

## **SYLLABUS**

STETSON UNIVERSITY SCHOOL OF LAW

### **INTERNATIONAL CRIMINAL LAW**

PROFESSOR ELLEN S. PODGOR

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### **Spring 2010**

Monday & Thursday

10:25-11:50 A.M.

Eleazer Courtroom

Three (3) Credits

### **COURSE OBJECTIVE:**

An exploration of crimes, such as terrorism, drug trafficking and related offenses, business crimes and other transnational crimes and certain human rights offenses. Special emphasis will be placed on individual and state responsibilities; jurisdictional considerations; issues on obtaining persons abroad; and international cooperation efforts. The course touches on the Rome Statute for an International Criminal Court.

### **COURSE MATERIALS:**

Wise, Podgor, & Clark, International Criminal Law: Cases and Materials (**3d Edition** LexisNexis 2009)

### **ATTENDANCE:**

Regular attendance at class sessions is required. The College's attendance policy applies for this class.

The College's regular attendance policy requires that students attend at least 80% of all class sessions. Unless extraordinary circumstances exist [requires approval of Associate Dean Bauer], students who overcut a class may not sit for the final examination. If a student adds a course, any of the initial days he or she missed in that class are counted as absences. The 80% policy works as follows:

. . . In a three-credit course, a student may miss up to 7.5 (55-minute) hours of class.

There will be no break in this class.

**TAPING:**

You are not permitted to tape this class.

**MAKE-UP EXAMINATION:**

Arranged through the Office of the Associate Dean in accordance with policies stated in the College of Law Bulletin.

**TWEN:**

There is a TWEN site for this course that has old exams, Powerpoints, problems used in class, and a discussion board. The password for entry into the site is: ICL. Please feel free to post comments related to the course material or class discussion. Please make certain that your comments are respectful of others. Posting on the TWEN site counts for class participation.

**OFFICE HOURS:**

Open Door Policy.

My office is located on the Second Floor in Crummer Hall. On rare occasions there is a dog in my office. If you would prefer to meet with me without the dog being present, just let me know in advance and I will accommodate this request. If you would like to schedule a specific appointment time, please email me (epodgor@law.stetson.edu) and I would be happy to set an appointment time with you.

**GRADING:**

Your grade will be based on an examination at the time scheduled by the law school. The examination will be part essay and part multiple choice and/or true-false questions. The examination will cover material from class and also material that is in the assigned readings that might not be covered in class. The exam will be closed book with the exception that you will be allowed to bring into the exam one letter size (8 ½ x 11) sheet of paper with information you select to put on either the front or back of that sheet of paper. The paper you bring into the exam will be turned in with your exam. I will increase the final grade by .50 for any student(s) whose overall class participation I deem extraordinary. Participation on the discussion board counts toward class participation. I reserve the right to lower a grade by .25 for unpreparedness, tardiness, and absences.

**PREREQUISITE:**

It is recommended that you have taken a basic criminal law class prior to this class. If you are a student who has not previously taken Criminal Law, please advise me of this immediately.

<u>Class</u>	<u>Topic</u>	<u>Reading Assignment</u>
1	Introduction Sources of International Criminal Law	Chapter One
2, 3, & 4	General Principles of Jurisdiction	Chapter Three [limited to pages 63- 127 (up to Hitchcock)]
5	Foreign Corrupt Practices Act	Chapter Four [limited to pages 131- 149 (up to Mens Rea)]
6	Antitrust  Export Controls	Chapter Five [limited to pages 155-161 (up to § 5.020)]  Chapter Six [limited to pages 173-187]
7	Computer Crimes	Chapter Seven  International Computer Fraud Article available at <a href="http://papers.ssrn.com/sol3/papers.cfm?abstract_id=295173">http://papers.ssrn.com/sol3/papers.cfm?abstract_id=295173</a>
8	Narcotics & Money Laundering	Chapter Eight [limited to pages 203-206; 216-223 (up to Takoff); 228 (starting with Cuellar) - 232]  Read Indictment - <a href="http://lawprofessors.typepad.com/whitecollarcrime_blog/files/u5_v_kuehne_indictment_oct_2007.pdf">http://lawprofessors.typepad.com/whitecollarcrime_blog/files/u5_v_kuehne_indictment_oct_2007.pdf</a>  Read Dismissal - <a href="http://lawprofessors.typepad.com/files/kuehne-dismissal-order.pdf">http://lawprofessors.typepad.com/files/kuehne-dismissal-order.pdf</a>
9	Terrorism	Chapter Nine [limited to pages 235 (starting with § 9.02) - 271 (up to § 9.04)]
10 & 11	Torture	Chapter Ten [limited to pages 287 - 315 (up to § 10.03)]

12 & 13	Application of United States Constitution Abroad	Chapter Eleven
14	Immunities	Chapter Twelve [limited to pages 379 (starting with § 12.02) - 408 (up to § 12.03); pages 412 (starting with Agreement) - 414 (up to § 12.05)]
15	Mutual Assistance & Obtaining Evidence	Chapter Thirteen [limited to pages 421 - 447 (up to § 13.03)]
16 & 17	Extradition	Chapter Fourteen [limited to pages 461 - 491; 512 (starting with § 14.04) - 530]
18	Abduction & Other  Alternatives to Extradition Prisoner Transfer & Post Conviction Problems	Chapter Fifteen [limited to pages 541 (starting with § 15.02) - 559]  Chapter Sixteen [limited to pages 582 - 587 (up to Notes and Questions)]
19 & 20	International Human Rights &  Criminal Procedure Issues	Chapter Seventeen [limited to pages 602-653]
21, 22, & 23	International Tribunals	Chapter 18 Chapter 19
24, 25, & 26	International Criminal Court	Chapter 20

The course syllabus provides a general plan for the course; deviations may be necessary.