

**COURSE DATA****Data Subject**

<b>Code</b>	35082
<b>Name</b>	International criminal law
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	4.5
<b>Academic year</b>	2021 - 2022

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
1302 - Degree in Criminology	Faculty of Law	4	First term
1923 - D.D. in Law-Criminology	Faculty of Law	4	First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1302 - Degree in Criminology	19 - Applied criminology	Optional
1923 - D.D. in Law-Criminology	6 - Year 4 optional subjects	Optional

**Coordination**

<b>Name</b>	<b>Department</b>
TORRES PEREZ, MARIA	65 - International Law 'Adolfo Miaja de la Muela'

**SUMMARY**

The subject: "International criminal law" is an elective for the Degree in Criminology and is part of its "Applied Criminology" specialization consisting of six electives, namely Organized crime, Psychobiology of violence, Social and preventive community intervention, Applied toxicology, Technical English and International criminal law. The teaching of these subjects is located in the fourth year of the curriculum. The subject: "International criminal law" is allocated 4.5 ECTS credits. Through the teaching of this course, it is intended that students become aware of the progressive internationalization of criminal legal institutions and the consequent emergence of standards and international bodies intended to incriminate, impute and suppress certain types of behaviors of individuals. To this end, its content of the same focuses on the identification and examination of the main international crimes, the imputation of those responsible and forms of participation in the commission of the crime, as well as judicial competence and domestic and international procedures established for its repression. This main content will be preceded by an introduction to international standards and then followed by the specific provisions of European legislation in this area.



## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

### Other requirements

The curriculum of the Degree in Criminology provides no prerequisites to take this elective. However, the understanding of the content in this matter requires prior knowledge of Criminal Law and International Law. Students will acquire knowledge of Criminal Law through the relevant subjects under modules in core and compulsory subjects of the curriculum. The knowledge of International Law necessary may be learnt in the Thematic Unit I of this subject, which will include content aimed at the students familia

## OUTCOMES

### 1302 - Degree in Criminology

- Saber utilizar un lenguaje técnico que permita expresar los conceptos correctamente y desde una perspectiva de género.
- Ser capaz de apreciar la complejidad y diversidad del fenómeno criminal.
- Saber aplicar las teorías criminológicas en la elaboración de políticas públicas centradas en la prevención del delito y la atención a la víctima.
- Ser capaz de analizar el delito, el delincuente y la víctima, y diseñar estrategias de prevención e intervención, desde el respeto a los derechos humanos, la igualdad entre hombres y mujeres, la paz, sostenibilidad, accesibilidad universal y diseño para todos y valores democráticos.

## LEARNING OUTCOMES

The optional subject: International criminal law is part of the "Applied Criminology" specialization. Verification Form Graduation in Criminology provides for obtaining a series of skills specific to this module results, in particular, International criminal law subject contributes especially to the achievement of the following:

-Competence 4: Be able to locate and interpret texts and documents related bodies and international space security Justice.

This competence own of: "Applied Criminology" specialization is complementary to the specific general competencies 1 and 22 as mentioned in the previous section.



## DESCRIPTION OF CONTENTS

### 1. PUBLIC INTERNATIONAL LAW: INTRODUCTION

1.The definition of International law. 2. The features of International law.3. International law sources. 4. The implementation of International law. 5. Specialities of Internaional criminal law

### 2. TYPES OF INTERNATIONAL CRIMES

1.Introduction. 2. Crime of aggression. 3. War crimes. 4. Crimes against humanity. 5. Crime of genocide. 6. Other crimes of International interest

### 3. THE ATTRIBUTION OF INTERNATIONAL CRIMINAL RESPONSIBILITY

1. Introduction. 2. The attribution of individual criminal responsibility. 3. The attribution of superior responsibility. The international responsibility of the State for the commission of international crimes. Circumstances precluding international criminal responsibility. The consequences of the attribution of international criminal responsibility: sanctions

### 4. THE OBLIGATION TO PROSECUTE INTERNATIONAL CRIMES

1.The principle aut dedere aut iudicare. 2. The jurisdiction of national courts. 3. The principle of universal jurisdiction. 4. The jurisdiction of international ad hoc criminal tribunals and hybrid courts. 5. The jurisdiction of the International Criminal Court

### 5. EUROPEAN CRIMINAL LAW

1. The emergence of European criminal law. 2. The criminal types in European criminal law. 3. European police cooperation in criminal matters. 4. European judicial cooperation in criminal matters



## WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	45,00	100
Study and independent work	44,00	0
Preparation of evaluation activities	23,00	0
<b>TOTAL</b>	<b>112,00</b>	

## TEACHING METHODOLOGY

The teaching of the subject International criminal law comprises a set of classroom activities, directed and autonomous, to be developed in the first semester of the academic year. Classroom activities consist of the development of theoretical and applied classes that may be supplemented with seminars, tutorials, etc ... The development of theoretical and applied classes will employ various teaching methods such as lecture, the resolution of cases, etc ... the combination of classroom activities adds up to 45 hours.

Classroom activities will be completed with the realization by students, teacher-led activities and will include the preparation of papers, preparation of exercises, etc. ...

These directed activities shall not exceed 23 hours. Finally, classroom activities independent and directed will be followed by, the student, for which there is provided a maximum of 45 hours. The computation of hours of different teaching activities has been calculated based on the number of ECTS credits assigned to the course: 4.5.

## EVALUATION

### The evaluation system

Each professor may indicate in the annex to his/her teaching guide the existence of any minimum requirement to pass the subject (either in relation to the global exam or to the continuous assessment). If no minimum requirement is established in the annex, it will be understood that there is no minimum requirement in the global exam or in the continuous evaluation to pass the subject.

A- Written and/or oral test(s), consisting of one or more exams that may be objective, include theoretical-practical questions and/or problems.

B- Continuous evaluation of each student, based on regular attendance and active participation in the proposed face-to-face activities, such as the practical realization or participation in workshops, the preparation and/or delivery of papers, reports and/or oral presentations on such activities, individually or collectively, all taking into consideration the degree of involvement and effort of the student in the teaching-learning process and the skills and attitudes shown during the development of such activities.

C- Continuous evaluation of each student, based on the student's attendance to seminars or visits to institutions; and, where appropriate, delivery of papers, reports, reports and/or oral presentations on the activity carried out, individually or collectively, all taking into consideration the degree of involvement and effort of the student in the teaching-learning process and the skills and attitudes shown during the development of such activity.



## Weighting

The overall test is to be valued between 50% and 70% of the final grade of the course, while the set of continuous evaluation activities is to be valued in the remaining proportion.

## REFERENCES

### Basic

- ASCENSIO, H., DECAUX, E., PELLET, A., Droit international penal, 2ª ed., Pedone, Paris, 2012.
- BASSIOUNI, M. CH., Introduction to International criminal law, Transnational..., Ardsley..., 2003.
- BOLLO AROCENA, Mª DOLORES., Derecho internacional penal: Estudio de los crímenes internacionales y las técnicas para su represión, Servicio Editorial de la Universidad del País Vasco, Bilbao, 2004.
- BUENO ARUS, F., MIGUEL ZARAGOZA, J.M., Manual de Derecho penal internacional, Comillas, Madrid, 2003.
- CASSESE, A., International criminal law, 3ª ed., OUP, Oxford...2013.
- CASTILLO DAUDI, M., SALINAS ALCEGA, S., Responsabilidad penal del individuo ante los tribunales internacionales, Tirant lo Blanch, Valencia, 2007.
- CYER, R., FRIMAN, H., ROBINSON, D., WILMSHURST, E., An introduction to international criminal law and procedure, 2ª, CUP, Cambridge...2010.
- DAVID, E., Éléments de Droit penal international et europeen, Bruylant, Bruxelles, 2009.
- DE FROUVILLE, O., Droit international penal, Pedone, Paris, 2012.
- WERLE, G., W., JESSBERGER, FL., BURGHARDT, B., Tratado de Derecho penal internacional, 3ª, Tirant lo Blanch, Valencia, 2017.
- KAI, A., Ensayos actuales de Derecho penal internacional y europeo, INACIPE (Instituto Nacional de Ciencias Penales), Madrid, 2013.
- SCHABAS, W., BERNAZ, N., Routledge handbook of international criminal law, Routledge, London...2011.
- ZAPPALA, S., Que es la justicia penal internacional, 1ª, Editorial Proteus, Canoves, 2010.
- OLÁSOLO ALONSO, H., Derecho internacional penal, justicia transicional y delitos transnacionales: dilemas políticos y normativos, Tirant lo Blanch, Valencia, 2017.
- GIL GIL, A., MACULAN, E., Derecho penal internacional, Dykinson, Madrid, 2016.
- OLASOLO ALONSO, H., Introducción al Derecho internacional penal, Tirant lo Blanch, Valencia, 2016.





### **Additional**

- ANDRES SAENZ DE SANTAMARIA, P., Sistema de Derecho internacional publico, Civitas/Thomson Reuters, 4ª, Madrid, 2016.
- FERNANDEZ TOMAS, A., SANCHEZ LEGIDO, A., ORTEGA QUEROL, J.M., FORCADA BARONA, I., Lecciones de Derecho internacional público, 1ª ed., Tirant lo Blanch, Valencia, 2011.
- GUTIERREZ ESPADA, C., CERVELL HORTAL, M.J., El Derecho internacional en la encrucijada. Curso general de Derecho internacional público, 3ª ed., Trotta, Madrid, 2017.
- JIMENEZ PIERNAS, C., (DIR.) Introducción al Derecho internacional público: práctica de España y de la Unión Europea, Tecnos, Madrid, 2011.
- JUSTE RUIZ, J., CASTILLO DAUDI, M., BOU FRANCH, V., Lecciones de Derecho internacional público, 2ª., Tirant lo Blanch, Valencia, 2011.
- MARIÑO MENENDEZ, F., Derecho internacional público, 4ª ed., Trotta, Madrid, 2005.
- PASTOR RIDRUEJO, J.A., Curso de Derecho internacional público y Organizaciones internacionales, Tecnos, Madrid, 2017.
- CASANOVA Y LA ROSA, O., RODRIGO, A.J., Compendio de Derecho internacional público, 6ª ed., Tecnos, Madrid, 2017.
- SALINAS DE FRIAS, A., Lecciones de Derecho internacional público, Tecnos, Madrid, 2015.

### **ADDENDUM COVID-19**

**This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council**

#### **HYBRID TEACHING**

If the academic authority so determines, this subject will be adapted to the hybrid teaching model established by the Faculty of Law, through which theoretical-practical classes will be taught in discontinuous weeks for the student. For this purpose, the Secretary's Office of the Faculty will proceed to divide the group into as many subgroups as necessary, teaching in the classroom, in the schedule established for the subject, to one of the subgroups each week according to the calendar established by the Faculty, providing for the others, as a priority, monitoring of the class through synchronous VIDEOCONFERENCE.

The contents, workload and evaluation are maintained in the terms initially foreseen in the academic guide.

#### **VIRTUAL TEACHING**

If the academic authority establishes the change in virtual teaching, this subject will be taught for all students under the same conditions as those indicated for the virtual teaching part of the hybrid system.



The contents, workload and evaluation will be maintained in the terms initially foreseen in the academic guide.

