This course offers an intensive overview of the rapidly expanding field of international and transnational criminal law. Our objective is to examine (i) the fundamental concepts, principles and institutions of the evolving international criminal justice system and (ii) a number of current problems involving the application of domestic criminal law to international activities and across national boundaries.

We welcome both J.D. and LL.M. students. Our discussions will strive to reach a fairly advanced level appropriate for practitioners in the field. Since an awareness of the comparative or cross-cultural aspect of this field is vital, we hope the class will include foreign-trained students with a variety of legal backgrounds, as well as students with some practical experience in this area (for example, those who have interned at one of the tribunals or have actually prosecuted or defended criminal cases with international dimensions).

While the course will provide a survey of the field of international criminal law, its main focus will be on four related areas: (i) questions concerning jurisdiction over international criminal activities, in the context of such areas as terrorism and illicit narcotics trafficking; (ii) the procedural aspects of international cooperation in criminal matters (in particular extradition and mutual legal assistance); (iii) the substantive and procedural law of the new International Criminal Court, with some consideration of the ad hoc courts for the former Yugoslavia and Rwanda, as well as the hybrids and alternatives; and (iv) emerging international standards of due process and the reach of U.S. constitutional protections (especially the Fourth and Fifth Amendments) to transnational law enforcement activities.

Depending on current developments as well as your particular interests, we can also devote time to a few “hot topics” – for example, recent cases decided by one of the courts or tribunals, or issues in the fields of counter-terrorism, gender-based crimes, piracy, corruption, organized crime, trafficking, cyber crime, or other areas related to the course.

Our text will be Luban, O’Sullivan and Stewart, *International and Transnational Criminal Law* 2d (Aspen 2014) (But can use the old 2010 version if you have it). The assigned readings are from this text. Documents and some recent supplementary material will be available from courseware as well as from the dedicated website supporting the textbook, [http://www.internationalcriminallaw.com](http://www.internationalcriminallaw.com). For an optional companion reader, you might find it useful to refer to Stewart’s *International Criminal Law in a Nutshell* (West 2013).

There are no prerequisites for this course, but you will find it helpful to have taken at least one course in public international law, conflict of laws or international human rights law in addition to criminal law. If you need a basic introduction, we recommend Buergental and Murphy, *Public International Law in a Nutshell* (4th ed. 2006), or Murphy, *Principles of International Law* (2006) or Bederman, *International Law Frameworks* (2nd ed. 2006) – all readily available at the bookstore or online. We assume everyone has had at least one basic course in criminal law and procedure; if some of you are specializing or have practical experience in that field, so much the better.

**EXAM:** The examination will be a comprehensive three-hour, entirely *open-book* test covering the entire course on the basis of hypothetical and essay-type questions. It is scheduled to be held on Thursday, May 12, 2015 at 6:00 p.m. Copies of previous exams in this course are available in the Library or from the Dean's Office.

**Participation:** Our expectations are simple: *Be there, be prepared, be a participant.* Active class participation is strongly encouraged. We expect *every* class member to attend every class, to do the readings and to be prepared for each session. Discussions and presentations will assume your familiarity with the assigned readings; you will benefit only if you have done them thoughtfully. Your active participation in, and positive contributions to, class discussions may be taken into account in the final course grade, but only to your benefit.

**Courseware:** We will be using Courseware for communication, discussion, assignment and document distribution. Our password is “crimes.”

**SPECIAL NOTE:** Because the Martin Luther King Holiday falls on the first day of the week that regular classes commence, our first session will not take place until Monday, January 25, 2016.

As adjunct professors, Profs. Prugh and Raabe have no scheduled office hours at the Law Center but will be available before and after scheduled class sessions for consultations. Prof. Raabe can be reached at [Name Redacted] Professor Koh can be reached at [Name Redacted] When you call either of us, please identify yourself as a member of the international criminal law class and, if necessary, leave your email or a telephone number where you can be reached at the end of the day.
**Schedule**

Monday 7:55-9:55 p.m.

1. **1/25** Introduction  
   Read: Chs. 1 and 2 (pp. 3-52)

2. **2/1** Tribunals and Crimes  
   Read: Ch. 3 (pp. 73-113; 118-26)

3. **2/8** Jurisdiction  
   Read: Ch. 5 (pp. 165-201)

  No Class Monday 2/15

4. **2/18** THURSDAY Jurisdiction (continued); Immunities  
   Read: Ch. 5 (pp. 202-258) Ch. 6 (pp. 259-293)

5. **2/22** The International Criminal Court  
   Read: Ch. 16 (pp. 779-94; skim 794-809; 809-48)

6. **2/29** ICC: Modes and Defenses / War Crimes  
   [No reading for Modes and Defenses]  
   Read: Ch. 21 (pp. 1083-1143)

  No Class Monday 3/7

7. **3/14** Genocide  
   Read: Ch. 20 (skim 1039-43; 1044-50; 1053-1077)
8. 3/21 Crimes Against Humanity
   Read:  Ch. 19 (pp. 1005-1032)

9. 3/28 Obtaining Evidence Abroad
    Read:  Ch. 8 (pp. 357-59, 364-88)
           Extradition
    Read:  Ch. 9 (pp. 399-415, 424-26, 431-444)

10. 4/4 Terrorism
     Read:  Ch. 15 (pp. 687-752) skim Part D (752-767)

11. 4/11 Transnational Crimes: Transnational Organized Crime & Trafficking
     Read:  Part III (pp. 507-509); Ch. 11 (pp.511-542) Ch. 12 (pp. 543-589)

12. 4/18 Transnational Crimes II: Money-Laundering and Corruption
     Read:  Ch. 13 (pp. 591-631) and Ch. 14 (pp. 633-636; 667-685)

13. 4/25 Review

Exam: Thursday, 5/12/5 at 6:00 p.m.