

Disclaimer: This is an indicative syllabus only and may be subject to changes. The final and official syllabus will be distributed by the instructor during the first day of class.

The American University of Rome International Relations Program

Department or degree program mission statement, student learning objectives, as appropriate

Course Title:	International Law, Peace and Criminal Justice
Course Number:	IA 313
Credits & hours:	3 credits
Pre/Co-Requisites:	IA or POL 100-level course

Course description

This course is aimed at an improved understanding of the relationship between peace (both between and within nations), criminal justice and human rights in an international perspective, by addressing the legal obstacles and ethical dilemmas faced by the international community in pursuing these different but reciprocally connected goals. It addresses the maintenance of peace and security, the fight against impunity for international crimes (such as aggression, genocide, war crimes and torture), the protection of human rights (such as the right to life, to personal integrity and to personal freedom) in the context of different types of conflicts.

Required Textbook *(subject to change)*

- Antonio Cassese, Paola Gaeta, Cassese's International Criminal Law, 3rd edition, 2013, Oxford University Press, ISBN: 9780199694921

Course Learning Objectives

Students who have taken this course will be able to:

1. Distinguish, analyze and present the main political and legal concepts involved when addressing issues of peace, justice and human rights in an international legal perspective (CLO1)
2. Appreciate the historical and recent developments in the field (CLO 2)
3. Demonstrate a critical understanding of the key issues and relate them to historical and empirical events (CLO3)
4. Acquire new information and knowledge from a variety of textual sources (CLO4)
5. Communicate their knowledge verbally and/or in written work (CLO5).

Course Learning Activities

- Three weekly meetings lasting 140 minutes each. These meetings will include lectures, group discussions as well as activities involving active student participation (CLO1/2).
- Students will be expected to present the basic concepts and issues covered in the

course and acquire analytical and critical knowledge of the selected topics (CLO 3).

- Discussion will be aimed at helping students to refine and process the knowledge they have acquired in independent study (CLO 3/4).
- Students will write a 2500-word final paper on a topic or specific case proposed by the student and approved by the Professor and will make a 10-min oral presentation on the chosen topic/case to the class (CLO 5).

Assessment tools

1. The professor will start classes by asking students to wrap-up the previous session. This, together with active participation during class discussions and activities will count for 20% of the final grade.
2. Final exam will count for 40% of the final mark and will assess the ability of students to assess and to evaluate issues in the areas covered by the course.
3. 2500 words paper or policy brief, which will be presented orally to the class and will count for 40% of the final mark. In their final paper/policy brief the students will be expected to demonstrate their factual knowledge and their understanding of key issues, as well as their ability to acquire new information and knowledge from different textual sources. The topic of research papers must be approved by the professor.

COURSE SCHEDULE

Week/Day	Topic
1/1	<p style="text-align: center;">Introduction to the course</p> <p style="text-align: center;">Discuss the title: “No Peace Without Justice”</p> <p>Discuss the basic notions included in the course description (peace and human rights and the broad notion of peace in the context of the UN, human rights and international humanitarian law, <i>ius ad bellum</i> and <i>ius in bello</i>, human rights and international criminal justice: state responsibility for violations of human rights by states vs international criminal responsibility of individual officials)</p>
1/2	<p style="text-align: center;">Historical introduction</p> <p>Part I (international crimes and international criminal justice): What are the main facts about the Nuremberg (and Tokyo) tribunals? What is old and what is new about them? In what respect can they be described as international tribunals? What is their legacy?</p> <p>Part II: (the maintenance of peace and security: Chapter VII of the United Nations Charter – peace keeping and peace building – authorized and non-authorized use of force)</p>
1/3	<p style="text-align: center;">Historical introduction (continued)</p> <p>International recognition of human rights (the Universal Declaration of Human Rights and the development of international human rights law)</p> <p style="text-align: center;">International crimes old and new</p> <p>What makes a criminal offence international? Which crimes are international? An overview of international crimes: the “core crimes”, including the Nuremberg triad (war crimes, crimes against humanity, crimes against peace, currently referred to as aggression) and genocide; the “treaty crimes” such as torture and disappearances; the special case of terrorism</p>
1/4	Field trip
2/1	<p>Genocide: the origins of the notion of genocide (Raphael Lemkin, the Nuremberg Statute and trial) - The Genocide Convention of 1948 – the definition of genocide – extensive interpretation: political/cultural genocide? – cases: the Armenian precedent; the Holocaust; genocide in the ‘90s: Rwanda, Srebrenica; genocide today: the case of the Rohingya and other controversial cases – the symbolic nature of genocide – denial and minimization of genocide</p>
2/2	<p>Terrorism, a national, transnational and international crime – the judicial cooperation approach: extradition and other forms</p>

	<p>of judicial cooperation between states - human rights limitations to judicial cooperation - the “war on terror” approach and its implications (terrorism as an armed attack and/or as a threat to the peace) - “war on terror”, international humanitarian law and human rights (extraordinary renditions, targeted killings, unlawful combatants)</p>
2/3	<p>Responses to international crimes Decentralized vs. centralized responses The “decentralized” response: extraterritorial/universal jurisdiction of states International obligations to punish, universal jurisdiction and the <i>aut dedere aut judicare</i> rule –special rules applicable to the prosecution of international crimes - A comparison between different national systems – Contemporary vs. classic international law: the struggle against impunity vs. immunity of state organs (and protection of state sovereignty)</p>
2/4	Field trip
3/1	<p>International tribunals The “centralized” response to international crimes International <i>ad hoc</i> (special) tribunals: the International Tribunal for the Former Yugoslavia and war crimes – the International Tribunal for Rwanda and genocide - the Special Tribunal for Lebanon and terrorism Hybrid tribunals - The Special Court for Sierra Leone, the Kosovo Specialist Chambers, the Extraordinary Chambers in the Courts of Cambodia, War Crimes Chamber in the State Court of Bosnia and Herzegovina, the (East Timor) Special Panels for Serious Crimes.</p>
3/2	<p>The International Criminal Court The older precedents - Preparing the ground in the 1990s - the Rome Conference – the role of NGOs - the main elements of the Statute (the ICC and its place within the international framework) The role of the Court and the role of States - The need to implement the Rome Statute through national legislation – Cooperation – Complementarity - the ICC and third parties (with a special focus on the United States) – cases and investigations before the ICC</p>
3/3	Wrap up and discussion
3/4	Field trip
4/1	Final exam
4/2	Student presentations
4/3	Student presentations
4/4	Field trip

ATTENDANCE POLICY

In keeping with AUR's mission to prepare students to live and work across cultures, the University places a high value on classroom experience. As a result attendance is expected in all classes and attendance records are maintained. The University's attendance policy is as follows:

1.0. Minimum Attendance Requirement: Students must attend a minimum of 70% of a course in order to be eligible to be considered for a passing grade.

1.1. Automatically Accepted Absences

Students will not be penalized for one absence from classes meeting once a week;
Students will not be penalized for three absences from classes meeting twice a week;
Students will not be penalized for four absences from classes meeting more than twice a week, as in the case of some intensive courses.

1.2. If further absences are recorded, grade penalties will be applied according to the Instructor's specific attendance policy, as stated in the syllabus, and following the institutional parameters given in the Note* below.

1.2.1. If the Instructor does not specify an attendance policy, there will be no grade penalty other than that attached to the minimum attendance requirement, and any penalized absences recorded above the basic 70% attendance requirement for the course will be invalidated.

1.3. During Summer sessions where courses are taught more intensively over a shorter period the following applies:

- Students will not be penalized for two absences from class.

2.0. Tolerated Absences

Certain categories of absence will not be penalized but they will be counted as an absence (for a 3-credit course meeting twice a week). These absences are:

- The Model United Nations (MUN);
- Permit to Stay,
- SG's "Ambassador Program" (Student Government initiative)
- Religious Holidays

The American University of Rome makes all reasonable efforts to accommodate students who must be absent from classes to observe religious holidays. (Please refer to the Provost's Office list of accepted absences for religious holidays)

Not attending a class due to the observance of a religious holiday will normally not be counted as an absence.

Students who will need to miss class in order to observe religious holidays must notify their Instructors by the end of the Add/Drop period (first week of classes), and must make prior arrangements with their Instructors to make up any work missed.

2.1. The list does NOT include academic field trips because these (including arrangements for travel) must not overlap with other classes.

3.0. Cases of prolonged absences caused by an emergency or a medical condition may require students to withdraw from some or all of their courses. Under such circumstances students should first consult their academic advisors.

*Note: No Instructor may penalize a student more than half a letter grade for each absence beyond the tolerated limit (e.g. from A- to B+).

Grade Point Average

A student's grade point average (GPA) is computed by multiplying the quality points achieved by the number of credits for each course. The result is then divided by the total number of credit hours taken. The Cumulative or Career Total Grade Point Average (CGPA) is the grade point average for all credit hours taken at the University and at approved study abroad programs. The GPA and CGPA are calculated by truncating after the second digit after the decimal point. Transfer credits have no effect on the CGPA at The American University of Rome.

Grades

Grades are posted on a secure area of the University's official website and are mailed to AUR degree students only upon written request. Grades are mailed to the various study abroad programs. Grades computed in the (GPA) reflect the following grade equivalents:

GRADE		GPA	
A	Excellent	4.00	94 – 100 points
A-		3.70	90 – 93.99 pts
B+	Very Good	3.30	87 – 89.99
B	Good	3.00	83 – 86.99
B-		2.70	80 – 82.99
C+		2.30	77 – 79.99
C	Satisfactory	2.00	73 – 76.99
C-	Less than Satisfactory	1.70	70 – 72.99
D	Poor	1.00	60 – 69.99
F	Failing	0.00	59.99 – 0
WU	Unofficial withdrawal counts as an F	0.00	
P	Applicable to development courses	0.00	
<i>Grades not computed into the grade point average are:</i>			
W	Withdrawal		
AUDIT (AU)	Only possible when the student registers for a course at the beginning of the semester as an audit student		
I	Incomplete work must be completed within the ensuing semester. Failure to do so results in automatically converting the I grade to the default grade, which is then computed into the grade point average		
P	Pass grade is applicable to courses as indicated in the catalog.		
WIP	Work in progress		