

## **SYLLABUS**

STETSON UNIVERSITY SCHOOL OF LAW

### **INTERNATIONAL CRIMINAL LAW**

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### **Spring 2009 - Electronic Education (Distance Learning) Course**

#### **COURSE OBJECTIVE:**

This is a two credit survey class that will study selected issues concerning the application of criminal law across international boundaries. The course pays particular attention to transnational issues. Topics will include basic principles of jurisdiction in international criminal law, specific applications (e.g. Foreign Corrupt Practices Act, Money Laundering, Narcotics Trafficking, Terrorism), procedural issues (e.g., mutual assistance, extradition), and international criminal tribunals.

#### **COURSE MATERIALS:**

Wise, Podgor, & Clark, International Criminal Law: Cases and Materials (2d Edition LexisNexis 2004)  
ISBN#: 0-8205-6223-8

Podgor & Clark, International Criminal Law: Cases & Materials 2d 2008 Supplement, LexisNexis,  
ISBN# 978-1-4224-2671-5

#### **VIRTUAL OFFICE HOURS:**

Open Door Policy. Email or call at your convenience. If you do not receive an email response within 24 hours, please resend your email as it is likely that I did not receive the first one. When sending an email please put in the subject line - **ICL Class or International Criminal Law Class**.

#### **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.

## **ABOUT THE COURSE:**

**This course requires that you have DSL, cable, or other high speed internet access. If you do not have this available then my suggestion would be that you not take this class.**

The course opens at noon on Tuesday, January 20, 2009 and will remain open until 9 a.m. on March 7, 2009. Please do not try and enter this class prior to the start of class, or after the class has ended. **The classes, however, for the course must be completed on a weekly basis.** During this six week period of time, it is expected that you will spend approximately four (4) hours each week online. Approximately one hour will be viewing video and audio clips, and approximately three hours should be spent in reading and writing on the discussion forum. At the beginning of the course the time spent may be less, but you should find that this time increases as you proceed through the material and the discussion becomes richer. Although you will have access to some items after March 3rd, no posting will be permitted after that day.

It is expected that you will stay current on a weekly basis with the material in the course. This course is not synchronous, and as such you may view the materials and post at any time during the week as it is open 24/7. It is important for the class discussion, however, that the discussion for each weekly topic end at the designated time and move onto the next class topic. Each new week begins on Tuesday at noon. Thus Week One opens at noon on January 20th, Week Two - noon on January 27th, Week Three - noon on February 24th, Week Four-noon on February 10th, Week Five-noon on February 17th, and the final week begins at noon on February 24th. There are no excused absences from this course as you are given a week to complete each of the weekly assignments. Entries made after the assigned time and assignments submitted late will result in a deduction of your grade for that particular week.

The course is housed on the Stetson Law School Blackboard System. To enter the course go to:

**<https://bb.law.stetson.edu/webapps/login/>**

(Note- you can also find the Blackboard site by going to the Stetson homepage - it is the last item of the drop-down under Academics).

Use your Stetson login and password and you should find the course listed as one that you are eligible to take.

If you find that you have difficulty accessing this course please email me immediately.

Once you enter the course, you will notice on the left hand side of the course page a list of items. These will include Syllabus, Introductions, Lectures, Problems/Questions, and Discussion.

### **Where to start-**

Read the assignment for the first week. Once you have completed the reading for the week, go to the course and open the category labeled Introductions. It asks that you introduce yourself to the class, tell us something about yourself and why you are taking this class.

Next go to classes and you will see that there are four lecture tapes marked Class One (Class One A-D). Start with Class One A and simply click Class One A and then clicking International Criminal Law - Introduction on the screen. If you do not have Windows Media Player, it will advise you how to

download it for purposes of this class. Once you have Windows Media Player, you should not be needing to repeat this download process. After you have viewed Class One A go to the Discussion Board. You will see Problem One there. Begin working through Problem One as instructed using the discussion board as the forum to discuss this Problem with other students in the class. Next move to Class One B in the lectures and view the video in the same way as previously done with Class One A. After you finish listening to Class One B, go back to the discussion board and work as a class on the set of questions asked about this lecture and readings. Continue in a like manner for the rest of the lectures and discussion. In later classes you may be told to submit a short essay (perhaps 200 words) answering a particular question. Throughout the semester you will find that most often work is done as a class on the discussion board. There will be times, however, that I will ask you to do an assignment individually and for you to submit that assignment directly to me. These should be emailed to me at [epodgor@law.stetson.edu](mailto:epodgor@law.stetson.edu).

When participating in the discussion forum, you are required to post thorough, well-articulated responses to the arguments and discussions raised in the Forum. "Ad Hominem" or "I agree" posts will not be considered as quality participation. Do not repeat a post already entered by another student in the class. It is required that you post or submit something to me at a minimum of four (4) times each week and one of these posts must be a response to what another student has written. Thus if there is a required written submission that week, it is necessary to post only three (3) times. If there are no individual required submissions for the week, then it is necessary to post four (4) times for the week. There is no limit to the number of posts that you may enter.

To give an example of how posts might work, consider Problem One. It is not expected that any one person would list all the issues from the problem. Consider posting one issue per person and then perhaps starting a second round of possible issues after 8-12 people have posted something. Try to treat the discussion like a regular classroom, where if you had been called on by the professor you would answer with one comment and the professor would then move onto the next student. If you answer all the questions in one post at the beginning of the week it will be frowned upon.

Individuals may have some very strong emotions about some of the topics in this class, please try to understand views that differ from your own. In all cases please keep the discussion professional. The Stetson Honor Code applies throughout this course.

#### **GRADING:**

60% of the grade will be based on a closed book examination held on Saturday, March 7, 2009 from 9-11 a.m. Further instructions on the examination will be provided later in the course.

40% of the grade will be based on web discussion and on the take-home assignments throughout the course. This portion of the grade will not be anonymous.

<u>Class</u>	<u>Topic</u>	<u>Reading Assignment</u>
1	Introduction Sources of International Criminal Law General Principles of Jurisdiction Extraterritoriality	Chapter One [pages 1-20]  Chapter Three [pages 63-117 up to Hitchcock] Supp. 21-35

2	<p>Business Crimes</p> <p>Export Controls</p> <p>Computer Crimes</p>	<p>Chapter Four [pages 121-139 up to B] Chapter Five [pages 145-150 up to § 5.02] Chapter Six [pages 165 - 179 up to § 6.03] Chapter Seven [pages 187-190] Supp. 37-54</p>
3	<p>Narcotics &amp; Money Laundering Piracy &amp; Terrorism</p> <p>Torture</p>	<p>Chapter Eight [pages 191-208] Chapter Nine [pages 209-216 up to Note 3] [pages 239 (starting with § 9.03) - 258 (up to § 9.04)] Chapter Ten [pages 275-288 (up to Julmiste)] Supp. 55-97 (up to § 9.04); 103-109</p>
4	<p>Application of United States Constitution Abroad Immunities</p>	<p>Chapter Eleven [pages 319-361] Chapter Twelve [pages 363-399 (up to § 12.03)] Supp. 111-120</p>
5	<p>Mutual Assistance &amp; Obtaining Evidence</p> <p>From Abroad Extradition</p> <p>Abduction &amp; Other Alternatives to Extradition</p> <p>Select Criminal Procedure Issues</p>	<p>Chapter Thirteen [pages 407-433 (up to § 13.03); 440 (starting w/ Marc Rich) - 444]</p> <p>Chapter Fourteen [pages 445-468] [pages 490- 505 (up to Notes and Questions)] Chapter Fifteen [pages 524-541]</p> <p>Chapter Seventeen [pages 594-623] Supp. 132-138; 141-155</p>
6	<p>International Tribunals</p> <p>International Criminal Court</p>	<p>Chapter 18 [pages 625-647 up to Demjanjuk] Chapter 19 [pages 657-704] Chapter 20 [pages 705-792] Supp. 159-166</p>

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