

**INTERNATIONAL CRIMINAL LAW**  
**FALL 2021 Professor Michelle S. Jacobs**

**Tues. - Wed. 3:00 - 3:50pm**

**H360**

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**All office hours will be virtual by appointment**

International Criminal Law is a two-credit course this semester which meets two times per week. There is no required hard text. All readings are electronic and are posted as web links on the TWEN course page or under the Course Materials tab. In addition, students will be expected to download relevant documents from internet. Grades are calculated based on student participation in class and completion of a final writing project. **Student participation in class counts as 50% of the grade and the written project as 50%.** This class does not normally have an exam, but I reserve the right to give an exam if more than 25 students are enrolled. Normally the written project is a combination of a factually developed country report of a country in conflict accompanied by a legal memorandum analyzing whether international crimes in that country are occurring and identifying which individuals might be prosecutable.

The goal of the course is to familiarize U.S. students with aspects of international humanitarian law and international criminal law. Students will learn the distinction between humanitarian law and human rights law, as well as the differences between humanitarian law and international criminal law, and how they all can differ from or compliment domestic law. The subjects of humanitarian law violations are genocide, crimes against humanity, war crimes and aggression. The course will cover the treaties, covenants and understandings that establish criminal liability for humanitarian law violations, and the courts or other institutions which adjudicate these violations. The last third of the semester focuses on transnational criminal law, which is concerned with criminal law that crosses borders, or impacts more than one state. Examples of transnational crime would be international drug trafficking, human trafficking, money laundering, bribing foreign governments and terrorism. Transnational crime can be triggered by or aggravated by armed conflict. By the end of the course all students should be able to identify the elements of both humanitarian as well as transnational crime and be able to discuss the impediments to regulating and preventing atrocities as well as the obstacles to policing transnational crime.

**Announcements required by the Law School and/or the State of Florida:**

The grading system at the University of Florida provides for grades that include “-“ and “+”, except there is no grade of A+.

The University of Florida recognizes students' rights to worship on state recognized religious holidays. Students wishing to take an absence on recognized religious holidays may do so

without penalty. The University of Florida recognizes and adheres to rules and regulations under the Americans with Disabilities Act. Any student needing accommodation because of a disability should contact the Office of Student Affairs for further assistance.

The University of Florida adheres to all requirements under Americans with Disabilities Act. If a student needs an accommodation, he or she should contact the Office of Student Services. All students are permitted to observe officially recognized religious holidays without penalty. Absences for observation of officially recognized religious holidays do not count against the permitted absences.

(1) The faculty has been asked to give you guidelines on how long you should spend preparing for class. In a professional school environment there can only be one answer. A student needs to spend as much time preparing and is required for that student to BE prepared. Some students read faster than others. Some understand abstract concepts more quickly. One student may be able to adequately prepare for class in two hours while another may need four. Each student should spend the amount of time that will allow him/her to be adequately prepared. As a general guideline, a student should spend two to four (2-4) hours reading and preparing for each 50 minute class hour. **HOWEVER, PLEASE BE ADVISED** if a student spends that amount of time and comes to class unprepared, it shall not be an excuse that the suggested amount of time was spent preparing. If a student is unprepared, the student will be marked as such with the accompanying penalty mentioned above.

(2) Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.”

Recording classes:

“Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations

between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.”

**\*\*THE SYLLABUS IS NOT A CONTRACT BETWEEN THE PROFESSOR AND THE STUDENTS. IT IS A GUIDE TO HELP YOU PREPARE EFFECTIVELY FOR CLASS. PLEASE STAY ALERT FOR ANY ANNOUNCED CHANGES IN THE SYLLABUS\*\***

ASSIGNMENTS:

WEEK ONE:

Students should come to the first class with examples (each student should have 2 examples) of a region in the world where armed conflict is occurring and be prepared to discuss the conflict. During the second class we will be covering the basics of international law (first 3 weblinks)

WEEK TWO:

The beginnings of modern humanitarian law. Read M. Cherif Bassiouni, [World War I: The War To End All Wars and the Birth of a Handicapped International Criminal Justice System](#), 30 Denv. J. Intl. L. & Pol’y 244 (2002); weblink on principle of legality.

WEEK THREE:

Nuremberg Film in class

[Judgments on Nuremberg: The Past Half Century and Beyond](#) BA Panel Discussion of Nuremberg Prosecutors, 16 B.C. Third World L. J. 193 (1996);

[Forty Years After The Nuremberg and Tokyo Tribunals: The Impact of war Crimes Trials on International and National Law](#), 80 Am. Soc’y Int’l L. Proc. 56

WEEK FOUR: Genocide  
Weblinks

WEEK FIVE:

Film Memories of Srebrenica (weblinks)

Gambia vs. Myanmar at the ICJ (under Course Materials tab). Make sure you read through the factual development of the charges.

WEEK SIX: Crimes Against Humanity  
Proposed new treaty and Weblinks  
#Reporters – Trial of Chad’s ex-president (weblinks)

WEEK SEVEN: War Crimes  
[Rules of War: Why they Matter](#). (watch embedded short video)  
Geneva Conventions (weblinks)  
Distinction, Proportionality, Precaution (weblinks)  
[Universal jurisdiction over War Crimes](#)

WEEK EIGHT: War Crimes  
[Individual responsibility](#)  
[Non-state actors](#)  
Role of Security Council

WEEK NINE: Torture and Aggression  
Convention Against Torture (CAT) see web links  
[US Defends Alleged Abuses of Torture Treaty to UN Body](#)  
[US Codification of Convention against Torture](#)

[Definition of Crime of Aggression](#)  
[Closing Impunity Gaps for the Crime of Aggression](#)

WEEK TEN: International Drug Trafficking and Money Laundering  
UN Convention Against Transnational Crime pages 1-21  
[UNODC Response to Drugs](#) (read the three drug conventions embedded)  
[Executive Summary of the UNODC 2021 Report on Drugs](#)

[History of Anti-Money Laundering Laws](#)  
Money Laundering Flow Chart

WEEK ELEVEN: Human Trafficking  
UN Convention Against Transnational Organized Crime Protocols on Smuggling and Trafficking  
[Florida Responds to Human Trafficking](#) Read Chapters 2, 3 and 7

WEEK TWELVE: Terrorism  
[What is Terrorism: World 101 Global Era Issues](#).  
This is a learning module. Click next after each segment to reach the end of the reading (it is four clicks in total)  
Boaz Ganor: One Man’s Terrorist is Another Man’s Freedom Fighter

WEEK THIRTEEN : Open