

LAWS70303 International Criminal Law and Justice

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| Credit Points: | 12.5 |
| Level: | 7 (Graduate/Postgraduate) |
| Dates & Locations: | This subject is not offered in 2016. |
| Time Commitment: | Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences. |
| Prerequisites: | None |
| Corequisites: | None |
| Recommended Background Knowledge: | Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience. |
| Non Allowed Subjects: | None |
| Core Participation Requirements: | The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/ |
| Contact: | For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters) |
| Subject Overview: | <p>How does law respond to experiences of mass atrocity and political transition? This question has animated conflicts throughout the world, from South Africa to the Democratic Republic of Congo, from Argentina to the Arab Spring of recent years. At the same time, the International Criminal Court has handed down its first judgment. This subject explores the legal institutions of criminal prosecution and truth commissions in post-conflict situations. Providing case studies of transitions and criminal responsibility, it provides in-depth knowledge of the various models of transitional justice, the paradigms of international criminal law, and role of human rights movements in addressing accountability, memory and justice, peace and social order. The lecturer is the Director of the International Criminal Justice program in the Institute for International Law and the Humanities.</p> <p>This subject explores the practices of international criminal justice and transition, including criminal prosecution and truth commissions. It focuses on institutions and agencies of international criminal law in post-conflict situations, and in particular their representation and understanding of individual and collective trauma.</p> <p>Principal topics will include:</p> |

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| | <ul style="list-style-type: none"> # Understandings of responsibility and memory in law and trauma studies # Legal responses to the destruction of European Jewry during World War II: Nuremberg, Eichmann and the aftermath of the Holocaust # Models of transitional justice: Criminal justice, truth commissions and testimonial justice # Institutions of transitional justice: Case studies, including Argentina and South Africa # New international crimes: The emerging jurisprudence of the ad hoc criminal tribunals and the International Criminal Court (examples include rape and torture). |
| Learning Outcomes: | <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the variety and complexities of international criminal justice and transition in post-conflict situations # Appreciate the contribution of international criminal justice to the creation and maintenance of contemporary cultures of memory and law # Understand the various meanings of trauma in international criminal justice # Be able to evaluate the roles of criminal prosecution and truth commissions, including their possibilities for redress, reconciliation and transitional justice # Understand the classification of crime within international criminal justice and the creation of new categories of crime to deal with unprecedented atrocities # Obtain an in-depth appreciation of at least one case study of the legal aftermath of conflict and criminal injustice, and its implications for our understanding of responsibility, trauma and memory in international criminal law. |
| Assessment: | 10,000 word research paper (100%) on a topic approved by the subject coordinator |
| Prescribed Texts: | Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject. |
| Breadth Options: | This subject is not available as a breadth subject. |
| Fees Information: | Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees |
| Links to further information: | www.law.unimelb.edu.au/subject/LAWS70303/2013 |
| Notes: | This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists. |
| Related Course(s): | <p>Graduate Diploma in International Law Graduate Diploma in Legal Studies Master of Law and Development Master of Laws Master of Public and International Law</p> |