 29, at noon.
Description: State the question your paper seeks to answer and explain whether, how, and why you revised your initial question if you did so. Provide your thesis statement and a paragraph explaining why you believe your thesis is correct. Next, provide an annotated outline of your paper. For each section of your paper, indicate what you intend to do (argue/describe/explain/clarify) in that section of the paper and include sub-points that show how you will go about it. Include some sources you are likely to use. Think of this as half-way between an outline and a rough draft. It should be between three and five pages long. [25 points]

Assignment 3: Final Paper
Due Date: November 30, at 1:40 pm (five minutes BEFORE class starts).
Description: Your paper must be a minimum of 20 and a maximum of 25 pages (double-spaced, 12 point, Times New Roman font), in law review format, with footnotes (single-spaced). The paper will be graded according to the following parameters:
- Organization (does the paper flow in a logical way?) 20%
- Analysis (clear thesis, originality, how well address counterarguments, strength/logic of argument) 40%
- Use of Authority (current, relevant authority, diversity of sources, use of primary sources where appropriate, adequate authority throughout the paper) 20%
- Writing (complied with formatting requirements, spell-checked, grammar-checked, bluebooked correctly) 20%.
[65 points]
Possible topics might include (but certainly are not limited to):

- Issues in international criminal justice relating to the functioning of courts and tribunals or the definition of substantive crimes, such as:
  - Rights of victims and witnesses in international criminal courts and tribunals
  - Legal ethics in international criminal courts and tribunals
  - Rules of evidence/procedure before international criminal courts and tribunals
  - Violence against women/rape as a war crime
  - Problems with the definition of a substantive crime (e.g., aggression)
- Issues in transnational practice, such as:
  - Problems with the definition of a substantive crime (e.g., terrorism, trafficking in persons, small arms, drugs, illicit trade in cultural objects)
  - Challenges in prosecution of a substantive crime
  - Extradition
  - Immunities
- Practical issues in exercising universal jurisdiction
- Prosecution of forced disappearances
- Child or slave labor/child soldiers
- Amnesties/pardons/clemencies