

**MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE  
WEST UKRAINIAN NATIONAL UNIVERSITY  
FACULTY OF LAW**

**Approved**

Acting Dean of the Faculty of Law WUNU

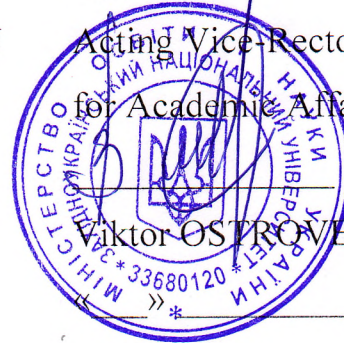


Nadiia MOSKALYUK

«    »      2023

**Approved**

Acting Vice-Rector  
for Academic Affairs and Research



Viktor OSTROVERKHOV

»     2023

**WORK PROGRAM**

discipline

**«International criminal law»**

Higher education degree – master

Field of knowledge – 29 International relations

Specialty – 293 International law

Educational and Professional Program - International Law

**Department of International Law and Migration Policy**

Form of study	Study year	Semes-ter	Lectu-res	Practi-cal classes	Indi-vidual work	Trai-ning	Student -self study	Total	Exam/ Credit
Full-time	1	1	30	15	5	4	96	150	Exam, 1

Ternopil – WUNU, 2023

*31.08.2023*  
*[Signature]*

The work program was developed on the basis of the educational and professional program for Master's field of knowledge 29 International relations, specialty 293 International law, approved by the Academic Council of WUNU, Minutes № 10 from June 23, 2023.

The work program was prepared by head of the Department of International Law and Migration Policy, PhD., Assoc. prof. Yaryna ZHUKORSKA

The work program was considered and approved at the meeting of the Department of International Law and Migration Policy, Minutes № 1 dated August 29, 2023.

Head of Department  Yaryna ZHUKORSKA

Considered and approved by Support group of specialty 293 International Law, Minutes № 1 dated August 31, 2023.

Head of Support Group of specialty  Yaryna ZHUKORSKA

Guarantor EP  Yaryna ZHUKORSKA

## STRUCTURE OF THE WORK PROGRAM OF THE DISCIPLINE “INTERNATIONAL CRIMINAL LAW”

### 1. Description of the discipline " International Criminal Law"

The discipline "International Criminal Law "	Field of knowledge, specialty, educational and professional program, higher education degree	Characteristics of the educational discipline
Quantity of ECTS credits – 5	Field of knowledge - 29 «International relations»	Discipline status: normative Language of study: English
Quantity of credit modules – 4	Specialty – 293 «International law»	Year of study - 1 Semester – 1
Number of content modules – 2	Educational and Professional Program - 293 International Law	Lectures – 30 hours. Practical classes – 15 hours.
Total number of hours – 150 hours.	Higher education degree – master	Student-self study – 100 hours, of which the training is 4 hours. Individual work – 5 hours.
Weekly hours – 10 hours, of which classroom hours – 3 hours		Type of final control – exam

#### **Purpose and objectives of the discipline « International Criminal Law »**

##### **2.1. Purpose of studying the discipline « International Criminal Law»:**

To form an understanding of the essence of international criminal law as an important branch of international public law; to demonstrate the role of international criminal law as a mechanism for the prevention of international offenses and the onset of punishment for them; outline the main trends in the development of international criminal law.

**2.2. Tasks of studying the discipline:** form the ability to identify, formulate and evaluate problems in the field of international criminal law, apply tools, means and methods of international criminal law to solve them; to thoroughly investigate modern problems of the onset of international criminal responsibility of an individual, to rethink its content and development trends; operate with a specific categorical apparatus, modern theories and concepts.

##### **2.3. Name and description of competencies, the formation of which ensures the study of the discipline:**

SK 7. Ability to represent the interests of Ukraine or individuals and legal entities in international judicial institutions, arbitrations, national courts of foreign countries.

SK 13. The ability to qualify the behaviour of an individual as an international offense and to assess its harmful impact on the international law and order

SK 14. Ability to understand the nature of responsibility in international law and the mechanisms of its implementation.

##### **2.4. Prerequisites for studying the discipline.**

Assimilation of knowledge according to the program of the unified Professional Entrance Test.

##### **2.5. Learning outcomes.**

PRE 6. Protect the interests of one's own state in national courts, international commercial arbitrations, international courts and organizations, in particular integration ones, at international conferences.

PRE 16. To be able to predict the consequences of committing an international criminal offense, classify international offenses and analyze the procedural aspects of the implementation of international criminal responsibility.

PRE 17. To analyze the consequences of internationally illegal acts and the mechanisms of bringing subjects to responsibility, as well as the means of realizing responsibility in international law.

### **3. PROGRAM OF THE ACADEMIC DISCIPLINE**

#### **"International Criminal Law "**

##### **Content module 1.**

##### **Topic 1. General characteristics of international criminal law and its place in the system of international law**

International criminal law and its place in the system of international law. Subject and method of international criminal law. International criminal law as a political tool. Sources of international criminal law. Principles of international criminal law.

##### **Topic 2. Modern doctrine of international criminal law**

The significance of the Nuremberg heritage for modern times. General problems of the development of international criminal law. Correlation and interaction of international and national criminal law. Jurisdiction of modern international ad hoc tribunals and the meaning of their decisions. Activities of the International Criminal Court and the significance of the Rome Statute of the ICC for international and national criminal justice. Problems of qualification of crimes against humanity and war crimes. Problems of combating international terrorism

##### **Topic 3. International criminal responsibility**

The concept of international criminal responsibility. Appointment and exemption from criminal liability. Circumstances that exclude responsibility in international criminal law. The problem of responsibility of legal entities and the state in international criminal law.

##### **Topic 4. Crime and composition of the crime in international criminal law**

Crime in international criminal law: concepts and signs. Classification of crimes in international criminal law. Convention crimes (crimes of an international nature). Concept and classification of conventional crimes. The specifics of conventional crimes. The difference between conventional crimes and transnational crimes. Composition of an international crime. Unfinished crime in international criminal law

##### **Topic 5. Complicity in international criminal law**

General analysis of the concept of complicity and its genesis in international criminal law. Performer. Giving an order, inciting, inciting. Aiding and abetting the commission of a crime. Facilitating the commission of a crime by a group of persons. Direct and public incitement to genocide. Responsibility of commanders and other superiors

##### **Topic 6. Punishment in international criminal law**

Institute of Punishment in International Legal Acts. The concept of punishment in international criminal law. The concept and types of punishments in international criminal law. Appointment and exemption from punishment under international criminal law. Peculiarities of the execution of certain measures of punishment according to the verdict of the International Criminal Court.

##### **Content module 2.**

##### **Topic 7. Crimes against the security of humanity (humanity)**

Crime of aggression. Illegal circulation of weapons of mass destruction. Attack on persons and institutions enjoying international protection.

Crimes against humanity. The concept of crimes against humanity. Elements of crimes against humanity. Elements of specific crimes against humanity. The crime of genocide. Genocide. Apartheid. Ecocide. Deportation or forced displacement of the population. Distinguishing crimes against humanity, general criminal and war crimes. Problems of international criminal justice in cases of crimes against the peace and security of humanity. Correlation and interaction of international and national criminal law.

**Topic 8. War crimes**

The law of armed conflicts. The concept and composition of a war crime. Types of war crimes. Elements of war crimes. Cruel treatment of prisoners of war. Deportation of the civilian population. The use of means and methods prohibited by an international treaty in an armed conflict. Use of weapons of mass destruction prohibited by international treaties. Hiring

**Topic 9. Crimes against personal human rights and freedoms**

Slavery and slave trade. Human trafficking without the purpose of enslavement. Sexual exploitation. Crimes expressed in inhuman or degrading treatment and punishment.

**Topic 10. Terrorist crimes and other crimes against the foundations of public security**

Concept of terrorism. Classification of terrorism. Correlation between terrorism and extremism. Combating terrorism. The fight against bomb terrorism. Acts of nuclear terrorism. Combating the financing of terrorism. Anti-terrorist activity in the post-Soviet space. Countering nuclear terrorism. Prevention of terrorism. Piracy. Taking hostages. Crimes related to aviation security. Offenses against maritime safety. Illegal circulation of nuclear material.

**Topic 11. Procedural aspects of implementation of international criminal responsibility**

International organizations in the fight against crime. Official organizations. Non-governmental organizations. Cooperation of states in the fight against crime. Legal assistance of states in criminal cases. Extradition of criminals and the right to asylum. Grounds and conditions of issuance. Refusal of extradition and its foundation.

**Topic 12. Bodies of international criminal justice**

System of bodies of international criminal justice. Ad hoc international criminal tribunals created by the UN Security Council. Mixed (hybrid) tribunals (courts). Courts created on the basis of the state's agreement with the UN. Special Court for Sierra Leone. Special Tribunal for Lebanon. Courts formed by temporary UN administrations on the territories of states where peacekeeping operations are conducted. Mixed courts on the territory of Kosovo. Panels of exclusive jurisdiction over serious crimes in East Timor. International Criminal Court

**4. Structure of the credit in the discipline " International Criminal Law "**

Topics	Lectures	Practical classes	Self work	Individual work	Control measures
	Content Module 1				
1. General characteristics of international criminal law and its place in the system of international law	2	1	8	2	Tests, questions
2. Modern doctrine of international criminal law	4	1	8		Tests, questions

3. International criminal responsibility	2	1	8		Tests, questions
4. Crime and composition of the crime in international criminal law	4	1	8		Tests, questions
5. Participation in international criminal law	2	1	8		Tests, questions
6. Punishment in international criminal law	2	1	8		Tests, questions
<b>Content Module 2</b>					
7. Crimes against the security of humanity (humanity)	2	2	8	3	Tests, questions
8. War crimes	2	2	8		Tests, questions
9. Crimes against personal human rights and freedoms	2	2	8		Tests, questions
10. Terrorist crimes and other crimes against the foundations of public security	2	2	8		Tests, questions
11. Procedural aspects of implementation of international criminal responsibility	2	1	10		Tests, questions
12. Bodies of the international criminal justice	4	-	10		Tests, questions
<b>TOTAL</b>	<b>30</b>	<b>15</b>	<b>100</b>	<b>5</b>	

## 5. Topics of practical classes in the discipline « "International Criminal Law»

### Practical class № 1

**Topic:** General characteristics of international criminal law and its place in the system of international law.

**Purpose:** To gain knowledge of the general characteristics of international criminal law and its place in the system of international law.

**Questions for discussion:**

1. International criminal law and its place in the system of international law.
2. Subject and method of international criminal law.
3. International criminal law as a political tool.
4. Sources of international criminal law.
5. Principles of international criminal law.

### Practical class № 2

**Topic:** Modern doctrine of international criminal law.

**Purpose:** To study the modern doctrine of international criminal law.

**Questions for discussion:**

1. Significance of Nuremberg heritage for modern times.
2. General problems of the development of international criminal law.
3. Correlation and interaction of international and national criminal law.
4. Jurisdiction of modern international ad hoc tribunals and the meaning of their decisions.
5. Activities of the International Criminal Court and the significance of the Rome Statute of the ICC for international and national criminal justice.
6. Problems of qualification of crimes against humanity and war crimes.
7. Problems of combating international terrorism

### **Practical class №3**

**Topic:** International criminal responsibility.

**Purpose:** To gain knowledge about the concept and main characteristics of international criminal responsibility.

**Questions for discussion:**

1. The concept of international criminal responsibility.
2. Appointment and exemption from criminal liability.
3. Circumstances that exclude responsibility in international criminal law.
4. The problem of responsibility of legal entities and the state in international criminal law.

### **Practical class № 4**

**Topic:** Crime and composition of the crime in international criminal law.

**Purpose:** To gain knowledge about the crime and the composition of the crime in international criminal law.

**Questions for discussion:**

1. Crime in international criminal law: concepts and signs.
2. Classification of crimes in international criminal law.
3. Convention crimes (crimes of an international nature).
4. Composition of an international crime.
5. Unfinished crime in international criminal law

### **Practical class № 5**

**Topic:** Complicity in international criminal law.

**Purpose:** To gain knowledge about complicity in international criminal law.

**Questions for discussion:**

1. General analysis of the concept of complicity and its genesis in international criminal law.
2. Executor. Giving an order, inciting, inciting.
3. Aiding and abetting the commission of a crime.
4. Facilitating the commission of a crime by a group of persons.
5. Direct and public incitement to genocide.
6. Responsibility of commanders and other superiors.

### **Practical class № 6**

**Topic:** Punishment in international criminal law.

**Purpose:** To consolidate knowledge about punishment in international criminal law.

**Questions for discussion:**

1. Institute of punishment in international legal acts.
2. The concept of punishment in international criminal law.
3. Concepts and types of punishments in international criminal law.
4. Appointment and exemption from punishment under international criminal law.
5. Peculiarities of the execution of certain measures of punishment according to the sentence of the International Criminal Court.

### **Practical class № 7**

**Topic:** Crimes against the security of humanity (humanity).

**Purpose:** To consolidate knowledge about crimes against the security of humanity.

**Questions for discussion:**

1. Crime of aggression.
2. Illegal circulation of weapons of mass destruction.
3. Attack on persons and institutions enjoying international protection.
4. Crimes against humanity.

5. Problems of international criminal justice in cases of crimes against the peace and security of humanity.
6. Correlation and interaction of international and national criminal law.

#### **Practical class № 8**

**Topic:** War crimes.

**Purpose:** To consolidate knowledge about war crimes.

**Questions for discussion:**

1. The concept and composition and classification of war crimes.
2. Cruel treatment of prisoners of war.
3. Deportation of the civilian population.
4. Use of means and methods prohibited by international treaties in an armed conflict.
5. Use of weapons of mass destruction prohibited by international treaties.
6. Employment.

#### **Practical class №9**

**Topic:** Crimes against personal human rights and freedoms.

**Purpose:** To acquire knowledge about crimes against personal rights and freedoms of a person.

**Questions for discussion:**

1. Slavery and slave trade (crimes related to the establishment of attributes of property on a person).
2. Human trafficking without the purpose of enslavement.
3. Sexual exploitation.
4. Crimes expressed in inhumane or degrading forms of treatment and punishment.

#### **Practical class №10**

**Topic:** Terrorist crimes and other crimes against the foundations of public security.

**Purpose:** To study terrorist crimes and other crimes against the foundations of public safety.

**Questions for discussion:**

1. Concept and classification of terrorism. Correlation between terrorism and extremism.
2. Fight against bomb terrorism.
3. Acts of nuclear terrorism.
4. Combating the financing of terrorism.
5. Combating terrorism. Prevention of terrorism.
6. Piracy.
7. Taking hostages.
8. Crimes related to the safety of air transport.
9. Offenses against maritime safety.
10. Illegal circulation of nuclear material.

#### **Practical class № 11**

**Topic:** Procedural aspects of implementation of international criminal responsibility.

**Purpose:** To study the procedural aspects of the implementation of international criminal responsibility.

**Questions for discussion:**

1. International organizations in the fight against crime.
2. Cooperation of states in the fight against crime.
3. Legal assistance of states in criminal cases.
4. Extradition of criminals and the right to asylum.



## 6. Complex practical individual task in the discipline "International Criminal Law "

Complex practical individual task (CPIT) in the discipline "International Criminal Law " provides for the implementation of various forms of individual work by students and the formation of an individual student portfolio, including:

- - preparation of a scientific article or theses of a scientific report for publication;
- - participation in Internet conferences;
- - participation in student Olympiads;
- - writing essays, performing creative tasks;
- - participation in a team project.
- 

The type of CPIT is agreed with each student individually.

CPIT topics are also agreed individually.

## 7. OUTCLASSES WORK IN THE DISCIPLINE «International Criminal Law»

	Topics
1.	Topic 1. The history of the development of international criminal law.
2.	Topic 2. Ad hoc international criminal tribunals created by the UN Security Council.
3.	Topic 3. Mixed (hybrid) tribunals (courts).
4.	Topic 4. International Criminal Court.
5.	Topic 5. The current state and prospects of creating a tribunal in the Russian Federation.
6.	Topic 6. War crimes.
7.	Topic 7. International criminal responsibility of senior state officials.
8.	Topic 8. Crime of aggression.
9.	Topic 9. Genocide.
10.	Topic 10. Preliminary investigation of the situation in Ukraine by the Office of the Prosecutor of the International Criminal Court.

## 8. Training in the discipline «International Criminal Law»

Training in the discipline «International Criminal Law» is conducted during the academic week, contains a combination of independent work of students and classroom work under the guidance of a teacher and is based on the topic of independent work and materials of complex practical individual tasks.

- 1 International Tribunal for Rwanda.
- 2 International Tribunal for Yugoslavia.
- 3 Nuremberg Tribunal.
- 4 International Tribunal for the Russian Federation (model and prospects).

Training procedure

1. Familiarize yourself with the prerequisites for creating a tribunal, its structure, jurisdiction.
2. To analyze the peculiarities of the tribunal and their influence on the development of international law.
3. Present the results of the analysis in the form of a team project (for example, a simulated court session).

## 9. Assessment tools and methods for demonstrating learning outcomes

In the process of studying the discipline "International Criminal Law", evaluation tools and methods of demonstrating learning results are used: current survey; credit module survey; team projects; analytical reports, abstracts, essays; presentations of the results of completed tasks and

research; rector's control work. The final form of control is an exam. When studying the academic discipline "International Criminal Law", the following teaching methods are used: lectures, seminar classes, individual classes, performing scientific works under the guidance of a teacher.

**10. Criteria and forms of current and final control**

The final score (on a 100-point scale) in the discipline «International Criminal Law» is defined as a weighted average value, depending on the specific weight of each component of the credit score:

Credit module 1	Credit module 2	Credit module 3	Overall
30%	40%	30%	100%
1. Verbal survey during classes (6 topics with 5 points – 30 points)  2. Written work – 70 points	1. Verbal survey during classes (6 topics with 5 points – 30 points)  2. Written work – 70 points	1. Writing and presentation of CPIT – 80 points  2. Completing tasks during the training – 20 points	

**Rating scale:**

By the WUNU scale	By the national rating scale	By the ECTS scale
90–100	excellent	A (excellent)
85–89	good	B (very good)
75-84		C (good)
65-74	satisfactory	D (satisfactory)
60-64		E (sufficient)
35-59	unsatisfactory	FX (unsatisfactory with the possibility of re-examination)
1-34		F (unsatisfactory with a mandatory repeat course)

**11. Tools, equipment and software that the academic discipline provides for**

№	Description	Topic number
1.	Flipchart	Topics 1-12
2.	Laptop	Topics 1-12
3.	Projector	Topics 1-12
4.	Set of presentation materials	Topics 1-12

**RECOMMENDED SOURCES OF INFORMATION**

1. Brown, Darryl K., Turner, Jenia I. The Oxford Handbook of Criminal Process. New York, NY: Oxford University Press, 2019. 448 p.
2. Brown, Darryl K., Turner, Jenia I., & Weisser, Bettina, eds. The Oxford Handbook of Criminal Process. New York, NY: Oxford University Press, 2019.
3. Carrie McDougall. Why Creating a Special Tribunal for Aggression Against Ukraine is the Best Available Option: A Reply to Kevin Jon Heller and Other Critics, 15.03.22 URL: <http://opiniojuris.org/2022/03/15/why-creating-a-special-tribunal-for-aggression-against-ukraine-is-the-best-available-option-a-reply-to-kevin-jon-heller-and-other-critics>
4. Carsten Stahn A Critical Introduction to International Criminal Law. Universiteit Leiden. 2018. 338 p.
5. Close Josepha. Amnesty, Serious Crimes and International Law: Global Perspectives in Theory and Practice. 2019. 316 p.
6. Cryer, Robert, Robinson, Darryl, & Vasiliev, Sergey. An Introduction to International Criminal Law and Procedure. 4th ed., Cambridge, UK: Cambridge University Press, 2019.
7. Cryer, Robinson, Darryl K.; An Introduction to International Criminal Law and Procedure. 4th ed., Cambridge, UK: Cambridge University Press, 2019. 518 p.
8. Diane Orentlicher. How States Can Prosecute Russia’s Aggression With or Without “Universal Jurisdiction”, March 24, 2022 URL: <https://www.justsecurity.org/80818/how-states-can-prosecute-russias-aggression-with-or-without-universal-jurisdiction/>
9. Gender and International Criminal Law. Oxford University Press. 2022. 436 p.
10. International Criminal Jurisdiction: Whose Law Must We Obey? Oxford University Press. 2022. 808 p.
11. International Criminal Law—A Counter-Hegemonic Project? T.M.C. Asser Press. 2022. 336 p.
12. Kevin Jon Heller. Creating a Special Tribunal for Aggression Against Ukraine Is a Bad Idea, 07.03.22 URL: <https://opiniojuris.org/2022/03/07/creating-a-special-tribunal-for-aggression-against-ukraine-is-a-bad-idea/>
13. Larry D. Johnson. United Nations Response Options to Russia’s Aggression: Opportunities and Rabbit Holes, March 1, 2022 URL: <https://www.justsecurity.org/80395/united-nations-response-options-to-russias-aggression-opportunities-and-rabbit-holes/>
14. Nikola Hajdin. The Leadership Clause in the Crime of Aggression and Its Customary International Law Status, March 17, 2022 URL: <https://www.justsecurity.org/80696/the-leadership-clause-in-the-crime-of-aggression-and-its-customary-international-law-status/>
15. The Past, Present and Future of the International Criminal Court. Workel Opsahl Academic Epublisher. 2022. 812 p.
16. Tom Dannenbaum. Mechanisms for Criminal Prosecution of Russia’s Aggression Against Ukraine, March 10, 2022 URL:<https://www.justsecurity.org/80626/mechanisms-for-criminal-prosecution-of-russias-aggression-against-ukraine/>

### Internet sources

<https://minjust.gov.ua/>  
<http://www.echr.coe.int>  
<http://www.icc-cpi.int>  
<http://www.rada.gov.ua/>  
<https://www.un.org/>