**SCHOOL:** Law School  
**DEPARTMENT / DIVISION:** Law School  
**Contact Name:** Cheryl Cudzilo  
**Phone:** x4457

**SHORT DESCRIPTION OF PROPOSAL** (State Document N action item from Box 3 below and program name OR course name, code, & number as applicable):  
New Course: International Criminal Law: Courts, Crimes & Defenses (LAW 874)

**PROPOSED SEMESTER OF IMPLEMENTATION:** Fall ☑ Spring ☑ Year: 2010

| Box 1: TYPE OF ACTION | ADD (NEW) ☑ | DEACTIVATE ☑ | MODIFY ☑ | OTHER ☑ |
| Box 2: LEVEL OF ACTION | Non-Credit ☑ | Undergraduate ☑ | Graduate ☑ | OTHER ☑ |

<table>
<thead>
<tr>
<th>Box 3: ACTION ITEM</th>
<th>DOCUMENTS REQUIRED (see box 4 below)</th>
<th>IMPACT REVIEWS (see box 5 on back)</th>
<th>APPROVAL SEQUENCE (see box 6 on back)</th>
</tr>
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<tbody>
<tr>
<td>1. Experimental Course</td>
<td>N, O, P</td>
<td>a, c, e</td>
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<td>2. Course Title</td>
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<td>3. Course Credits</td>
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<td>5. Course Level</td>
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<td>6. Pre &amp; Co-Requisite</td>
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<td>7. Course Description</td>
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<td>10. Program Requirements</td>
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<td>(b, c, d, e)</td>
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<tr>
<td>11a. UG Specialization (24 credits or less)</td>
<td>N, O</td>
<td>a, b, c, d, e</td>
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<tr>
<td>11b. Masters Specialization (12 credits or less)</td>
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<td>a, b, c, d, e</td>
<td>ABCDEF</td>
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<tr>
<td>11c. Doctoral Specialization (18 credits or less)</td>
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<td>12. Minor (add or delete)</td>
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<td>a, b, c, d, e</td>
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<td>13. Closed Site Program</td>
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<td>e</td>
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<td>14. Program Suspension</td>
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<td>a, e</td>
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<td>15. Program Reactivation</td>
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<td>16a. Certificate Program (ug/g) exclusively within existing degree program</td>
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<td>a, c, e</td>
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<td>16b. Certificate Program (ug/g) where degree programs do not exist or where courses are selected across degree programs (12 or more credits)</td>
<td>N, O, Q, R, S</td>
<td>a, c, e</td>
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<td>17. Off-Campus Delivery of Existing Program</td>
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<td>18a. UG Concentration (exceeds 24 credit hrs)</td>
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<td>18b. Masters Concentration (exceeds 12 credit hrs)</td>
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<td>18c. Doctoral Concentration (exceeds 18 credit hrs)</td>
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<td>19. Program Title Change</td>
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<td>20. Program Termination</td>
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<td>21. New Degree Program</td>
<td>N, O, Q, R, S</td>
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<td>22. Other</td>
<td>Varies</td>
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**Box 4: DOCUMENTATION** (check boxes of documents included)

<table>
<thead>
<tr>
<th>N. This Cover Sheet</th>
<th>Q. Full 5-page MHEC Proposal</th>
<th>T. Other</th>
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</thead>
<tbody>
<tr>
<td>O. Summary Proposal</td>
<td>R. Financial Tables (MHEC)</td>
<td></td>
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<tr>
<td>P. Course Definition Document</td>
<td>S. Other documents as may be required by MHEC/USM. See <a href="http://www.ubalt.edu/downloads/programapproval_Grid-USM-10-07.doc">http://www.ubalt.edu/downloads/programapproval_Grid-USM-10-07.doc</a></td>
<td></td>
</tr>
</tbody>
</table>

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1. Approval of experimental course automatically lapses after two offerings unless permanently approved as a new course.

2. See USM Policy on the Review and Abolition of Academic Programs ([http://www.usmd.edu/regents/bylaws/SectionIII/III/702.html](http://www.usmd.edu/regents/bylaws/SectionIII/III/702.html)) for list of information that must be provided for this action.

3. Letter of Intent is required by USM at least 30 days before a full proposal can be submitted. Letter of Intent requires only the approval of the dean and the provost and is forwarded to USM by the Office of the Provost.
**Short Description of Proposal**

New Course: International Criminal Law: Courts, Crimes & Defenses (LAW 874)

**Proposed Semester of Implementation:**

- Fall ☐
- Spring ☑
- Year: 2010

**Box 5: Impact Review**

<table>
<thead>
<tr>
<th>Library</th>
<th>OTS</th>
<th>University Relations</th>
<th>Admissions</th>
<th>Records</th>
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<td>☐ No impact ☐ Impact statement attached</td>
<td>☐ No impact ☐ Impact statement attached</td>
<td>☐ No impact ☐ Impact statement attached</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Director or designee:</th>
<th>CIO or designee:</th>
<th>Director or designee:</th>
<th>Director or designee:</th>
<th>Registrar or designee:</th>
</tr>
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</table>

**Box 6: Approval Sequence**

<table>
<thead>
<tr>
<th>Approval Signatures</th>
<th>Date</th>
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<tbody>
<tr>
<td>A. Department / Division</td>
<td>Chair:</td>
</tr>
<tr>
<td>B. General Education (as required for #7, #8)</td>
<td>Chair:</td>
</tr>
<tr>
<td>C. Final faculty review body within each School</td>
<td>Chair:</td>
</tr>
<tr>
<td>D. College Dean</td>
<td>Dean:</td>
</tr>
<tr>
<td>E. Provost and Senior Vice President for Academic Affairs</td>
<td>Provost:</td>
</tr>
<tr>
<td>F. Curriculum Review Committee (UFS subcommittee)</td>
<td>Chair:</td>
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<tr>
<td>G. University Faculty Senate (UFS option)</td>
<td>Chair:</td>
</tr>
<tr>
<td>H. University Council</td>
<td>Chair:</td>
</tr>
<tr>
<td>I. President</td>
<td>President:</td>
</tr>
<tr>
<td>J. Board of Regents – notification only</td>
<td></td>
</tr>
<tr>
<td>K. Board of Regents – approval</td>
<td></td>
</tr>
<tr>
<td>L. MHEC – notification only</td>
<td></td>
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<tr>
<td>M. MHEC – approval</td>
<td></td>
</tr>
<tr>
<td>N. Middle States Association notification</td>
<td>Required only if the mission of the University is changed by the action</td>
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</table>

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4 University Council review (for a recommendation to the President or back to the Provost) shall be limited to curricular or academic policy issues that may potentially affect the University's mission and strategic planning, or have a significant impact on the generation or allocation of its financial resources.
O-1: Briefly describe what is being requested:

Addition of new course: International Criminal Law: Courts, Crimes & Defenses (LAW 874)

For new courses or changes in existing courses (needed by Registrar)

<table>
<thead>
<tr>
<th>OLD Title:</th>
<th>Course # / HEGIS Code:</th>
<th>Credits:</th>
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<tbody>
<tr>
<td>NEW Title: International Criminal Law: Courts, Crimes &amp; Defenses</td>
<td>LAW 874</td>
<td>2-3</td>
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</table>

O-2: Set forth the rationale for the proposal:

This course is an important addition to UB’s international law offerings. UB does not currently offer a course that covers these topics, unlike many, if not, most other law schools across the country. In our area, these include law schools at Georgetown University, George Washington University, American University, and the University of Maryland (although not taught by a full-time faculty member).¹ The course does not overlap with other courses being offered. Students have expressed interest in a course involving such topics. This course fits into the balance of other courses in the curriculum, in that it provides opportunities for both International and Comparative Law, and Criminal Practice concentrators to deepen knowledge of their chosen fields.

¹ Georgetown University Law Center lists the analogous course as a “Fundamental” course in International Law in its catalogue, and offers several upper level seminars in the subject area.
International Criminal Law is concerned with defining and punishing behavior that the international community deems to violate fundamental human values. Some of these crimes include Genocide, War Crimes, Crimes against Humanity, and Torture. This course will explore the history and development of International Criminal Law, the courts and tribunals charged with interpreting it, the elements of international crimes, and potential defenses. The course will touch upon contemporary and controversial topics, such as US reluctance to join the International Criminal Court, trafficking in persons, and terrorism.

8. Prerequisites: Criminal Law Recommended
9. Course Purpose (How the course is to be used in the curriculum, e.g, required for major): Elective
10. General Education area, if applicable (i.e., social sciences, humanities, science, etc.): n/a
11. Course Type / Component (clinical, continuance, discussion, field studies, independent study, laboratory, lecture, practicum, research, seminar, supervision, thesis research, tutorial, or workshop). This must match PeopleSoft 9.0 coding. Lecture
12. Faculty qualified to teach the course: Nienke Grossman, Mortimer Sellers
13. Content Outline:
   I. Fundamentals of International Criminal Law
   II. Jurisdiction and Institutions where International Criminal Law is Adjudicated
      a. International Criminal Tribunals
      b. International Criminal Court
      c. Domestic Jurisdiction
      d. Hybrid Tribunals
   III. Substantive International Criminal Law
      a. Crimes Against Humanity
      b. Genocide
      c. War Crimes
      d. Torture
      e. Terrorism
   IV. Individual Criminal Responsibility
a. Superior Responsibility
b. Complicity
c. Conspiracy

V. Defenses to Criminal Liability
VI. Alternatives to Prosecution

14. Learning Goals:
   a. To give students interested in international law topics the opportunity to delve into an area that has witnessed unprecedented expansion in recent years.
   b. To give students interested in criminal law topics the chance to learn about criminal law in the international context.
   c. To explore the theoretical bases for this field of the law.
   d. To consider contemporary transnational crime issues such as terrorism and torture, and to understand the concept of extraterritorial jurisdiction.
   e. To learn about the sources and relevant institutions and to acquire the vocabulary of this field of law.
   f. To be able to construct and critique arguments involving this field of law.
   g. To consider what ethical issues might arise in this field of the law.
   h. To perform well on an exam or write a scholarly paper involving this field of law.

15. Assessment Strategies: Final Exam or 25 page paper. Any student, with permission of the instructor, may write a paper (25-page minimum) in lieu of taking the final examination.

16. Suggested Text(s) and Materials (example: textbooks, equipment, software, etc., that student must purchase): Either David Luban, Julie O'Sullivan and Stewart's, INTERNATIONAL AND TRANSITIONAL CRIMINAL LAW (Aspen) OR INTERNATIONAL CRIMINAL LAW AND ITS ENFORCEMENT, Beth Van Schaack & Ronald Slye (Foundation Press)

17. Suggested class size: 30

18. Lab Fees (when applicable): n/a

Issued by: Wim Wiewel, Provost and Senior Vice President for Academic Affairs
Effective Date: September 11, 2006, Revised 2/4/09
Reviewed by: University Faculty Senate