



SUMMER 2026 COURSE SYLLABUS

Course Number: 360-R01

Course Title: International Criminal Law

Credit Hours: 3

Grading Mode: Letter grade

Meeting Day(s)/Time(s): MON/WED 6:05-9:00p

Meeting Mode: Online

Exam Day(s)/ Time(s): TBD

Final Exam Mode: TAKE HOME

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s): ARTHUR TRALDI

Contact Information: atraldi@gmu.edu

Office Hours: By appointment only/virtual.

Course Overview

This course will focus on the prosecution of international crimes, including genocide, crimes against humanity, war crimes, and aggression. We will study the development of the law of these crimes, including jurisdiction, the elements of crimes, modes of liability, and defenses, as well as the institutional, political, logistical, and procedural challenges faced by prosecutors, defense lawyers, and judges who adjudicate these crimes. Students will be expected to engage throughout with the question of whether, and if so to what extent, individual criminal prosecution by international criminal courts and tribunals is a legitimate and effective tool for addressing mass human rights violations during or after conflict.

Course Learning Outcomes

By the end of the course, students should be able to:

- Explain legal bases for the establishment of different international courts;
- Articulate the elements of key categories of international crimes;

- Understand the practical issues in investigating and prosecuting international crimes.

Reading(s) & Supplement(s):

- Luban et al., International and Transnational Criminal Law (4th edition)
- Supplements as listed on the syllabus

Grading Policies

Participation & Preparation %:

May be adjusted one grade level up or down.

Presentation %: 30

Final %: 70

Additional Information:

1. International criminal law is a very online-friendly subject. While you should be careful as always to use good cyber hygiene, most international court judgments are available on the courts' websites and elsewhere and there is a great deal of high-level commentary. Some sites that may be of particular interest include:
 - [OpinioJuris](#)
 - [LAWFARE](#)
 - [Just Security](#)
 - [9bri](#)
 - [Dov Jacobs](#)
 - [International Committee of the Red Cross](#)
 - [UNITED NATIONS International Residual Mechanism for Criminal Tribunals](#)
 - [International Criminal Court](#)
 - [United Nations Assistance to the Khmer Rouge Trials](#)
 - <https://www.stl-tsl.org/en>
 - <http://www.chambresafricaines.org>
 - [Kosovo Specialist Chambers & Specialist Prosecutor's Office](#)
 - [Residual Special Court for Sierra Leone](#)
 - <https://warcrimesdatabase.net/public>
2. To facilitate free and open discussion, classes are subject to Chatham House rules, including remarks by guest speakers and by your colleagues.
3. Our syllabus may change, either to facilitate participation by guest speakers or legal events. Changes will be notified in advance.

Classroom Policies

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Use of Technology & AI:

Moderate Use Policy: Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, outline, study, explore, draft and edit, but may not use AI as the primary source for research sense (e.g., AI can be used to identify primary sources, but you can't just rely on an AI's answer - you have to use it to find a court decision or academic article or other primary source) nor as the primary source for text of written assignments, during any quiz or exam, nor during Socratic dialogue. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Course Schedule & Assignments

Week 1:

Date: 5/18

Topic:

Humanity, Empathy, and International Criminal Law

Assignment(s):

- Casebook, Ch. 1 and II
- Modirzadeh, [Cut These Words: Passion and International Law Scholarship](#)

Date: 5/20

Topic:

International Law

Assignment(s):

- Casebook, pp.209-239 and Chapters V and VII
- Congressional Research Service, [International Law and Agreements: Their Effect on U.S. Law](#)

Week 2:

Date: 5/27

Topic:

Background: The Law of Armed Conflict

Assignment(s):

DoD Law of War Manual, Chapter 2

Week 3:

Date: 6/1

Topic:

How and When Should International Courts Decide? Fair Trials and Jurisdictional Challenges

Assignment(s):

Casebook, Chapter IV and 693-723
Human Rights Committee, General Comment 32
[Prosecuting Members of ISIS for Destruction of Cultural Property](#), Corliss

Date: 6/3

Topic:

Assessing Evidence in International Courts

Assignment(s):

- [No Witness, No Case](#), Groome
- [Judicial Witness Assessments at the ICTY, ICTR, and ICC](#), Chlevickaite, Hola, and Blijeveld
- [Dealing with Witnesses in War Crimes Trials: Lessons from the Yugoslav Tribunal](#), Wald

Week 4:

Date: 6/8

Topic:

Defences and Sentencing

Assignment(s):

- Casebook, Chapter XVII and pp.724-733
- [Defences in International Criminal Law](#), Ambos
- [Sentencing Criteria in International Criminal Law: Towards Consistency, Certainty, and Fairness](#), Windridge, Bossow, and Beqiraj

Date: 6/10

Topic:

Presentation

Assignment(s):

This will be a group project. Details will be discussed in one of our early classes.

Week 5:

Date: 6/15

Topic:

Modes of Liability

Assignment(s):

- Casebook, Chapter XVI
- Rome Statute, Articles 25, 28, 30
- ICTR Statute, Article 6
- Jordash and Bracq, [Modes of Liability and Individual Responsibility](#)

Date: 6/17

Topic:

Genocide and Direct and Public Incitement

Assignment(s):

- Casebook, Chapter XIX
- Convention on the Prevention and Punishment of Genocide

Week 6:

Date: 6/22

Topic:

Crimes against humanity and terrorism

Assignment(s):

- Casebook, Chapter XVIII
- [Crimes Against Humanity: Directing Attacks Against a Civilian Population](#), Eboe-Osuji.
- Casebook, Chapter XIV

Date: 6/24

Topic:

War Crimes and Aggression

Assignment(s):

- Casebook, Chapter XX
- US DOD Law of War Manual, Sec. II and pp.1078-1085, 1100-1130

Week 7:

Date: 6/29

Topic:

CRSV and Torture

Assignment(s):

- Casebook, Chapters XXI-XXII

Date: 7/1

Topic:

What if We Didn't? Alternatives to Criminal Prosecution

Assignment(s):

- Casebook, Chapters XXIII

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[University Life](#)