

## **International Criminal Law (LW5122) – Module Outline**

### **Lecturer:**

Dr. Paul Bradfield

[paul.bradfield@universityofgalway.ie](mailto:paul.bradfield@universityofgalway.ie)

### **Class dates:**

Academic weeks 2-9

Fridays at 2-5pm, ICHR Seminar Room

### **Module Description:**

The course introduces students to the subject of international criminal law, focusing on substantive legal issues. During the course, students will explore the history and development of international criminal law, the established crimes under international law and the mechanisms of international criminal justice.

### **Learning Outcomes:**

On successful completion of this course, you will:

- Have knowledge and understanding of the rules, principles, and institutions of international criminal justice.
- Be familiar with the sources of international criminal law in treaty and customary law.
- Have a general understanding of the principles established in the major cases of the international tribunals.
- Be able to carry out effective research in the field of international criminal law and be familiar with the major literature and policy documents and legal instruments.

### **Module Materials:**

Class reading will consist of a range of scholarship, articles and select caselaw. Reading lists will be provided in advance of each seminar.

### **Course Assessment:**

Evaluation is undertaken through the submission of a written essay of 5,000 words via Canvas. The word count includes footnotes. Essays should demonstrate significant research, familiarity with the literature, independent thought and critical analysis. Please refer to the LLM Guidelines for general formatting requirements.

*Seminar 1 – Introduction, Nuremberg and Aggression (18 September)*

This class introduces the course and its subject-matter. This session explores the origins of international criminal law and its development during the 20th century, particularly in the aftermath of the World War II. It examines key issues in the Nuremberg and Tokyo trials, and the crime of aggression.

*Seminar 2 – Genocide (25 September)*

This class explores the crime of genocide. Attention will focus on the specific intent requirement and the underlying acts of the crime as contained in Article 6 of the Rome Statute. Key jurisprudential developments concerning this crime will also be considered.

*Seminar 3 – Crimes against humanity (2 October)*

This class explores the substantive law of crimes against humanity, including its contextual elements, underlying acts, and key jurisprudential developments. We will consider specific crimes against humanity as contained in Article 7 of the Rome Statute and their evolution in modern caselaw, with a focus on sexual and gender-based crimes.

*Seminar 4 – War crimes (9 October)*

This class discusses war crimes, the oldest category of recognised international crimes. It will consider key contextual elements of war crimes and the evolution of war crimes in modern caselaw, including their codification in Article 8 of the Rome Statute.

*Seminar 5 – The ad hoc tribunals (16 October)*

This class examines the emergence of the ad hoc tribunal in the 1990s, focusing on the International Criminal Tribunals for the former Yugoslavia and Rwanda. Key legal contributions of these tribunals will be explored, and their legacy will be discussed.

*Seminar 6 – The International Criminal Court (23 October)*

This class focuses on the creation and mandate of the International Criminal Court, the world's permanent international criminal tribunal. It considers key issues concerning jurisdiction and admissibility in the Rome Statute, and current cases and controversies before the Court.

*Seminar 7 – Hybrid/domestic courts (30 October)*

This class will examine the rise of hybrid courts, which are courts that have both national and international legal components. Key examples to be considered will be the Special Court for Sierra Leone, the Special Jurisdiction for Peace in Colombia, and the Special Tribunal for the Gambia.

*Seminar 8 – Modes of liability (6 November)*

In this class, the various modes of criminal liability used in international criminal trials are explored. Consideration will be given to the various theories that have been deployed to convict individuals for international crimes, with a particular focus on joint criminal enterprise/co-perpetration, aiding and abetting and command responsibility.