universität wien

030065 SE Seminar: “International Criminal Justice”

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List of Possible Topics

1. The Situation in Ukraine

1. The possibility of a special Tribunal for Aggression in the case of the Russian invasion of Ukraine
2. The various bodies of collecting evidence concerning war crimes committed in Ukraine

2. The International Criminal Court

a. Situations and Cases

3. Bangladesh/Myanmar and the ICC (The Situation concerning the alleged deportation of the Rohingya people from Myanmar to Bangladesh and recent developments in Myanmar)
4. ICC and Sudan – Topical Problems including the problem of enforcing arrest warrants
5. The decisions of the ICC regarding Malawi, Chad and South Africa
6. ICC and Uganda – Serving as an Example for Difficulties with Amnesty Laws
7. Legal Aspects of the Case Against Jean-Pierre Bemba
8. ICC Timbuktu destruction case (Mali)
9. In the interest of justice? The start of investigations on the Situation in the Islamic Republic of Afghanistan
10. Palestine and the ICC
11. Georgia and the ICC

d. Substantive Law and Miscellaneous

12. The Definition of the Crime of Aggression

13. The Jurisdiction of the Court in Relation to the Crime of Aggression

14. The Crime of Forced Pregnancy Under the Rome Statute

15. Accountability for environmental crimes under the Rome Statute?

16. Addressing cyber-enabled crimes under the Rome Statute

17. Attacks against critical infrastructure

18. Examining and prosecuting war crimes in Syria in national and international proceedings

19. The Prerequisites for Reparations Under the ICC Statute

20. The Use of Illicit Weapons Under the Rome Statute

21. The Crime of Torture in International Humanitarian Law, War Crimes and Crimes Against Humanity

22. The increased reservations of African states towards the ICC including the experience of the Extraordinary African Chambers in Dakar (the case against Hissène Habré)

23. The responsibility of commanders and other superiors (Article 28 RS), in comparison with Article 7 (3) ICTY Statute

24. Amici curiae before the ICC and experience of the ICTY

25. The issue of immunities in connection with the proceedings before the ICC and the present request for an advisory opinion of the International Court of Justice

26. The issue of immunities under the ICC Statute: a comparison between the arrest warrants concerning Al-Bashir and Putin

27. The question of the ICC as enjoying objective international legal personality (Bangladesh/Myanmar, No. ICC-RoC46(3)-01/18, 6 September 2018)

28. Challenges of 'parallel' proceedings concerning genocide (Ukraine/Russia, South Africa/Israel/Gaza) before both the ICC and ICJ (procedural, evidentiary, and substantive issues)

3. The *ad hoc* Criminal Tribunals: ICTY, ICTR, and the Residual Mechanism

a. Substantive Law

29. War Crimes in Non-International Armed Conflicts in the ICTY Case-law, including the Criteria for an "Armed Conflict"

30. Modes of Participation, including the Forms of Joint Criminal Enterprise ("JCE"), in the Jurisprudence of the *ad hoc* Tribunals

b. Procedural Issues

31. Standard of Proof in International Criminal Justice: Proof of Guilt Beyond Reasonable Doubt – with Special Consideration of Issues of Recognition and Identification

32. Plea Bargaining ("Plea Agreements") in Proceedings before the ICTY

33. Completion Strategy: The Residual Mechanism and the Interplay Between the ICTY / ICTR and National Courts

4. Internationalized ("Hybrid") Courts: Sierra Leone, East Timor, Cambodia, Lebanon and Kosovo

34. The Kosovo Specialist Chambers & Specialist Prosecutor's Office in The Hague on the background of the ICTY experience with particular regard to witness protection

35. The Experience of the ECCC (the "Cambodia Tribunal")

36. Sierra Leone and East Timor: The Co-existence of Criminal Courts ("SCSL", East Timor) and Truth and Reconciliation Commissions ("TRCs")

37. Child Soldiers in the Case Law of the SCSL and the ICC

38. Trials in Absentia (The example of the Special Tribunal for Lebanon – STL)

5. Other Issues in International Criminal Law

39. Towards a Convention on the Prevention and Punishment of Crimes against Humanity

40. Challenges of Proving Genocide – before the International Court of Justice (ICJ) and/or the International Criminal Court (ICC)

41. The Srebrenica case before the courts in the Netherlands

42. The Application of the Principle of Universal Jurisdiction

43. The Liability of Legal Persons in International Criminal Law – from Nuremberg to the ICC including recent developments at the Special Tribunal for Lebanon

44. Individual Criminal Accountability of Business Leaders for Human Rights Violations

45. Contempt of Court as Measure to Protect Witnesses

46. Terrorism as an International Crime including the Interlocutory Decision of 16 February 2011 of the Special Tribunal of Lebanon

47. The Austrian criminal law on international crimes: a comparison with the ICC Statute

48. Acceptance and Criminalisation of IS fighters in Austria returning from Syria

49. The enforcement of international criminal law at the national level: the judgements in Germany on State Torture in Syria and on the crime of genocide against the Yazidis

50. The question of immunity for state officials before national criminal courts when applying rules of public international law – the judgement of the German Federal Supreme Court from 28 January 2021 (3 StR 564/19)

51. The Collection and Use of Information Collected in Conflict Zones as Evidence in Criminal Proceedings ("Battlefield Evidence")