



Course and Examination Fact Sheet: Autumn Semester 2020

7,370: International Criminal Law

ECTS credits: 4

Overview examination/s

(binding regulations see below)

Central - Written examination (100%, 90 mins.)

Examination time: inter-term break

Attached courses

Timetable -- Language -- Lecturer

[7,370,1.00 International Criminal Law](#) -- Englisch -- [von der Decken Kerstin](#)

Course information

Course prerequisites

Students must have a basic knowledge of public international law (by having attended the lecture "public international law", for example).

Learning objectives

Students will have an in-depth knowledge of the historical development, the various international criminal courts and tribunals, the four international crimes and the main aspects of the individual responsibility. They will be able to analyse cases and decide about the criminal responsibility of individuals in international criminal law.

Course content

The purpose of the course is to provide an overview over the emergent field of international criminal law. Although its origins extend far back in history, international criminal law as a new field of international law only developed after the Second World War. The war crimes trials at Nuremberg and Tokyo marked the first time that the international community punished former high-level government officials for violations of public international law. After a long standstill during the Cold War, international criminal law experienced a resurgence in the 1990's. The ad hoc tribunals for the former Yugoslavia and Rwanda were established. Only a few years later, the International Criminal Court was created. Since then, international criminal law has evolved continuously, both institutionally (hybrid tribunals) and normatively (a growing number of judgments which clarify the exact meaning of the provisions). Today, the four international crimes - war crimes, crimes against humanity, genocide, aggression - form part of public international law. They show to the world that the international community does not tolerate the commission of the most serious crimes any longer.

Course structure

The course will be offered as a "block course" on four consecutive days during the break. It will be composed of four different parts:

- I. Historical overviews (International Humanitarian Law, International Criminal Law, the Military Tribunals of Nuremberg and Tokyo)
- II. Today's International Criminal Courts and Tribunals (Yugoslavia, Rwanda, hybrid tribunals, the International Criminal Court)
- III. International Crimes (War Crimes, Crimes against Humanity, Genocide, Aggression)
- IV. Individual Responsibility (Modes of participation, defences)



Due to the corona crisis, only 15 students may be present in the teaching room. If more than 15 students enrol in this class (which will certainly be the case), the students will be divided into group 1 and group 2. Group 1 will be present on days 1 and 3, group 2 will be present on days 2 and 4. Since days 1 and 2 are more descriptive, and days 3 and 4 are more interactive, this distribution will enable all students both to listen to the descriptive parts and to take part actively by solving cases. Those who cannot be present on the respective days will have the possibility to follow the class via zoom. The classes will be recorded and made available for 30 days.

Course literature

David P. Stewart, International Criminal Law in a Nutshell, 2nd edition 2019 (compulsory reading)

Robert Cryer / Darryl Robinson / Sergey Vasiliev, An introduction to international criminal law and procedure, 4th edition, 2019 (for in depth reading)

Additional course information

A "Reader" will be available containing all the relevant legal texts. IT IS NECESSARY TO BUY THE "READER" BEFOREHAND AND BRING IT TO CLASS!!!

The slides presented during the course will be made available on StudyNet. It is advisable to print them out / have them available during classes in order to make annotations.

In the case of the President's Board having to implement new directives due to the SARS-CoV-2 pandemic in AS2020, the course information listed above will be changed as follows:

- The course is conducted online via the platform zoom;
- The recordings of the course are available for 30 days;
- The lecturer informs via StudyNet on the changed implementation modalities of the course;

The examination information listed below would be changed as follows:

- There are no changes necessary to the examination information, i.e. HSG students will write a central written exam, and exchange students, who stay in St. Gallen for this autumn semester only, will write a paper.

Examination information

Examination sub part/s

1. Examination sub part (1/1)

Examination time and form

Central - Written examination (100%, 90 mins.)

Examination time: inter-term break

Remark

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Examination-aid rule

Extended Closed Book for Examinations in Law

The use of aids is limited. Any additional aids permitted must be listed exhaustively in the section "Supplementary aids". The following generally applies:

- For this examination, all pocket calculators of the Texas Instruments TI-30 series and mono- or bilingual dictionaries (no subject-specific dictionaries) without marginal notes are admissible. All other pocket calculators models as well as electronic dictionaries are inadmissible.



- In addition, any type of communication is inadmissible, as are all electronic devices that can be programmed and enable communication, such as notebooks, tablets, PDAs, mobiles and so on.
- Students themselves are exclusively responsible for the procurement of aids.
- All official statutory texts in the four national languages and in the English translation by the Federal Chancellery as well as the official statutory texts of the Canton of St.Gallen are always admissible.
- Additional aids and private law text collections are only permitted if they are explicitly listed in "Supplementary aids". This is an exhaustive list. Any aids and texts of laws that are not listed are expressly inadmissible and will be collected without substitution – regardless of whether they are annotated, unannotated or annotated legal editions. The confiscation of a book (even if relevant to the examination) is no reason for an appeal or a subsequent alternative examination date.
- All admissible documents may be combined in the language and number of copies that the student wishes, unless otherwise stated under Supplementary aids.

The following preparation of legal texts is allowed:

- References to other law articles, including all names of laws and article numbers as they also appear in the admissible law texts (i.e.: art. 62 et seq. CO/art. 164 para. 1 lit. a FC/art. 25. para. 2 lit. a No 8 VAT Act/ art. 158 FC combined with art. 4 ParLA/art. 29 II FC, etc.); these references must be written in one of the national languages and/or in English.
- Annotations (i.e. underlining, circling; special symbols such as arrows, asterisks, etc.) with any type of pen, including highlighters in different colours. However, no individual letters may be marked, moreover, any other notes and comments are prohibited.
- Index: self-adhesive page markers in the margin of individual texts of law are admissible; they must only bear the marginalia, titles, articles of the relevant page (i.e.: art. 141 FC: Optional Referendum or Title 5: State Authorities or art. 5 FC).
- Print-outs and copies of legal texts that are admissible according to the course and examination fact sheet (i.e. all official statutory texts issued by the Confederation, or the admitted private collections incl. table of contents and indexes), must correspond exactly to the original; the original source must be clearly discernible.

Supplementary aids

Reader

Examination languages

Question language: English

Answer language: English

Examination content

The content of the examination are the historical overviews, the international criminal courts and tribunals, the international crimes and the individual responsibility.

Exchange students, who stay in St. Gallen for this autumn semester only, will not take part in the central written exam. Instead, there will be a decentral exam for them. The decentral exam will consist of a paper to be written after the classes have taken place. The paper will have to be handed in at the end of the semester. All exchange students who want to take part in the decentral exam are asked to send an e-mail to kerstin.vonderdecken@unisg.ch before the last day of classes. After the last day of classes, they will receive an e-mail with the topic of the paper, the exact deadline, and all formal requirements.

Examination relevant literature

1. David P. Stewart, International Criminal Law in a Nutshell, 2nd edition, 2019
2. Slides presented during the course (to be found on Canvas)



3. Reader(to be bought before class)

Please note

Please note that only this fact sheet and the examination schedule published at the time of bidding are binding and takes precedence over other information, such as information on StudyNet (Canvas), on lecturers' websites and information in lectures etc.

Any references and links to third-party content within the fact sheet are only of a supplementary, informative nature and lie outside the area of responsibility of the University of St.Gallen.

Documents and materials are only relevant for central examinations if they are available by the end of the lecture period (CW51) at the latest. In the case of centrally organised mid-term examinations, the documents and materials up to CW 42 are relevant for testing.

Binding nature of the fact sheets:

- Course information as well as examination date (organised centrally/decentrally) and form of examination: from bidding start in CW 34 (Thursday, 20 August 2020);
- Examination information (regulations on aids, examination contents, examination literature) for decentralised examinations: in CW 42 (Monday, 12 October 2020);
- Examination information (regulations on aids, examination contents, examination literature) for centrally organised mid-term examinations: in CW 42 (Monday, 12 October 2020);
- Examination information (regulations on aids, examination contents, examination literature) for centrally organised examinations: two weeks before the end of the registration period in CW 44 (Thursday, 29 October 2020).