



## Syllabus

### “Comparative criminal law (Common Part)”

Higher education degree - bachelor  
Field of knowledge - 29 International relations  
Specialty - 293 International Law  
Educational and Professional Program - International Law

**Study year – 2 Semestr – 3**  
**Number of credits: 5, Language of study: english**

#### **Head of the course:**

Doctor of Philosophy (Law), Associate Professor of the Department of Criminal Law and Procedure, Iryna YURKEVYCH, Igor METELSKYI, PhD in Law, Acting Head of the Department of Security and Law Enforcement

**Contact information:** yurkevych13@gmail.com, r. 5320

#### **Description of the discipline**

The study of the discipline "Comparative Criminal Law (Common Part)" has three main objectives: educational (training), developmental, and educational.

The purpose of teaching the discipline is to familiarize students with the general and special parts of criminal law in the comparative aspect, to reveal its importance for the protection of the rights and legitimate interests of individuals and legal entities in criminal law, to strengthen the rule of law in society and the state, to provide students with fundamental knowledge and skills in their application.

Educational (training) - to improve the legal culture and erudition of specialists through the acquisition of knowledge about the general and special features of modern criminal legal systems.

Developmental - to form and develop knowledge about modern criminal legal systems, to develop a scientifically sound understanding of the institutions of modern criminal legal systems, to develop skills and abilities to apply this knowledge in practice.

Educational - to form in students a respectful attitude to the peculiarities of the institutions of criminal legal systems of the modern world.

## Course structure

<b>Number of hours (lectures, Practical classes )</b>	<b>Theme</b>	<b>Learning outcomes</b>	<b>Tasks</b>
4/4	General characteristics of the discipline "Comparative Criminal Law". The main trends in the development of modern criminal law	To acquire knowledge about the basics of the Law on Criminal Liability	Questions
4/4	Classification of modern criminal law systems	Improve knowledge about Criminal liability and its grounds	Questions, cases
2/2	The concept of the task and principles of criminal law of criminal law	Improve knowledge about criminal responsibility	Questions, cases
2/2	Sources of criminal law	Consolidate knowledge about the composition of a criminal offense	Questions, cases
2/2	The system of criminal law. Effect of criminal law	Carry out a legal analysis of complicity	Questions, cases
4/1	Grounds for criminal liability. The crime	To improve knowledge about the circumstances that exclude the criminal illegality of an act	Questions, cases
2/1	The subject of the crime. Guilt	To single out the features of exemption from criminal liability	Questions, cases
2/1	Stages of the crime	Consolidate knowledge about punishment	Questions, cases
2/1	Complicity in the crime	Improve knowledge about exemption from punishment	Questions, cases
2/1	Circumstances that exclude the criminality of the act	Analyze the criminal record and its repayment	Questions, cases
2/1	Punishment (concept, purpose, system)	Consolidate knowledge	Questions,

	and other criminal legal measures	about measures of a criminal legal nature against legal entities	cases
2/1	Types of punishment and other criminal legal measures	Improve knowledge about complicity in crime	Questions, cases

### Recommended sources

#### *Regulatory and legal acts:*

1. The Criminal Code of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/2341-14>.
2. European Convention on the Transfer of Criminal Cases: European Convention of May 15, 1972. Ukraine in International Legal Relations: Book 1: Fighting Crime and Mutual Legal Assistance: Collection of documents. Kyiv: Yurinkom, 1996. C. 1095 - 1116.
3. The Constitution of Ukraine: Adopted at the fifth session of the Verkhovna Rada of Ukraine on June 28, 1996: <http://zakon3.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>
4. On the Protection of Human Rights and Fundamental Freedoms: UN Convention of November 4, 1950. Voice of Ukraine. 2001. January 10.
5. On Mutual Assistance in Criminal Matters: European Convention of 1959 and Additional Protocol of 1978 to the Convention. Official Gazette of Ukraine. 1998. № 13. C. 346 - 360.
6. On Extradition of Offenders: European Convention of 1957, Additional Protocol of 1975 and Second Additional Protocol of 1978 to the Convention. Official Gazette of Ukraine. 1998. № 13. C. 324 - 343.
7. On International Treaties of Ukraine: Law of Ukraine of December 22, 1993, No. 3767-XP. 1994. № 10. C.45.
8. Strafprozessordnung für die Bundesrepublik Deutschland. URL: <https://www.gesetze-im-internet.de/stpo/>
9. Criminal Code of the French Republic. URL: <https://www.legislationline.org/documents/section/criminal-codes/country/30/Finland/show>
10. German Criminal Code URL: [https://www.gesetze-im-internet.de/englisch\\_stgb/](https://www.gesetze-im-internet.de/englisch_stgb/)
11. Title 18-crimes and criminal procedure off the United States Code URL: [https://www.legislationline.org/download/id/8301/file/USA\\_title\\_18\\_us\\_code\\_crimes\\_2017\\_endf](https://www.legislationline.org/download/id/8301/file/USA_title_18_us_code_crimes_2017_endf)

#### *Main literature:*

1. Horokh O.P. Modern criminal law problems of release from punishment and its serving: a monograph / edited by A.A. Muzyka. Kyiv : Dakor, 2019. 676 c
2. Drozdov O.M., Drozdova O.V. Legal positions of the European Court of Human Rights: an analytical review / edited by O.M. Drozdov, M.S. Kovtun, V.I. Kovtun. Kharkiv: Factor Publishing House, 2018. 624 c.
3. Zhytnyi O.O. Criminal Law of Ukraine in the International Dimension (Comparative Legal Analysis). Kharkiv: Odyssey, 2013. 376 c.
4. Kopotun I. M. Peculiarities of criminal prosecution in foreign legislation for crimes against public order and morality. Bulletin of the Academy of Advocacy of Ukraine. 2019. № 2 (18). C. 62-68.
5. Criminal law of foreign countries: a study guide / E.E. Kuzmin ; foreword by E.L. Streltsova. Odesa: Helvetica Publishing House, 2018. 96 c
6. Criminal Law of Ukraine. General part: textbook / Akhmedov Mahir Bayram oglu, Babenko AM and others; edited by V.Y. Konopelsky, V.O. Merkulova. Odesa, ODUIA, 2021. 452 c.
7. Criminal Law of Ukraine. General part: textbook / V.Y. Tatsiy, V.I. Tiutiugin, V.I. Borisov and others; edited by V.Y. Tatsiy, V.I. Tiutiugin, V.I. Borisov - 6th ed. Kharkiv: Pravo, 2020. 584 c.
8. Criminal Law of Ukraine. Part 1: lecture notes: a study guide for full-time and part-time students of the first (bachelor's) level of higher education in the specialty 081 "Law" / Popovych O.V., Tomash L.V., Latkovsky P.P. Chernivtsi, 2022. 182c.
9. Decisions of the European Court of Human Rights in criminal cases. Protection of life, health, honor and dignity / edited by V.S. Kovalskyi. K.: Jurinkom Inter, 2019. 296 c.
10. Yaremko O.M. Comparative Criminal Law (basic lecture notes). Ternopil: "Economic Thought, 2019. 123 c.
11. Börner R. Die Vermögensbeschlagnahme nach § 290 ff. StPO. NStZ. 2005. 791 p.
12. Deiters M. Systematischer Kommentar zur Strafprozessordnung / In: A. H. Albrecht et al. (Eds.). Vol. 4. 5th edn. §

198-246. StPO, 2015. 896 p.

13. Dressler Joshua. Understanding Criminal Law. 9th Edition. Carolina Academic Press: Columbus, 2022. 656 p.

14. Eisenberg U. Sich-Entfernen bzw. Fernbleiben whrend der Hauptverhandlung. Berlin: NStZ, 2012. 755 p.

15. Examples & Explanations for Criminal Procedure II: From Bail to Jail. Boston: Aspen Publishing, 2022. 508 p.

16. Gmel D. Karlsruher Kommentar zur Strafprozessordnung, 7th edn / In: R. Hannisch (Ed.). 2013. 3180 p.

17. Janet Loveless, Mischa Allen, and Caroline Derry. Complete Criminal Law. Eighth Edition. 2022. 776 p.

18. Laue C. Die Hauptverhandlung ohne den Angeklagten. JA. Berlin: Duncker & Humblot, 2010. 394 p.

19. Meyer-Goßner L., Schmitt B. Strafprozessordnung, 59th edn. Berlin: Duncker & Humblot, 2016. 284 p.

20. Mireille Delmas-Marty. The Criminal Process and Human Rights: Toward a European Consciousness. Amsterdam: Springer Netherlands, 1995. 211 p.

21. Quattrocchio S., Ruggeri S. Personal participation in criminal proceedings. Legal studies in international, European and comparative criminal law. 2019. Vol. 2. P. 123-164.

22. Richard G. Singer, Kenneth Williams. Criminal Law and Morality in the Age of Consent. London: Springer Cham. 367 p

#### **Internet resources:**

1. Official web portal of the Supreme Court Legal Position Database URL: <https://lpd.court.gov.ua>.

2. Official web portal of the Verkhovna Rada of Ukraine. URL: <http://rada.gov.ua>

3. Official web portal of the Supreme Court. URL: <https://supreme.court.gov.ua/supreme>

4. Legal positions of the Grand Chamber of the Supreme Court of Ukraine  
[https://supreme.court.gov.ua/supreme/pro\\_sud/kas\\_krim/](https://supreme.court.gov.ua/supreme/pro_sud/kas_krim/)

5. Official web portal of the Unified State Register of Court Decisions. URL: <https://reyestr.court.gov.ua>

6. Official web portal of the Constitutional Court of Ukraine. URL: <https://ccu.gov.ua>

7. Official web portal of the Ministry of Internal Affairs of Ukraine. URL: <http://mvs.gov.ua>

8. Official web portal of the Ministry of Justice of Ukraine. URL: <https://minjust.gov.ua>

9. Official web portal of the National Police. URL: <https://www.npu.gov.ua>

10. Official web portal of the President of Ukraine. URL: <http://www.president.gov.ua>

11. Official web portal of the resource "ECHR Case Law. Ukrainian Aspect". URL: <https://www.echr.com.ua/rishennia-espl>

12. Legal positions of the Grand Chamber of the Supreme Court of Ukraine  
[https://supreme.court.gov.ua/supreme/pro\\_sud/kas\\_krim/](https://supreme.court.gov.ua/supreme/pro_sud/kas_krim/)

13. Countries Legislation. URL: <https://www.coe.int/en/web/medicrime/countries-legislation>

14. European Convention on Human Rights. URL: [https://www.echr.coe.int/Documents/Convention\\_ENG.pdf](https://www.echr.coe.int/Documents/Convention_ENG.pdf)

15. Luis E. Chiesa. Comparative Criminal Law. URL:  
[https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi?article=1090&context=book\\_sections](https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi?article=1090&context=book_sections)

16. International Journal of Comparative and Applied Criminal Justice. Taylor & Francis Online. URL:  
<https://www.tandfonline.com/journals/rcac20>.

### **Evaluation policy**

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

## Evaluation

The final score (on a 100-point scale) from the internship is determined as a weighted average value, depending on the specific weight of each component:

Credit module 1	Credit module 2	Credit module 3	Credit module 4	Total
20	20	20	40	100
1. Oral survey during classes (6 topics of 5 points each - 30 points) 2. Modular control work - 70 points	Oral survey during classes (6 topics of 5 points each - 30 points) 2. Modular control work - 70 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	1. Test tasks (25 tests of 2 points per test - max. 50 points) 2. Task 1 – max. 25 points 3. Task 2 – max. 25 points	100

### Student evaluation scale:

<b>ECTS</b>	<b>Marks</b>	<b>Content</b>
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course