

INTERNATIONAL CRIMINAL LAW

COLOMBIA LAW SCHOOL SCHOLARSHIPS ON ICL AND IHL.

FIRST CLASS

Introduction to ICL

- ICL is a rudimentary field of law (underdeveloped)
- UN Security Council can refer some cases to the ICC (see Chapter 7 of UN Charter), because they are responsible for ensuring international peace and security
- Office of the Prosecutor
- There are Kenyan cases relating to ICL (*one was mentioned by Stür*)
- Are there immunities in ICL? No, which differs from criminal law. In criminal law, one cannot be indicted while in power. The same isn't true in ICL e.g. in the Al Bashir case
- Countries can refer other countries to the ICC e.g. Gambia referred Myanmar to the ICC (this year I think)

Fundamentals of ICL

Read the 1st chapter of book referred to: 'Antonio Cassese- International Criminal Law'

- Sources of ICL (see PIL)
- Principle of legality

She won't teach the class, but still write notes; because it means she can still examine it.

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15th November 2019

FUNDAMENTALS OF INTERNATIONAL CRIMINAL LAW

- It is a branch of PIL
 - Sources of law are the same i.e. the primary sources and secondary sources. *Some won't apply though because of 'the principle of legality'.*
 - Principle of legality might not necessarily be there in PIL
- Criminal law moved from the national to the international for various reasons
 - States didn't have the resources to try these people
 - The perpetrators are people in positions in power
- PIL- wrongful conduct attributed to the state
- ICL- attributed to the individual
- It is a new branch of law
- It is rudimentary
- Development of ICL
 - Nuremberg
 - This is where it began (ICL)

International Criminal Law Notes

Jin-Ying Zhang



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