



**Course Syllabus Law 204G  
Summer 2018, Vesalius College**

**Human Rights and International Criminal Law: The case of the International Criminal Court**

**Number of ECTS Credits: 6**

**Instructor: Medlir Mema Ph.D.**

Email: medlir.mema@vub.ac.be

**Course Description**

This interdisciplinary course is aimed at students interested in the study of human rights and international criminal law, international relations, and history. It combines a discussion of several case studies and special issues with a theoretical discussion on human rights, international criminal law, and the role of state and non-state actors in global affairs.

We will use the case of the International Criminal Court (ICC)—often cited as a landmark achievement in the fight against impunity—as a means of understanding the debates and issues that meet at the intersection of human rights and international criminal law. As we do so, we will embark on a historical and institutional journey that will take us from the early days of the development of the first norms and principles of international criminal law to the present.

In the second part of the course, we will examine up close some of the major debates and issues surrounding the creation of the ICC, but which have continued to be discussed in other international forums as well. In particular, we will unpack the fraught relationship of the United Nations Security Council and the ICC, the important progress that has been made in the area of gender rights, as well as the controversies surrounding the issues of universal jurisdiction and crime of aggression.

In the final part of the course, we will try to answer the many questions about the relevance of the ICC in the 21<sup>st</sup> century, especially as it pertains to the development of the norm of the Responsibility to Protect (R2P), the Court's contentious relationship with the various African countries, and the political considerations surrounding the investigations of the Court in the Occupied Territories and Syria.

**Learning Objectives**

By the end of the course, students should be able to:

- Show a greater understanding of the evolution of the discourse on human rights, and of the development of international criminal law and institutions;

- Demonstrate a grasp of the literature on human rights, role of state and non-state actors in international politics, including that of the UN Security Council, and of the role of the ICC in the world today.
- Analyze and address issues related to human rights and international criminal law violations, development of the Responsibility to Protect (R2P), and concerns of the African and Middle Eastern countries with respect to the ICC.

### **Course Prerequisites**

At least one politics/international affairs course - background knowledge in International Relations Theories is advantageous, but not required.

### **Course Materials**

List of recommended/ reference books

Cassese, Antonio, Paola Gaeta and John R.W.D. Jones (eds) *The Rome Statute of the International Criminal Court: A Commentary*, Vol.1,. Oxford: Oxford University Press

Cryer, Robert, Håkan Friman, Darryl Robinson, Elizabeth Wilmshurst. 2014. *An Introduction to International Criminal Law and Procedure*. Cambridge University Press

Kersten, Mark. 2016. *Justice in Conflict: The International Criminal Court's Impact on Conflict, Peace, and Justice*

Rome Statute of the International Criminal Court < [https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome\\_statute\\_english.pdf](https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf)>

### **Grading and Assignments**

1. Class participation (20% of the final grade). The class participation grade will be based on participation in the discussion during each session, the preparation of discussion questions for guest speakers, and participating in the class visit at The Hague.
3. A research paper (30% of the final grade), 12-15 pages double-spaced.
4. One take home final exam (50% of the final grade). The exam, which will be cumulative, must be taken on the date specified. It may be accessed online and submitted electronically to the instructor by the end of the assigned time for the course.
5. Extra-credit assignment (up to 3% of the final grade). Students are encouraged to attend and/or visit special events hosted by one of the European institutions in Brussels. Following their visit, the student should submit a 3-page, double-spaced written report reflecting on themes relevant to the course.

### **Grading Scale of Vesalius College**

Vesalius College grading policy, in line with the Flemish Educational norms, is now as stated follows:

Letter grade	Scale of 20	Scale of 100
A	17.0-20.0	85-100
A-	16.1-16.9	81-84
B+	15.3-16.0	77-80
B	14.5-15.2	73-76
B-	13.7-14.4	69-72
C+	13.1-13.6	66-68
C	12.3-13.0	62-65
C-	11.5-12.2	58-61
D+	10.7-11.4	54-57
D	10.0-10.6	50-53
F	0-9.9	0-49

### **Grading Form for Written Assignments**

Students will choose one of the topics from the class lectures and explore both the political as well as legal dimensions of a particular issue or set of issues, e.g. the peace versus justice debate, the role of the UN Security Council within the ICC, and advances of the Rome Statute regarding gender right. Papers should be written in clear, correct prose. All sources must be properly cited in one consistent, recognized format. Proper formats for footnotes or endnotes and bibliography are discussed in *The Chicago Manual of Style*, the *MLA Handbook*, and Kate L. Turabian, *Manual for Writers of Term Papers, Theses, and Dissertations*. **Note that web materials also require full and correct citation.** One example of correct web source citation is the APA's at:

<http://owl.english.purdue.edu/owl/resource/560/10/>.

**All papers must be submitted with a coversheet stating the following and signed by you: "I understand the Vesalius College's Code of Academic Integrity and have completed this paper according to its guidelines. The work herein is mine alone."**

Be sure to check the grading rubric before you turn in your paper. Have you met the criteria it sets out?

### **Additional Course Policies**

**Missed classes:** It is the student's responsibility to be informed of any changes in reading requirements and to obtain notes from other students from any missed classes.

**Missed exams, late papers, and medical excuses:** Make up exams or deadline extensions for the paper require a written medical excuse stating the dates on which the student was incapacitated. Students requesting medical accommodations are expected contact the

professor as soon as health allows and provide documentation promptly. Unexcused late papers will be penalized 5 points per calendar day, calculated from the beginning of class on the due date. Unexcused missed exams are marked as zero.

### **Academic Honesty Statement**

Academic dishonesty is **NOT** tolerated in this course.

Academic honesty is not only an ethical issue but also the foundation of scholarship. Cheating and plagiarism are therefore serious breaches of academic integrity.

Following the College policy, cheating and plagiarism cases will be communicated in writing to the Associate Dean for Students and submitted to the Student Conduct Committee for disciplinary action.

If you refer to someone else's work, appropriate references and citations must be provided. Grammar, spelling and punctuation count, so use the tools necessary to correct before handing in assignments.

### **Use of Electronic Devices**

Electronics are increasingly an important component in learning. Therefore, laptop use is permitted as long as it does not disrupt the learning experience of other students.

Disruptive behavior will be dealt with on a case-by-case basis and may result in the suspension of laptop privileges.

Please note that all cellphones, music players, and other electronic gadgets should be turned off during class.

Recording of lectures is NOT permitted.