

**International Criminal Law**  
**Fall 2017**  
**Prof. Kate Hill**  
**6:00p-7:20 p.m. Tuesdays and Thursdays; 209 BLB**  
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**Course Description**

This course will explore the history and development of international criminal law, the courts and tribunals charged with interpreting it, the elements of international crimes, and potential defenses. We will begin with the inception of modern international tribunals, including military tribunals in post-war Germany and Japan, and progress through the development of the ICC and regional bodies, such as the ICTY and the ICTR. We will also consider alternative means of resolving international crimes, such as truth and reconciliation commissions. We will study the elements of and defenses to crimes against peace, war crimes, crimes against humanity, genocide, and other offenses against human rights.

**Graded Assignments**

The course will require students to complete two written assignments. Each paper will take the form of a “briefing memo” written to a senior member of a government or international institution. The briefing memos will (i) discuss whether certain acts violate international criminal law and whether those acts should be pursued; or (ii) recommend policy approaches to be taken towards the development of international criminal law and international criminal institutions. The briefing memos will be due as follows:

- First briefing memo, due on Thursday, November 2 by 5 p.m., five-page maximum (10% final grade). The professor will distribute the prompt for the first briefing memo on the first day of class.
- Second briefing memo, due on Thursday, December 14 by 5 p.m., 25-page maximum (90% final grade). The professor will distribute the prompt for the second briefing memo on Tuesday, November 7.

Per Law School policy, the professor may raise or lower grades by one level (e.g., from a B to a B+ or to a B-) on the basis of class participation, within the grade average.

The first briefing memo provide students the opportunity to practice legal writing and analysis in the framework of international law. Students should review their performance on this assignment with the professor in order to maximize their performance on the final briefing memo.

The second briefing memo represents the student’s work in the course over the semester; it should reflect rigorous analysis and careful editing. The hope is that students can use this final memo as a writing sample when applying for jobs and clerkships.

The prompt for both briefing memos will be distributed to students by email. Students will be assigned a random identifier to put at the top of the briefing memo so that grading will be anonymous. Students can turn in the briefing memos to the O'Quinn Library circulation desk located on the ground floor of the UH Law Center. Drop-off hours at the library are from 9 a.m. to 6 p.m., **but please note that both briefing memos are due at 5 p.m.**

### **Class Participation**

Classes will mix lectures with Socratic-method questioning. Students should complete the assigned reading before class and arrive prepared to participate in discussion and answer questions.

Class discussion will often center around the "Notes, Questions, and Problems" in the casebook. The professor will occasionally, in advance of class, select a student to discuss a particular Note in class.

### **Attendance**

Per law school policy, students must attend eighty percent of classes or risk being dropped from the class.

### **Office Hours**

Students may contact the professor at the email and phone number above at any time. The professor will also stay after class for office hours once a week to speak with students.

### **Required Reading**

The required readings for the course can be found in the casebook, the third edition of Beth Van Schaack and Ronald C. Slye's *International Criminal Law and Its Enforcement, Cases and Materials*. Below is the expected schedule of assigned readings, which may change over the course of the semester.

**August 22:** Introduction, Chapter 1

**August 24:** Domestic Jurisdiction, Chapter 2

**August 29:** No Class

**August 31:** No Class

**September 5:** International Jurisdiction, Chapter 3

**September 7:** The International Criminal Court, Chapter 4

**September 12:** Legal Regulation of Armed Conflict, Chapter 5

**September 14:** War Crimes, Chapter 6

**September 19:** War Crimes, Chapter 6

**September 21:** Crimes Against Peace, Chapter 7

**September 26:** Crimes Against Humanity, Chapter 8

**September 28:** Crimes Against Humanity, Chapter 8

**October 3:** Genocide, Chapter 9

**October 5:** Genocide, Chapter 9

**October 10:** Torture, Chapter 10

**October 12:** Torture, Chapter 10

**October 17:** Terrorism, Chapter 11

**October 19:** Terrorism, Chapter 11

**October 24:** Charging International Crimes, Chapter 12

**October 26:** Superior Responsibility, Chapter 13

**October 31:** Direct/Indirect Responsibility, Chapter 14

**November 2:** Direct/Indirect Responsibility, Chapter 14;  
**First Briefing Memo due at 5 p.m.**

**November 7:** Law of Conspiracy, Chapter 15

**November 9:** Incitement, Chapter 16

**November 14:** Defenses, Chapter 17

**November 16:** Defenses, Chapter 17

**November 17:** Sentencing, Chapter 18 (FRIDAY MAKE-UP CLASS)

**November 21:** Review Session

**December 14: Second Briefing Memo due at 5 p.m.**

### **Supplemental Reading**

A number of supplemental readings, movies, podcasts, and websites will be available on Blackboard. These supplemental materials are not required. Instead, they are a resource for students that wish to supplement their knowledge of the international conflicts that we may discuss in class, as well as basic international legal principles.

### **Counseling and Psychological Services**

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS ([www.uh.edu/caps](http://www.uh.edu/caps)) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours around campus. [http://www.uh.edu/caps/outreach/lets\\_talk.html](http://www.uh.edu/caps/outreach/lets_talk.html).