



**LUND**  
UNIVERSITY

Faculty of Law

## **JUEN16, International Criminal Law, 15 credits**

*International Criminal Law, 15 högskolepoäng*

Second Cycle / Avancerad nivå

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### **Details of approval**

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2019-12-03 to be valid from 2019-12-03, spring semester 2020.

### **General Information**

The course International Criminal Law is an second-cycle elective course within the program leading to a Swedish professional law degree to be taken during the seventh or eighth term of the program. Special admission requirements are applicable (see below under "Admission requirements").

This course is also open to students participating in international exchange programs at the Faculty of Law, provided the special admission requirements are fulfilled (see below under "Admission requirements").

*Language of instruction:* English

Lectures, seminars and compulsory course materials are in English.

*Main field of studies*

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*Depth of study relative to the degree requirements*

A1N, Second cycle, has only first-cycle course/s as entry requirements

### **Learning outcomes**

The course provides a solid introduction to the subject of international criminal law. The students shall be able to discuss critically questions on the attribution of individual criminal responsibility for international crimes and on the prosecution of such crimes. The students shall be able to handle sources of public international law in this particular field. The course prepares students partly for practical work in mainly international organizations, law enforcement authorities and NGOs, partly for scientific research in the field of international criminal law.

## Knowledge and understanding

To pass the examination, the student shall be able to demonstrate

- in-depth knowledge of the international criminal justice system including the interaction between the Security Council of the United Nations, the International Criminal Courts and the national criminal justice systems;
- in-depth knowledge of the principles and procedures of international prosecution;
- thorough understanding of the sources of international criminal law and, in particular, the formation of customary international law;
- in-depth knowledge of the general part of substantive international criminal law;
- in-depth knowledge of the "core crimes", viz. genocide, crimes against humanity, war crimes and the crime of aggression;
- thorough knowledge of other international crimes including the genus aspects of these crimes; and
- good understanding of the current development in the field of international criminal law.

## Competence and skills

To pass the examination, the student shall be able to demonstrate the ability

- to identify and formulate legal problems in the field of international criminal law;
- to perform good research including the search, processing and analysis of relevant sources of law and other material;
- to articulate research methodology;
- to participate in public debates and to contribute to advanced discourse on international criminal justice with the legal-technical knowledge and perspectives acquired through the course;
- to solve cases concerning international criminal law within a limited period of time and to present results orally and in writing;
- to work both individually and in groups;
- to critically assess and comment constructively on arguments and theories in international criminal law; and
- to engage in focused research on a specific topic and to present the result in scholarly writing.

## Judgement and approach

To pass the examination, the student shall be able to demonstrate

the ability to articulate the theoretical justification and normative basis of international criminal justice including arguments for and against the use of punishment as a means to achieve justice in the international context;

the ability to distinguish between legal arguments and arguments based on political or other consideration in the international context;

the ability to evaluate the construction of theories concerning topics in international criminal law;

insight into the constraints on the practice of international criminal law such as the problem of objectivity, selectivity and political influence; and

an appreciation of the cultural, religious, technical and gender aspects of international criminal law.

## Course content

The course provides a solid introduction to the subject of international criminal law. The students shall be able to discuss critically questions on the attribution of individual criminal responsibility for international crimes and on the prosecution of such crimes. The students shall be able to handle sources of public international law in the particular field. The course prepares students partly for practical work in mainly international organizations, law enforcement authorities and NGOs, partly for scientific research in the field of international criminal law.

The course deals with the historical development and the structure of international criminal law. The fundamental principles of criminal law will be dealt with mainly through the study of the general part of international criminal law. The focus will be put on the attribution of individual criminal responsibility to different actors. International crimes are dealt with mainly through the study of the so-called "core crimes", viz. genocide, crimes against humanity, war crimes and the crime of aggression. The procedural aspects of international criminal law are studied mainly through the examination of the process at the International Criminal Court. Further development of international criminal law is dealt with mainly through the students' individual projects.

## Course design

The course is based on the students' own study of the subject through a textbook that covers all the aspects dealt with under "Learning outcomes" (see above). Selected parts of the material are dealt with partly in lecturer's, partly in graded course components with compulsory attendance. Students will choose a subject for in-depth study and the written assignment. Students are also given training in the critical evaluation of other students' work. An oral examination is given at the end of the course. Feedback is an important element in all course components.

## Assessment

The final grade of the course is based on the points received from the different components of the course. The components are examined through written tests, oral presentations in group, individual essays and oral examination. The distribution of points among the course components will be determined at the start of the course following consultation with the students.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set for the grade B. For the grade BA students must fulfil the additional criteria for that grade in addition to the requirements for the grade B. For the grade AB students must fulfil the additional criteria for that grade in addition to the requirements for the grade BA. The grading criteria encompass both a quantitative and a qualitative dimension, applied on all aspects dealt with under "Learning outcomes" (see above). The quantitative dimension reflects the amount of knowledge acquired by the student while the qualitative dimension relates more to the student's ability to apply his or her knowledge in a well-structured, critical and analytical argument in a proper context.

### **B - Pass**

To pass the examination, the student shall be able to demonstrate the ability to search for and to evaluate legal and other sources in the field of international criminal law, the ability to identify legal problems in the context of international law, good knowledge of substantive international criminal law as well as international criminal procedure, good knowledge of the working of the International Criminal Court and knowledge of other international criminal tribunals, the ability to conduct a satisfactory analysis of a legal question in relation to different sources, a general awareness of the development of international criminal law at different levels, an adequate understanding of the theoretical underpinning of international criminal law, an understanding of the relation between law and political in this area and the ability to convey the student's knowledge both orally and in written form.

### **BA - Pass with credit**

For the grade of BA, in addition to the requirements for B, the student shall be able to demonstrate both a broad and a deep knowledge of substantive international criminal law and international criminal procedure, very good knowledge of the working of the International Criminal Court and knowledge of the other international criminal tribunals as well as the interplay between these tribunals with the national legal systems, the ability to conduct a deep and nuanced analysis of a legal problem in relation to different sources, a good awareness of the development of international criminal law at different levels and the ability to articulate the normativity of international criminal law, a good understanding of the theoretical underpinning of international criminal law, an active participation in class and good interaction with other students, and a good command of presentation and communication skills.

### **AB - Pass with distinction**

For the grade of AB, in addition to the requirements for BA, the student shall be able to demonstrate in-depth knowledge of an aspect of international criminal law showing a deep awareness of the historical, systematic and theoretical underpinnings of the particular aspect of international criminal law being studied. The student's independent choice of the specific aspect for in-depth study should be scientifically motivated and must demonstrate a very good ability in identifying an interesting legal topic relevant to the study of international criminal law. Written works shall be of a good professional standard with regards to both the substantive content and the technical aspects.

## Entry requirements

For applications to this elective course to be read during the seventh term, students are required to have passed examinations for preceding terms equivalent to at least 150 credits, including 18 credits for the course Criminal Law and Criminal Procedural Law in the fifth term and 7.5 credit for the course International Law in the sixth term.

For applications to this elective course to be read during the eight term, students are required to have passed in courses at basic level equivalent to at least 165 credits, including 18 credits for the course Criminal Law and Criminal Procedural Law in the fifth term and 7.5 credit for the course International Law in the sixth term.

Students participating in an international exchange program at the Faculty of Law shall, at the commencement of this course, have taken law courses at basic level equivalent to a minimum of three years of full-time study, and have passed examinations in courses in criminal law and public international law, which when taken together, are equivalent to a minimum of fifteen weeks of full-time study.

## Subcourses in JUEN16, International Criminal Law

Applies from V20

2001 International Criminal Law, 15,0 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction