



“Investing in Africa’s future”

COLLEGE OF BUSINESS, PEACE, LEADERSHIP & GOVERNANCE

NPHR504: INTERNATIONAL CRIMINAL LAW & TRANSITIONAL JUSTICE

END OF SEMESTER EXAMINATIONS

DECEMBER 2022

LECTURER: DR. L. SITHOLE

DURATION: 3 HOURS

INSTRUCTIONS

Answer 1 question

Question 1 is compulsory

You are encouraged to provide appropriate references where necessary in your work. Any cases of positive exam misconduct will be punished in terms University Regulations.

Question 1

Cody is accused of historical child abuse offences. The legal definition of the crimes he may have committed has changed since the time of the alleged offences so, under the current law, he could be charged with more serious offences than were open to prosecutors at the time of the offences.

With reference to relevant examples, write a brief on the effect of Article 7 and Article 24 of the Rome Statute on the decisions that must be made regarding the offences to prosecute. **[50**

Marks]

Question 2

Examine and discuss the state cooperation regime established by the Rome Statute. Consider the main weaknesses of this regime, and suggest mechanisms or means to enhance or improve it in the interests of prosecution of international crimes.

[50 Marks]

Question 3

- a) Discuss the legacy of the *ad hoc* tribunals in international criminal law. **[30 Marks]**
- b) Identify and discuss the sources of international criminal law.

[20 Marks]

Question 4

Identify one international crime and discuss, with reference to case law and relevant provisions of the Rome Statute, its core elements. **[50 marks]**

END OF EXAMINATION