



SYLLABUS OF THE SUBJECT "CRIMINAL LAW - (General part)"

Basic data of the subject	
Academic unit:	Law faculty
Subject title:	Criminal Law (General Part)
Program:	Law
Level:	Bachelor
Case Status:	Obligatory
Year of studies:	III
Number of hours per week:	3
Credit value – ECTS:	7
Time / location:	Law Faculty
Subject teacher:	Enver Buçaj Prof.Asoc.Dr
Contact details:	enverbuçaj@uni-prizren.com
Course description:	<p>The Criminal Law course (general part) taught in this semester will contain as in the following:</p> <ul style="list-style-type: none">- The Criminal Law and the science of the Criminal Law- Introduction to the Criminal Law (notion, subject and function of the Criminal Law). Protective function, the Criminal Law, and morals.- The Criminal Law relations to other justice branches and its division. Introduction and development of the International Criminal Law. The Comparative Criminal Law.- The understanding of the Criminal Law as a branch of the positive legislation and as the science of the law.- The development of Criminal Law and the schools of Criminal Law.- The Criminal Code and the Criminal Legislation- The overall knowledge on criminal legislation and the understanding of the Criminal Code.- Historical evolution of the Criminal Law in Kosovo.- The sources of Criminal Law.- The interpretation of the criminal laws and observation of the criminal legislation.- The notion of penal act and criminal liability.- The object and subject of the criminal offense, act, illegality, and causes that exclude illegality.- The criminal liability, accountability, and liability of the qualified forms.



	<ul style="list-style-type: none">- The preparatory acts and attempted criminal offense in collaboration.- The collaboration in the criminal offenses.- The notion, function, and system of criminal sanctions.- The alternative and supplementary sentences.- The sentencing measures, judicial admonition, compulsory treatment measures.- The execution of criminal sanctions.- The confiscation of moveable property deriving from the criminal offence.- The rehabilitation, remission of punishment and conditions for providing data from the records of convicts.- Waiver of punishment.
Purpose of the course:	<p>This course aims to enable students to generate knowledge regarding general criminal law. Specifically, it enables students to learn the basic concepts of criminal law in general.</p> <p>Likewise, the goal consists in clarifying the development of criminal law in Kosovo and the criminal code and other criminal laws.</p>
Rezultatet e të nxënit:	<p>After completing the study of this subject, you expected the students to:</p> <p>To understand that the dynamic and complex phenomenon of criminality is one of the most current and preoccupying problems for contemporary society.</p> <p>To form the concept of what criminal law studies and to know the general institutes of criminal law.</p> <p>To clearly understand the notion of criminal offense (as well as its basic elements) and criminal responsibility, understand the system of criminal sanctions and have the ability to interpret criminal-legal norms.</p> <p>To know the legal basis for the treatment of perpetrators, by approaching the analysis of positive legal provisions (de lege lata) and taking into account the need for completing and changing the legal infrastructure from this area (de lege ferenda).</p> <p>To be equipped with sufficient skills that will serve as a basis for deepening knowledge in the field of criminal law during the continuation of studies.</p>
Student workload (should correspond to the student's learning outcomes)	



Aktivitet	Hour	Day/week	Total
Lectures	3	15 javë	45
Theoretical/laboratory exercises	2	15 javë	30
Practical work	2	2	2
Contacts with the teacher/consultations	1	1/3	3
Field exercises	0	0	0
Colloquiums, seminars	2	1/2	2
Homework	1	1/1	1
Student's independent study time (in the library or at home)	3	15	45
Final exam preparation	2	1/10	20
Time spent on assessment (tests, quizzes, final exam)	1	1	1
Projects, presentations, etc	1	1	1
Total			150 hour (7 ECTS)
Teaching methodology:	<p>During the lecture of the subject, the active and interactive teaching method will be applied, which means the exploration and interpretation of the fundamental issues of this subject, providing the students with explanations, data and essential and current information on the basic notions and institutes of criminal law. . At the same time, this method also means the active involvement of students in debates and treatment of issues that are considered of special interest. They will also use the case study method, the method of interpreting positive legal provisions, the method of analyzing court cases, etc. . In dealing with and explaining such problems, we will also use other teaching methods and techniques which are more adequate and more favorable for the concrete contents. In this way, debates will be organized separately, tests, essays and seminars will be applied, which will encourage students to actively and on their own initiative engage in the learning process, in learning and advancing the material of this subject.</p>		
Evaluation methodology:	<p><i>Rating:</i></p> <ul style="list-style-type: none"> • <i>Participation and activity in lectures..... 10%</i> 		



	<ul style="list-style-type: none"> • <i>Participation and activity in exercises</i>..... 10% • <i>First colloquium</i>:..... 40% • <i>Second colloquium</i>:40% <p style="text-align: right;">Total: 100%</p>
Literature	
Primary literature:	Ismet Salihu: Criminal law - General part, Prishtina, 2021
Literatura shitesë:	<p>Catherine Elliott@ Frances Quinn: Criminal Law</p> <p>- Schmalleger : Criminal Law Today. An Introduction with Capstone Cases</p> <p>- Vlado Kambovski: Criminal law - General part, Skopje, 2006.</p> <p>- Ismet Elezi, S. Kaçupi, M. Haxhia: Commentary on the Criminal Code of the Republic of Albania, Tirana 1999.</p> <p>- Joel Samaha: Criminal Law, Tenth Edition (Cengage Learning) 2020.</p> <p>- Philip E. Carlan, etc.: An Introduction to Criminal Law, London 2010.</p> <p>- Roger Geary: Understanding Criminal Law, London, 2015.</p> <p>- Jerome Hall: General Principles of Criminal Law, New Jersey, 2005.</p> <p>- David C. Brady etc.: Criminal Law, Aspen Publishers, US) 2000.</p> <p>- Jean Pradel: Droit Penal General, Paris, 2000.</p> <p>- Franjo Bacic: Kazнено Pravo – Opci dio, Zagreb 1998.</p> <p>- The Constitution of the Republic of Kosovo/ June 15, 2008</p> <p>- Criminal Code of the Republic of Kosovo, Pristina/ CODE NO. 06/L-074. Promulgated by decree No. DL-065-2018, dated 13.12.2018 by the President of the Republic of Kosovo.</p> <p>- Juvenile Criminal Law of the Republic of Kosovo, 2004</p> <p>- Official Gazette of Kosovo.</p> <p>- International Review of Penal Law/ Revue Internationale de Droit Penal.</p> <p>- Diritto&diritti, www.diritto.it</p> <p>- www.aidp-appg.org</p>

Designed lesson plan:		
Week	Lectures	Exercise
First week:	- Introductory presentation about the course curriculum	
Second week:	<ul style="list-style-type: none"> - General knowledge of the subject. - The concept, subject and function of criminal law. - Criminal law and morality 	



	<ul style="list-style-type: none"> - The relationship of criminal law with other branches of law and other criminal sciences. - The division of criminal law and the history of its development. 	
Third week:	<ul style="list-style-type: none"> - The relationship of Criminal Law with other branches of justice and its division - Autonomy of Criminal Law - Division of criminal law - The beginnings and development of international criminal law - Comparative criminal law 	
Fourth week:	<ul style="list-style-type: none"> - Criminal law sciences and other sciences - Development of criminal law - General characteristics - The period of the first human community and the beginnings of criminal law - The period of slaveholding states - Period of feudal states - Penal-juridical ideas of the philosophers and illuminists of the XVII and XVIII - The development of the criminal law of capitalist countries - Schools in criminal law 	
<i>Fifth week:</i>	<ul style="list-style-type: none"> - Overview of criminal law in Kosovo - Criminal law of Kosovo during the period of feudalism -between the two world wars -after the second world war - The criminal law of the RSFJ and the criminal law of the KSAK - Criminal law of the Republic of Kosovo 	
Sixth week:	<ul style="list-style-type: none"> - Sources of criminal law - (direct and indirect) - Definition of criminal law, criminal code and criminal legislation. - The Constitution - International criminal law - Criminal law as the main source of criminal law 	
Seventh week:	<ul style="list-style-type: none"> - The notion of criminal law 	



	<ul style="list-style-type: none"> - Other sources of criminal law - Penal Code - The principle of legality or legality in criminal law - Interpretation of criminal laws - Understanding types of interpretation - Methods - Analogy - Action of criminal legislation - Action of criminal law in the territory 	
<i>Eighth week:</i>	THE FIRST COLLOQUIUM	
<i>Week nine:</i>	<ul style="list-style-type: none"> - The notion and elements of the criminal offense - Object and subject of the criminal offense - Separation of the criminal offense - Action - Penal-legal notion of action - Causality Place and time of committing the criminal offense 	
<i>Tenth week:</i>	<ul style="list-style-type: none"> - Illegality - Causes that exclude illegality - Necessary protection - Extreme need - Violence and intimidation - Reasons for the exclusion of illegality that are not foreseen by the criminal code 	
<i>Eleventh week:</i>	<ul style="list-style-type: none"> - Criminal liability - Responsibility - Irresponsibility - Reduced essential accountability - Guilt - Desire - Carelessness - Responsibility for qualified forms of criminal offences - The shift - Preliminary and tentative actions of the criminal offense 	
<i>Week twelve:</i>	<ul style="list-style-type: none"> - Consolidation of criminal offences - The notion of function and system of criminal sanctions - The system of criminal sanctions in Kosovo 	



	- Types of alternative punishments according to the penal code in Kosovo.	
<i>Thirteenth week:</i>	- Mandatory treatment measures - The main characteristics of the execution of criminal sanctions - Execution of the prison sentence Prison sentence execution systems after the Second World War	
<i>Week Fourteen:</i>	SECOND COLLOQUIUM	
<i>Fifteenth week:</i>	EXAM PREPARATION	
Academic policies and code of conduct		
<p>Students are obliged to:</p> <ul style="list-style-type: none">- To respect the schedule of lectures and exercises.- To adhere to all educational rules.- Plagiarism and similar fraudulent phenomena will be punished according to the legal acts in force.		