

Degree	Type	Year
2503778 International Relations	OT	4

Contact

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Teachers

Claudia Cristina Jimenez Cortes

Teaching groups languages

You can view this information at the [end](#) of this document.

Prerequisites

VERY IMPORTANT !!!!

- 1) A high level of english is required to be able to follow the classes which will be entirely in english. It will be also necessary a certain level of spanish to be able to interact in group work with other students
- 2) ALL written paper or exercise submitted must include the sources from where the information was extracted (bibliography and references). Non-inclusion will lower the grade
- 3) THE EVALUATION METHOD IS CONTINUOUS AND THEREFORE ATTENDANCE TO THE SESSIONS IS MANDATORY

Objectives and Contextualisation

Objectives

The course aims to offer students a vision and understanding of the central problems of international criminal law and human rights, as well as the scope and content of the legal responses that the international community has designed for their protection and safeguarding. Concepts such as human rights, war crimes, crimes against humanity, genocide, victims and (transitional) justice will be studied. This seeks to offer a broad and in-depth knowledge of the relevant issues, as well as the development of academic skills through the analysis of internationally recognized (and eventually protected) human rights, international crimes, the responses and care for victims, both theoretically and in recent practice.

Competences

- Act with ethical responsibility and respect for fundamental rights and duties, diversity and democratic values.
- Analyse international society and its structure and understand its importance for real-life problems and professional practice.
- Analyse the behaviour of international actors, both state and non-state.
- Analyse the production and implementation of public policies related to the international sphere, in particular foreign policy and security and defence policy.
- Analyse, establish and argue the legal rules applicable to international phenomena.
- Apply knowledge of the structure and operation of international institutions to problems and/or practical cases, either real or simulated.
- Apply quantitative and qualitative analysis techniques in research processes.
- Identify data sources and carry out rigorous bibliographical and documentary searches.
- Identify the main theories of international relations and their different fields (international theory, conflicts and security, international politics, etc.) to apply them in professional practice.
- Make changes to methods and processes in the area of knowledge in order to provide innovative responses to society's needs and demands.
- Produce and prepare the presentation of intervention reports and/or proposals.
- Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
- Students must be capable of collecting and interpreting relevant data (usually within their area of study) in order to make statements that reflect social, scientific or ethical relevant issues.
- Students must be capable of communicating information, ideas, problems and solutions to both specialised and non-specialised audiences.
- Students must develop the necessary learning skills to undertake further training with a high degree of autonomy.
- Students must have and understand knowledge of an area of study built on the basis of general secondary education, and while it relies on some advanced textbooks it also includes some aspects coming from the forefront of its field of study.
- Take account of social, economic and environmental impacts when operating within one's own area of knowledge.
- Take sex- or gender-based inequalities into consideration when operating within one's own area of knowledge.
- Use metatheoretical data to argue and establish plausible relation of causality and establish ways of validating or rejecting them.

Learning Outcomes

1. Analyse and explain the international agenda management in areas of human rights, environment and cooperation for development and humanitarian aid, and the role of the different actors in it.
2. Analyse and explain the role of different actors in the implementation of actions and public policies in areas of human rights, environment and cooperation for development and humanitarian aid.
3. Analyse how the operational rules of international society apply to topics related to human rights, environment and cooperation for development and humanitarian aid.
4. Analyse the indicators of sustainability of academic and professional activities in the areas of knowledge, integrating social, economic and environmental dimensions.
5. Analyse the operation of the main international institutions in areas related to human rights, environment and cooperation for development and humanitarian aid and the application of the respective regimes and regulations.
6. Analyse the sex- or gender-based inequalities and the gender biases present in one's own area of knowledge.
7. Apply quantitative and qualitative analysis techniques in research processes.
8. Apply the bases of international theories and their different focuses to problems related to human rights, cooperation for development, humanitarian aid and international policies for the environment.
9. Communicate using language that is not sexist or discriminatory.

10. Consider how gender stereotypes and roles impinge on the exercise of the profession.
11. Critically analyse the principles, values and procedures that govern the exercise of the profession.
12. Evaluate the impact of topics related to human rights, environment, cooperation for development and humanitarian aid in foreign policies and public policies of the main states.
13. Evaluate the impact on the policies and actions of the main states and international actors of the main treaties and legal rulings, of different types, which regulate areas of human rights, environment, cooperation for development and humanitarian aid.
14. Explain the explicit or implicit code of practice of one's own area of knowledge.
15. Identify data sources and carry out rigorous bibliographical and documentary searches.
16. Identify the principal forms of sex- or gender-based inequality and discrimination present in society.
17. Identify the social, economic and environmental implications of academic and professional activities within the area of your own knowledge.
18. Produce and prepare the presentation of intervention reports and/or proposals.
19. Propose new experience-based methods or alternative solutions.
20. Propose new ways to measure success or failure when implementing ground-breaking proposals or ideas.
21. Propose projects and actions in accordance with the principles of ethical responsibility and respect for fundamental rights, diversity and democratic values.
22. Propose projects and actions that incorporate the gender perspective.
23. Propose viable projects and actions that promote social, economic and environmental benefits.
24. Propose ways to evaluate projects and actions for improving sustainability.
25. Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
26. Students must be capable of collecting and interpreting relevant data (usually within their area of study) in order to make statements that reflect social, scientific or ethical relevant issues.
27. Students must be capable of communicating information, ideas, problems and solutions to both specialised and non-specialised audiences.
28. Students must develop the necessary learning skills to undertake further training with a high degree of autonomy.
29. Students must have and understand knowledge of an area of study built on the basis of general secondary education, and while it relies on some advanced textbooks it also includes some aspects coming from the forefront of its field of study.
30. Use analytical tools for international regimes for problems such as human rights, environment and cooperation for development and humanitarian aid.
31. Use metatheoretical data to argue and establish plausible relation of causality and establish ways of validating or rejecting them.
32. Weigh up the impact of any long- or short-term difficulty, harm or discrimination that could be caused to certain persons or groups by the actions or projects.
33. Weigh up the risks and opportunities of one's own ideas for improvement and proposals made by others.

Content

NOTE: the compulsory readings to prepare the sessions, as well as the topics and / or questions will be announced at the virtual campus (moodle). All documentation will be in English.

HUMAN RIGHTS AND INTERNATIONAL CRIMES

2022-23

PART ONE: GENERAL FRAMEWORK

Topic 1 (introductory): The individual in front of the international system

- Some misunderstandings about international society and its legal system
- The main actors at the international level and their role in the development of international standards

- Individuals. From object to subject in the international system?

Topic 2: Conceptualization, synergies and differences of international regimes that directly address the individual and their integration in Public International Law

- The regimes of *ius in bello* and *ius ad bellum* until the world wars
- The transformation of the international legal system towards people after the 2nd World War:
 - a) From *ius in bello* to current International Humanitarian Law (IHL)
 - b) The birth of International Criminal Law (DPI) and International Human Rights Law (IHRL): rights and obligations of individuals in the international sphere.
- Distinction, coexistence and synergies between regimes:
 - a) international protection of human rights
 - b) international humanitarian law
 - c) international criminal law
 - d) international criminal cooperation

Topic 3: The different nature of responsibility for the violation of human rights and for the commission of international crimes

- The distinction between persecution mechanisms (for crimes) and protection mechanisms (for human rights): two independent but complementary courses of action
- Human Rights: From recognition to international protection. Evolution and political logic behind existing mechanisms
- International Criminal Law: from impunity to (limited) prosecution. Evolution and political interests behind existing mechanisms

Topic 4: The determination of the victim in the face of international crimes and/or human rights violations

- The different conceptions of the victim and their relationship with the *locus standi* to obtain reparation
- International principles on reparation for human rights violations: definition, characteristics and evolution.
- Differences and similarities between victims of human rights violations and international crimes.

SECOND PART: THE INTERNATIONAL STANDARDIZATION OF HUMAN RIGHTS

Topic 5: Origin and evolution of the international standardization of Human Rights

- Background: the passage from the domestic sphere to its internationalization. The role of the Universal Declaration of Human Rights
- Universal conventional crystallization: the PDCyP and the PDESC
- The uneven regional crystallization: comparison of (in)existent regimes

Topic 6: The development of some specific rights at the universal level

- The map of specific rights recognized (and protected) conventionally
- The relevance of the geopolitical context in the development of certain human rights at the international level

- The material content of the rights developed at the international level
- Towards a cristalization of a new generation of humanrights?

Topic 7: The uneven development of some specific rights at the regional level

- The map of specific rights conventionally recognized (and protected) at the regional level
- The relevance of the geopolitical context in its development
- Comparison of the material content of regionally developed rights among themselves and with the univereal regime.

PART THREE: INTERNATIONAL CRIMES

Topic 8: Difficulties surrounding the crime of Genocide

- The concept of genocide: The 1948 Convention
- The specificity of the crime of genocide
- Evolution: the role played by Jurisprudential practice

Topic 9: The special case of crime against humanity

- The origin and nature of the crime against humanity
- The concept of crime against humanity: general characteristics and the evolution of its specific subtypes
- Crime against humanity in practice: the importance of jurisprudence

Topic 10: War crimes today

- What is and what is not a war crime?
- The importance of the concept of "armed conflict" and individual international responsibility for determining the crime
- Prosecution of war crimes: jurisprudential practice.

Topic 11: The dual nature of the crime of aggression

- The concept of aggression in International Law: the distinction between State aggression and the crime of aggression
- Difficulties surrounding the definition of the crime of aggression
- The current status of the crime of aggression

FOURTH PART. MECHANISMS FOR THE INTERNATIONAL PROTECTION OF HUMAN RIGHTS

Topic 12: Non-jurisdictional protection mechanisms for human rights

- Universal control mechanisms
- Universal protection mechanisms
- Regional control and protection mechanisms and their comparison with the universal ones

Topic 13: Jurisdictional protection mechanisms for human rights

- The absence of universal direct jurisdictional mechanisms

- Regional jurisdictional mechanisms: ECHR; IACHR; ACHR
- The role of domestic jurisdictions

PART FIVE: THE MECHANISMS FOR PROSECUTING INTERNATIONAL CRIMES

Topic 14: The ad hoc international judicial solution: Ad hoc tribunals and hybrid tribunals

- The importance of the sociopolitical framework for the creation of ad hoc and hybrid courts
- General characteristics of ad hoc tribunals and differences in relation with hybrids tribunals
- The practice (ad hoc tribunals v. hybrid tribunals?)

Topic 15: The permanent international proposal: The International Criminal Court

- Origin, nature and structure of the ICC
- Limited jurisdiction and its jurisprudence: from the beginning to the present
- Victims at the ICC:
 - a) The presence of victims at the ICC
 - b) Reparation vs. assistance to the ICC: the role of the Trust Fund
 - c) The practice

Topic 16: The prosecution of international crimes in domestic systems and transitional justice: case studies

- Conceptual problems regarding the prosecution of those responsible for international crimes:
 - a) The debate in society about justice and/or peace
 - b) the role of "responsibility to protect"
 - c) The conflict between the immunities regime, impunity and the duty to prosecute
 - d) Pros & cons of universal jurisdiction
 - c) Transitional justice as an *ad hoc* typology of justice: concept and purpose
- The recognition/non-recognition of international crimes in domestic legislations; its regulatory status and the obligation to process
- The role of international human rights courts in domestic legal action
- The practice

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Class participation	26	1.04	11, 2, 8, 31, 9, 17, 33, 24, 19, 23, 29, 27, 25, 26, 10, 13

Class, pactivities and seminars	60	2.4	5, 3, 4, 2, 1, 7, 31, 9, 16, 19, 20, 21, 22, 23, 29, 28, 25, 26
Type: Supervised			
Preparation and presentation, poster	8	0.32	6, 8, 31, 9, 18, 17, 21, 23, 29, 27, 25, 30
Research (using as a primary source a case law decision/official report)	21	0.84	5, 3, 2, 1, 7, 31, 15, 17, 24, 21, 22, 23, 28, 25, 12, 13
tutorial	7	0.28	
Type: Autonomous			
Book	8	0.32	6, 9, 14, 17, 29, 28, 26, 30, 10, 12
class preparation	20	0.8	3, 4, 7, 15, 17, 16, 29, 28, 26, 30, 12, 13

COURSE PROGRESS

The subject is entirely continuous assessment. This means that each week the student must have prepared the session in advance using the recommended readings in the Moodle and or the scheduled activities. Hence, in each session there will be a verification of the preparation. Also the first week of class the students will be distribute in permanent working groups for the development of certain activities.

There will be presentations by groups - of five minutes each - with the help of a poster (NO PP) designed for the occasion. The presentations will serve to help to bring theoretical concepts closer to practice. Therefore, after the presentations, a round of questions and debate will be open around the key concepts.

On the other hand, at the end of each of the three blocks of the syllabus [general (part I), material (parts II and III) and procedural (parts IV and V)], a comprehensive activity will be carried out with real or invented assumptions of facts to ensure that the knowledge worked up until then has been achieved.

In addition, throughout the course, each student must carry out an investigation inspired by a court ruling or an official report. For the development of the research, the student, with the tutoring of the teaching staff, must ask him/herself a question that he/she must answer. The research question and structure will require prior teacher's approval. This activity will be evaluated in class through a brief exam based on the findings of the investigation (60%), as well as an outline that has to be presented the week before (40%). This paper has to include the structure, the bibliography used, a glossary of the key concepts covered and a final evaluative opinion paragraphas a conclusion.

Finally, in the first third of the course group seminars will be scheduled in the Department's office during tutoring hours to discuss the book chosen as compulsory reading.

Students are reminded that, given the proposed methodology, the ACTIVE participation continuously throughout the course (NOT the mere presence in class) is essential and will, therefore, be a fundamental part of the final grade.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Assessment

Continuous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
ACTIVITIES AT THE END OF EACH BLOC (preparation and participation)	15% of final grade	0	0	3, 4, 2, 31, 9, 24, 19, 20, 21, 22, 23, 29, 27, 25
CLASS PARTICIPATION	5% of final grade	0	0	11, 31, 9, 16, 19, 27, 25, 30, 12, 13
LITERARY SEMINAR	10% of final grade	0	0	5, 3, 6, 31, 9, 16, 27, 25, 10, 12, 13
POSTER	15%	0	0	3, 18, 15, 33, 19, 23, 29, 27, 25, 26, 30, 32, 12
Preparation of the sessions	25% of final grade	0	0	1, 7, 31, 9, 17, 33, 29, 28, 27, 30, 12, 13
RESEARCH (30% final grade)	30%	0	0	5, 2, 1, 8, 7, 9, 18, 14, 15, 19, 29, 28, 26, 30, 10

EVALUABLE ACTIVITIES

1.- RESEARCH. (30% of the final grade) Preparation of a theoretical review research. To determine the topic, structure and question to be analyzed, it is essential to have previously had the approval of the teaching staff.

Students must submit a written research data sheet with their findings one week before the written test. The technical file and all the works in general, can be delivered in Spanish, Catalan or English.

NOTE: to be considered evaluable, the research must obtain a grade higher than 3.6

The criteria from which the research will be scored are: Technical file (50%) + written exam (50%)

score	concept
0.5	Structure
0,5	Bibliography
1	Application and management of the concepts worked on throughout the course
1	Final evaluative conclusions
1	Strictness

2.- PREPARATION OF THESESSIONS. (25% of the final grade)

Being a subject of continuous evaluation, -without final exam-, each week the session must be prepared according to what is indicated for each occasion in the virtual campus.

For its evaluation, a preparation verification test will be carried out during the session and at the end of the course the grade will be calculated (25%) using as a reference the average of 80% of the tests that have been carried out throughout the course.

3.- COMPREHENSIVE PRACTICAL SESSIONS (preparation and participation) (15% of the final grade).

There will be 3 assessable practices (5% each) that will correspond to the end of each thematic block (part I; parts II & III; parts IV & V). The specific details of each practice will be specified on campus.

4.- POSTER.(15% of the final grade). Preparation and oral presentation with the help of a poster (10%) + active participation the other students' presentations (5%)

At the beginning of the course, it will be possible to choose -or it will be assigned- a real situation or case that must be presented to the rest of the class by explaining a poster. As the course progresses, the concepts that have been worked on should be integrated. The poster and the presentation will account for 10% of the final grade and will be evaluated independently of the questions and debate session that will be opened from the presentations. The other 5% will correspond to the quality of the participation, questions and interventions that each person makes as an audience in the other presentations.

5.- LITERARY SEMINAR. (10% of the final grade). Reading, file and participation in a thematic seminar on ONE of the following books:

a) East-West Street. On the origins of genocide and crimes against humanity. Philippe Sands, Weindenfeld & Nicolson, London, 2016 (387 pp.) (Historical Essay. The legal gestation of international crimes: Nazism and the crimes of Genocide and Crime against Humanity)

b) Half of a Yellow Sun. Chimamanda Ngozi Adichie, Collins, 2007 (448 pp.) (Historical novel set in Africa: the Biafran war 1967-70)

c) The Reader, Bernhard Schlink, Random House, 2011 (224 pages) (romantic novel with historical content, Nazism) + Small Country, Gael Faye, Random House, 2019 (194 pages) (historical novel that tells the childhood of a boy in the middle of genocide gestation)

6.- PARTICIPATION IN THE CLASSES (5% of the final grade).

The active attitude of the student and the interventions throughout the sessions (in English or Spanish) will represent 5% of the final grade. Attention: the mere "attendance" or "presence" in class without contributions IS NOT participation.

Warning:

1) The copying of works among the students will be scored with a 0 of that part of the evaluation for the people involved.

2) Students who plagiarize or use AI for their practices, comments or work will be rated with a "0" final grade for the course, and therefore without the right to re-evaluation.

3) The NON participation in at least 80% of the weekly class tests will imply that the student will be considered non-evaluable due to lack of presence in class.

Re-evaluation (pass / fail):

For students who have not obtained a minimum grade of 5 during the course, but have obtained more than 4, there is the possibility of an exam that will take place on the date assigned by the faculty for the re-evaluation.

The structure of the exam will be 10 short questions related to the contents of the course and the maximum final grade that can be obtained from the subject will be 6.5

Single Assessment

There is the possibility of a single evaluation that will take place on the day scheduled by the Faculty for a final exam. This evaluation will include:

- a) A written exam of the theoretical concepts worked on in class
- b) The resolution of a case study that will be given at the beginning of the course and regarding which questions will be asked on the day of the exam
- c) The elaboration of a poster that must be presented and defended orally. The poster must be the result of the analysis of a news item or current event through the application of concepts worked on throughout the course.

Bibliography

Basic Legislation:

International Criminal Law

Rome Statute of the International Criminal Court & Elements of the Crime. Adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on 17 July 1998, UN-Dok. A/Conf. 183/9.

Basic Principles and Guidelines on the right to a remedy and reparation for victims of gross violations of IHRL and serious violations of IHL, Res. 60/147, 16 December 2005
<https://www.ohchr.org/en/professionalinterest/pages/remedyandrepairation.aspx>

International Human Rights Law

Universal Treaties: <https://www.ohchr.org/en/professionalinterest/pages/coreinstruments.aspx>

European Convention for the protection of Human Rights and Fundamental Freedoms
<https://www.ohchr.org/EN/Issues/ESCR/Pages/RegionalHRTreaties.aspx>

American Convention on Human Rights
<https://www.ohchr.org/EN/Issues/ESCR/Pages/RegionalHRTreaties.aspx>

African Charter on human and Peoples Rights
<https://www.ohchr.org/EN/Issues/ESCR/Pages/RegionalHRTreaties.aspx>

Other Legislation:

- Statute of the International Criminal Tribunal for the Former Yugoslavia (ICTY-Statute) UN Doc. S/RES/827 (1993)
- Statute of the International Criminal Tribunal for Rwanda (ICTR-Statute), UN Doc. S/RES/955 (1994).
- Rome Statute of the International Criminal Court. Adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on 17 July 1998, UN-Dok. A/Conf. 183/9.
- UNTAET (United Nations Transitional Administration for East Timor) Regulation 15/2000
<http://www.un.org/peace/etimor/untaetR/r-2000.htm>
- *Special Court Statute for the Special Court for Sierra Leone* (22, January, 2002) <
<http://www.specialcourt.org/documents/Statute.html>.

- Coalition Provisional Authority, Statute of the Iraqi Special Tribunal, 10 December 2003, < www.cpa-iraq.org/audio/20031210_Dec10_Special_Tribunal.htm
- The four Geneva Conventions, 12 August 1949
- Protocol I and II additional to the Geneva Convention, 8 June 1977
- Protocol II additional to the Geneva Convention, 2005
- Convention on the Prevention and Punishment of the Crime of Genocide, 9, December 1948

Webs:

International Organisations and Related Human Rights and ICL Websites:

[The United Nations](#)

[United Nations Human Rights Council](#)

[United Nations Treaty Bodies](#)

[United Nations Special Procedures](#)

[United Nations Security Council](#)

[United Nations Economic and Social Council](#)

[International Labour Organisation \(LBO\), Geneva, Switzerland](#)

www.icc-cpi.int/Menus/ICC

[World Health Organisation](#)

[UN Children's Fund \(UNICEF\)](#)

[UN Environmental Programme](#)

[OHCHR](#) United Nations Office of the High Commissioner for Human Rights

[United Nations Commission for the Status of Women](#)

[Un High Commissioner for Refugees, Geneva, Switzerland](#)

[UN Development Programme](#)

[UN Division for the Advancement of Women](#)

[OHCHR International Law](#) Link to UN Human Rights instruments

www.echr.coe.int/hudoc.htm The European Court of Human Rights Case law

Non-Governmental Organizations:

[Global Rights](#) A human rights advocacy group that partners with local activists to challenge injustice and amplify new voices within the global discourse

[Human Rights Watch](#) A global independent organization dedicated to defending and protecting human rights.

[Amnesty International](#) A global charity which campaigns for internationally recognised human rights for all

[Save the Children](#) International Charity which campaigns on behalf of children

[The International Committee of the Red Cross](#) An organisation dedicated to the protection of the lives and dignity of victims of armed conflict and other violence.

[Index on Censorship](#) Organisation promoting freedom of expression

[Minority Rights Group, International](#) International organisation working to secure the rights of minorities and indigenous peoples

[World Organisation against Torture](#) A coalition of non-governmental organisations fighting against torture, summary executions and other inhumane treatment

www.iccnw.org/ coalition for the International Criminal Court coalition of non-governmental organizations lobbying in favour of the ICC

[International Women's Rights Action Watch \(IWRAP\)](#) organized in 1985 at the Third World Conference on Women in Nairobi, Kenya, to promote recognition of women's human rights under the United Nations Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention), an international human rights treaty

[Freedom House](#) Independent nongovernmental organization that supports the expansion of freedom in the world.

<http://www.bayefsky.com/bystate.php> This free website includes an extensive documents library organized by country and subject matter. You can find information on ratification, reservations and declarations, state reports, and other key documents.

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Software

See the Virtual Campus (moodle)

Language list

Name	Group	Language	Semester	Turn
(PAUL) Classroom practices	1	English	second semester	morning-mixed
(TE) Theory	1	English	second semester	morning-mixed
