

# International Criminal Law and Courts

CAMPUS HIGIENÓPOLIS

DATE	SCHEDULE	
08/07	01pm	<p>1st day: The Courts The first day is dedicated to enhance the knowledge of the student on the development of the different international and internationalized courts. It is focused on the origin and functioning of these courts, but will also cover the arguments which were brought forward against them. Starting with the Nuremberg Trials, the beginning of International Criminal Law, the analysis is concentrated on the problems the court faced with, as for example the introduction of affidavits. In the second lesson, the main objective will be the establishment of ad hoc Tribunals and the hybrid courts. It was the first time that the international community decided to establish courts to prosecute mass atrocities. The International Criminal Court is the first permanent court dealing with atrocities committed in the course of an armed conflict of international or non-international character. At the last session of the day the students presents short arguments which they have prepared in advance on the topic complementarity and trigger mechanism.</p>
08/08	01pm	<p>2nd day: The substantive law The second day is dedicated to the core crimes in international criminal law. This will involve an analysis of the elements and requirements of the different crimes. The first session deals with genocide. The concept was created by Raphael Lemkin. The intent to destroy a group as a whole is a specific requirement expressing the particularity of this form of crime. Crimes against humanity, the topic of the second session, are based on the concept of Herch Lauterpacht and were first applied in the course of the Nuremberg Trials. The key requisites of crimes against humanity are the widespread or systematic attack against any civilian population. The last session on substantive law deals with war crimes and the crime of aggression. At the end of the day the students present short kick-off speeches on case law and articles, as for example to the Akayesu judgement and to the Lubanga judgement regarding conscription of child soldiers.</p>
08/09	01pm	<p>3rd day: The procedural law The procedural law is concentrated on the rights and duties of the persons involved in the proceedings, in particular with regard to the proceedings before the International Criminal Court. The shaping and application of the rights of the accused is a key element regarding the credibility of the different international and internationalized courts. For example, the right to remain silent could easily be infringed by national investigating authorities as in the case of Katanga, who in the first instance was interrogated as a witness without being informed that at this moment he was in effect a suspect. The witness plays a pivotal role in proceedings before the International Criminal Court. It is often the only first-hand evidence of the commission of mass atrocities. On one side the witness has to be protected against any interference and on the other side the witness has duties, as for example to testify fully and truthfully. The right of victims to participate in proceeding is a relatively new concept. It fosters the credibility of the International Criminal Court but at the same time the court faces problems concerning the numbers of victims who want to participate. At the last session the students presents short speeches to different procedural issues based on case law.</p>