



## SYLLABUS I LËNDËS “INTERNATIONAL CRIMINAL LAW”

Basic data of the subject	
<b>Academic Unit:</b>	University "Ukshin Hoti" Prizren, Faculty of Law
<b>Course title:</b>	<b>International Criminal Law</b>
<b>Program</b>	Bachelor
<b>Level:</b>	Bachelor
<b>Course status:</b>	Obligatory
<b>Study year:</b>	IV
<b>Number of hours per week:</b>	3+2
<b>Credit value – ECTS:</b>	6
<b>Time / location:</b>	14:00-16:15 Office: 404
<b>Lecturer:</b>	Prof. asoc. dr. Halim Bajraktari
<b>Contact details:</b>	halim.bajraktari@uni-prizren.com
<b>Course description</b>	<p>This course offers general knowledge on intensifying and resolving international criminal problems, to understand the concepts and the practical side of this criminal case with an international element.</p> <p>In times when the world faces the ever-increasing trend, from the rise of criminality of criminal offenses and problems of international criminal nature, the need for the study of this field is growing in many international dimensions to prevent ever increasing occurrences criminal offenses such as genocide crimes, crimes against humanity, war crimes, crimes against peace, terrorism, trafficking in human beings, gun smuggling, narcotics smuggling, money laundering, corruption, juvenile delinquency, flagrant violations of human rights and freedoms, murders from various motives, crime in the economy, finance, public traffic, and forms of crime), which are constantly following human society, we can successfully counter them not only with the mechanism of prevention and repression, but also with the deepening of acquaintance studies the causes and circumstances that condition this negative phenomenon in national-state and international relations.</p> <p>Presentations will be the current issues of the international criminal field that the world today faces but also as a state we are and will be part of these cooperative processes at regional, European and international level, being part of</p>



	<p>these mechanisms both in the beneficiary aspect and in that contributor and collaborator.</p> <p>This branch of law is designed to help students have the necessary knowledge of this subject as a more beneficial and cooperative opportunity with the jurisdiction of different states, and Kosovo and beyond. To be informed that the criminal law in general and international criminal law in particular, have as their object the criminal offense, criminal liability, criminal sanctions and other institutions that are defined in the current internal criminal codes, International Conventions and the Statutes of International Criminal Tribunals and with other international acts, which will be taught and are studied within this lesson so that these institutes become clearer, more understandable, and practically easier to apply.</p> <p>An important issue is also dedicated to the subject as a practical need of the times and the actualities that our country is accustomed to the problems of criminality and the formation of the Special Court for Kosovo, studying criminal offenses, penal sanctions by international acts and codes by building - offering more much peace for mankind.</p>
<b>Course objectives:</b>	<p><b><i>After the semester, students will benefit from basic knowledge:</i></b></p> <ul style="list-style-type: none"><li>- Students are expected to have gained solid knowledge of the notions and subject matter of this discipline, norms in the DPN, repressive power and jurisdiction of states, extradition, asylum, criminal procedure transfer, cooperation and legal aid, as well as the international law of rights human rights and the jurisdiction of international criminal instances.-Understand the basic principles of the DPN's position and the role of this subject now and in the future in our country, on the inwards of this subject;</li><li>- To criticize and debate, to defend the current issues of the case and to argue the attitude based on the national and</li></ul>



	<p>international legal principles and rules of international criminal law.</p> <ul style="list-style-type: none"><li>- Providing practical examples will aim at achieving the degree of student training for law interpretation and legal opinion creation.</li><li>- Comparative aspects from the rights of other countries will only be provided in the cases necessary to complete the theoretical gaps of the law in Kosovo and to advance legal knowledge.</li><li>- In this sense, students will be enabled to be able to create the legal opinion on international criminal cases and to reach a conclusion that has the legal basis and does not contradict the legislation in force.</li><li>-The special courses will be devoted to training for legal analysis based on arguments.</li><li>-To increase the student's skills in personal and professional terms-as a method of implementation and benefit of this European and international trend.</li></ul>
<b>Expectation:</b>	<p>Upon completion of this course, the student is expected to be able to:</p> <ul style="list-style-type: none"><li>-To understand the development and discourse of human rights;</li><li>-To define international standards for the protection of human rights;</li><li>-In Identifying universal and regional resources for the protection of human rights;</li><li>-Understanding and explain regional systems of human rights, in particular the European system of human rights;</li><li>-To recognize procedures for the protection of human rights, both at regional and international level;</li></ul>

	<p>-To understand and recognize specific rights, such as the protection of minorities, the right to self-determination, the prohibition of discrimination, refugees etc;</p> <p>-Identify states' obligations regarding human rights and freedoms and interpret their applicability in Kosovo,</p> <p>-To respect these rights by respecting and respecting them both domestically and internationally,</p> <p>-To strengthen the horizon regarding this area of obligations and obligations of local and international institutions regarding these rights.</p>		
<b>Student workload (should correspond to the student's learning outcomes)</b>			
<b>Activity</b>	<b>Hour</b>	<b>Day/Week</b>	<b>Total</b>
Lectures	3	15	45
Exercise theoretical/laboratory	2	30	30
Practice work	1	15	15
Contact with lecturer/consultations	1	10	10
Field exercises	2	6	6
Mid-terms, seminars	2	6	6
Homework	1	5	5
Individual time spent studying (at the library or home)	1	10	10
Final preparation for the exam	1	6	6
Time spent in evaluation (tests, quiz, final exam)	1	10	10
Projects, presentations, etc.	1	10	10
<b>Total</b>			<b>150 hours (6 ECTS)</b>
<b>Teaching methodology:</b>	<p>The teaching methodology will be oriented towards creating students' opportunities to master and gain knowledge of international criminal law. Students will be encouraged to participate actively in the lectures through presentations of any essay or seminar paper in the field of this right. The lecture will be presented according to the interactive methodology (Socratics'. During the course</p>		

	<p>lecture, the contemporary teaching methods will be used, with the effect of making the branch of the law more accessible, clearer and easier to learn and implemented.</p>
<b>Evaluation:</b>	<p>The midterm exam considered successful if the student reaches 51% of the possible points (100).</p> <p>- Success is calculated successfully if the student reaches 51% of the possible points (100).</p> <p>Each student must undergo the exam!</p> <p>-If the grade of the successful collocation is higher than that of the successful exam, then the average grade will be taken as the final grade.</p> <p>In all other cases, only the exam grade is valid.</p> <p>Attendance and engagement in learning will be assessed at 10% of potential points (100).</p>
<b>Literature</b>	
<b>Basic Literature :</b>	<ol style="list-style-type: none"> <li>1. Gentian Zymberi dhe Qerim Qerimi, <i>E Drejta Ndërkombëtare e të Drejtave të Njëriut</i>, Second Edition, February 2015.</li> <li>2. Zejnullah Gruda, <i>Mbrojtja Ndërkombëtare e të Drejtave të Njëriut</i>, Fifth Edition, Prishtinë 2010.</li> </ol>
<b>Additional literature:</b>	<p>-Ismt Salihu, <i>International Criminal Law. UBT, Pristina, 2016.</i></p> <p>- Jola Xhafo, <i>International Criminal Law, Tirana, 2009.</i></p>
	<p>- <i>William A.Schabas: International Criminal Court, Cambridge, 2001</i></p>

	<p>-William A. Schabas, <i>Gjenocidi në të drejtën penale ndërkombëtare</i>, Prishtinë, 2003</p> <p>- Jean Pradel, Geert Corstens dhe Gert Vermeulen, <i>E drejta Penale Evropiane</i>, Tiranë, 2009.</p> <p>- Enrico Amati, Matteo Casti, Emanuela Fronza, Paolo Lobba, Elena Maculan, Antonio Vallini, <i>Interduzione al dritto penale international</i>, tereza edizione, 2016. Torino.</p> <p>- Jean Pradel : <i>Droit Penal General</i>, Paris, 2000.</p> <p>- Dressler Joshua: <i>Understanding criminal law</i>, Cecond edition, 1995, New York.</p> <p>Tulkens, Françoise &amp; Von de Kerchove : <i>Introduction au droit penal</i>, 1999, Bruksel.</p> <p>Ligji nr. 05/I-053 për dhomat e specializuara dhe zyrën e prokurorit të specializuar</p> <p>-Ligji për Bashkpunimin Juridik ndërkombëtar në çështiet penale, Ligji Nr.0/4L-2013, 31 korrik 2013.</p> <p>-Konventa për parandalimin dhe dënimin e krimit të gjenocidit, 1948..</p> <p>Statuti i Gjykatës penale ndërkombëtare për ish Jugosllavi, 1993.</p> <p>Statuti i Gjykatës penale ndërkombëtare për Ruandën, 1994.</p> <p>Statuti i Romës për Gjykatën e përhershme penale ndërkombëtare, 1998. \</p>
--	--

Designed lesson plan:

Week Lectures Exercises	Week Lectures Exercises	Week Lectures Exercises Week
First week:	General Suggestions: Introduction Knowledge and purpose of the subject Course Program Expected results; Literature	Entry

	<p>Evaluation Academic Politics</p> <ul style="list-style-type: none"> <li>-Students will be introduced to the content of the course in general, how to develop the course during the semester and literature</li> <li>-Investment of international criminal law</li> <li>-Definition of international criminal law; the object and duties, the function, the actuality and the perspective of international criminal law.</li> </ul>	<p>Presentation on the methodology of holding exercises;</p> <p>Assessment methods in exercises</p> <p>The importance and actuality of international criminal law.</p>
Second week:	<ul style="list-style-type: none"> <li>-Development of International Criminal law</li> <li>-The beginnings and development of international criminal law until World War I, after the Second World War</li> <li>-UN Contribution</li> <li>-The EU (European Council) contribution to the development of this right</li> <li>-International Criminal Law sources</li> <li>-International sources of International Criminal Law</li> <li>-National sources International Criminal Law</li> </ul>	<p>The birth and historical development of DPN</p> <p>Review of DPN resources.</p>
Third week:	<ul style="list-style-type: none"> <li>-Basic principles of international criminal law</li> <li>-The universal application principle of international criminal law</li> <li>-Principle of legality</li> <li>-The principle of ne bis in idem</li> <li>-The general individual criminal principles.</li> </ul>	<p>Treatment of the basic principles of DPN, with emphasis on concrete examples for each of these principles.</p>
Fourth week:	<ul style="list-style-type: none"> <li>-The contribution of Criminal law in protection of human rights in the field of criminal law</li> <li>-Legality principle</li> <li>-The harshness of harsh and non-human punishment</li> <li>-Abolition of death penalty</li> <li>Alternative sentences</li> <li>-Protection and compensation of the victim, and confiscation of property</li> </ul>	<p>Research and student presentations on the contribution of human rights to DPN.</p> <p>Cases of protection of human rights based on European rules and European standards</p>



	<ul style="list-style-type: none"> <li>-Protection of Human Rights and Freedoms in the Criminal Procedure Law;- Presumption of not guilty (of innocence)</li> <li>-Ne bis in idem</li> <li>-The right to a fair trial and an independent court</li> <li>- The right to trial within a reasonable time</li> <li>-The right to protection, complaint, the right to international protection</li> <li>-The role of the European Court of Human Rights resident in Strasbourg in this field</li> <li>-Standards regarding the authorizations and actions of police, prosecution, advocacy</li> <li>-Protection of human rights and freedoms in penitentiary law;</li> <li>-International treaties for the protection of prisoners and detainees, prohibition of harsh and non-human actions against prisoners, rules European Prison Rules</li> <li>-Recommendations, recommendations and various resolutions for the protection of convicted persons</li> </ul>	
Fifth week:	<ul style="list-style-type: none"> <li>-The limits of the repressive power of the state</li> <li>-State Territory</li> <li>-Ground, water, air, ships and aircraft</li> <li>-Offices of diplomatic representatives</li> <li>-Performing powers of state repressive power</li> <li>-Theories regarding the determination of the place of commission of criminal offenses</li> <li>-Attempts and preparatory actions</li> <li>-Principles of defining the repressive power of the state;</li> <li>-Transit criminal cases</li> <li>-Criminal equipment offenses</li> </ul>	Examination with examples from the extent of state legislation within the territory.
Sixth week:	<ul style="list-style-type: none"> <li>-The notion, the basic characteristics and forms of</li> </ul>	Research and presentations by students on each form of





	<p>international legal-criminal assistance</p> <ul style="list-style-type: none"> <li>-Legal aid forms - international penalties in the broadest sense</li> <li>-Extradition</li> <li>-International legal assistance in Criminal matters</li> <li>-Transfer of a criminal case to another state</li> <li>-Execution of the criminal court judgment of the foreign state</li> <li>-International legal-criminal assistance that is exercised outside the concrete criminal proceedings</li> <li>-Excitation from the country</li> <li>-International police cooperation</li> <li>-Exchange of information on convicted persons</li> </ul>	international legal-criminal assistance.
Seventh week:	<p>Colloquial / Intermediate Evaluation</p> <ul style="list-style-type: none"> <li>-Debate.</li> </ul>	Discussions about the conception of relations between the law, its actors and social changes.
Week eight:	<ul style="list-style-type: none"> <li>-Legal remedies of international legal-criminal assistance in the broad sense</li> <li>-International law as a source of international legal assistance</li> <li>-Extradition - notion and purpose of extradition</li> <li>-Extradition obligations</li> <li>-International conventions with which extradition is regulated, Fundamental principles of extradition</li> <li>-Participation of reciprocity, extradition, normative idleness and specialty principle</li> <li>Legal barriers to extradition</li> <li>-Procedures for extradition of defendants and convicted persons</li> <li>-Similar Measures to extradition</li> <li>-Temporary extradition</li> <li>-The expulsion of a foreigner from the state (deportation) under the Criminal Code of Kosovo</li> </ul>	Group work with students for case studies.

	<ul style="list-style-type: none"> <li>-Exchange of a person from the state</li> <li>-Asylum, the notion and the importance of the right to asylum</li> </ul>	
Week nine:	<ul style="list-style-type: none"> <li>-The "small" international legal-criminal assistance</li> <li>-Notion and history</li> <li>-The basic provisions of the small international criminal justice assistance</li> <li>Legal remedies</li> <li>-Special legal acts on small international legal assistance</li> </ul>	<p>Review of the principles and basic actions of "small" international criminal assistance.</p> <p>Examples from the practice of the states.</p>
Tenth week:	<ul style="list-style-type: none"> <li>-International police co-operation</li> <li>-International Police Organizations</li> <li>-Interpol</li> <li>-Europol</li> <li>-Other international police organizations</li> <li>-Perspective of police cooperation</li> <li>Transfer of criminal proceedings to a foreign state</li> <li>-The reason and the reasonableness of the transfer of criminal procedure</li> <li>- Transfer according to Kosovo Criminal Law</li> <li>- Basic principles regarding the transfer of criminal procedure</li> </ul>	<p>Research and presentations by students.</p> <p>Kosovo's report with organizations for international police cooperation.</p>
Eleventh week:	<ul style="list-style-type: none"> <li>-Recognition of foreign decisions of the Foreign State</li> <li>-The notion and importance of international recognition of the criminal act</li> <li>-The contribution of the United Nations and the Council of Europe regarding the recognition of a foreign criminal judgment</li> <li>-Law of the foreign criminal judgment under the criminal law of Kosovo</li> </ul>	<p>Raste studimi dhe shembuj nga njohja dhe ekzekutimi i aktgjykimeve të huaja.</p>
Week twelve:	<ul style="list-style-type: none"> <li>-Execution of a foreign criminal judgment</li> <li>-The meaning and legal resources</li> </ul>	



	<ul style="list-style-type: none"> <li>-The basic conditions that must be met for the execution of a foreign criminal offense, according to the Criminal Code of Kosovo</li> <li>-Procedures of execution of a foreign criminal judgment</li> </ul>	
Thirteenth week:	<ul style="list-style-type: none"> <li>-The International Criminal Court (Nurnberg - Tokyo, Hague, Rwanda and The Hague is permanent)</li> <li>-The competences of the international criminal court</li> <li>-Organization of the International Criminal Court</li> <li>-Authorities of the International Criminal Court</li> <li>-General principles on which the work of the International Criminal Court is based</li> <li>-Establishment of the Permanent International Criminal Court (1998)</li> <li>-Special Chamber and the office of Special Prosecutor</li> <li>-Court and Special Prosecution Office for Kosovo, its scope, role, principles and importance</li> </ul>	<p>Research work and presentation by students of the Statutes of criminal tribunals and international criminal tribunals and the differences between them.</p> <p>Case studies from the judicial practice of international criminal tribunals.</p>
Week Fourteen:	<ul style="list-style-type: none"> <li>-Criminal offenses, criminal responsibility and criminal sanctions in international criminal law, the notion</li> <li>-International criminal offenses under the criminal code of Kosovo</li> <li>-Genocide</li> <li>-Crimes against humanity</li> <li>-War Crimes</li> <li>-Criminal Responsibility in International Criminal Law</li> <li>Criminal sanctions in the international criminal law</li> </ul>	<p>Student presentations.</p>
Fifteenth week:	<p>Debate about the subject, discussions, practice, advice and recommendations, debates on the preparation of the final exams</p>	
Academic policies and code of conduct		



---

Students should have regular attendance at lectures and exercises, where attendance will be evidenced through the student attendance list (in lectures and exercises),  
Regular participation in lectures and exercises, presentation of seminar papers and other activities will be counted in the final grade,  
In lectures and exercises, only the topics foreseen in this syllabus should be addressed.  
Communication with students will be mainly through e-mails and posting on University Information corner, and personally during the consultations.