



## Syllabus

### “Comparative criminal law (Special 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 – 4**  
**Number of credits: 4, Language of study: english**

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

PhD in Law, Acting Head of the Department of Security and Law Enforcement  
Igor METELSKYI,

**Contact information:** i.metelsky@wunu.edu.ua, r. 5320

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

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

Educational (training) - to improve the legal culture and erudition of specialists on the basis of mastering knowledge of 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.

In the process of studying, students of the Faculty of Law should deeply and comprehensively gain knowledge of the general and special laws of the emergence, development and functioning of the main criminal legal systems of our time.

## Course structure

<b>Number of hours (lectures, practical classes)</b>	<b>Theme</b>	<b>Learning outcomes</b>	<b>Tasks</b>
2/2	General Characteristics of the Special Part of Criminal Law of Modern Legal Systems	To provide a description of crimes against the foundations of national security	Questions
2/2	Crimes against the person and his/her personal rights and freedoms	Improve knowledge of criminal offences against human life and health	Questions, cases
2/2	Crimes against property and in the field of economic activity	To deepen knowledge about criminal offenses against sexual freedom and sexual integrity of a person	Questions, cases
2/2	Crimes against the environment	Analyze criminal offenses against electoral, labor and other personal rights and freedoms of a person and a citizen	Questions, cases
2/2	Crimes in the field of computer use	Improve knowledge of criminal offenses against property.	Questions, cases
2/2	Crimes against public safety	Consolidate knowledge about criminal offenses against the environment and against production safety	Questions, cases
2/2	Crimes against production safety, traffic safety and transport operation	To deepen knowledge about criminal offenses against public and public order and morality	Questions, cases
2/2	Crimes against public order and morality	To improve knowledge about criminal offenses against traffic safety and operation of transport	Questions, cases
2/2	Crimes in the field of drug trafficking.	Consolidate the learned knowledge	Questions, cases
2/2	Crimes in the field of protection of state secrets	Improve knowledge of Crimes against the authority of state authorities	Questions, cases
2/2	Crimes against the authority of public authorities	Improve knowledge Offences against the authority of public	Questions, cases

		authorities	
2/2	Crimes in the field of official activity	Analyse and study White Collar Crime	Questions, cases
2/2	Crimes against justice	To consolidate the knowledge gained Crimes against justice	Questions, cases
1/1	Crimes against national security.	Deepen knowledge of Crimes against national security.	Questions, cases
1/1	Military and international crimes	Analyse War crimes and international crimes	Questions, cases

### Recommended sources

#### 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)

##### ***References:***

1. Akimov, M. Criminal liability for hostage-taking [Text] / M. Akimov // Law of Ukraine. - 2022. - No. 3. - P. 150-154.

2. Aleksandrov, Y. Crimes against sexual freedom [Text] / Y. Aleksandrov // Yuryd. vistn. ukrayiny. - 2019. - April 6-12 (No. 14 (354)). - P. 9.
3. Borysov, V. I. Criminal liability for violation of rules, norms and standards relating to road safety [Text] / V. I. Borysov, S. V. Gizimchuk. 591
4. Borisov, V. I. Criminal and legal characteristics of the constitutive features of rape [Text] / V. I. Borisov // Entrepreneurship, economy and law. - 2019. - No. 3. - pp. 123-127.
5. Borysov, V. I. Human trafficking or other illegal transaction in relation to a person: characteristics of the crime [Text] / V. I. Borysov, V. A. Kozak // Almanac of Criminal Law. - K. : Prav. unity, 2019. - Issue 1. - P. 151-170. 586
6. Burda S.Y., Garasym P.S., Kisilyuk EM, Sozansky T.I. Criminal and legal characteristics of crimes in the field of trafficking in narcotic drugs, psychotropic substances, their analogues or precursors: a manual for the National Police in schemes. Lviv: Lviv State University of Internal Affairs, 2019. 48 c.
7. Butuzov, V. M. Crimes in the field of use of electronic computers, systems and computer networks and telecommunication networks [Text]: scientific and practical commentary / V. M. Butuzov, S. S. Ostanets, V. P. Shelomentsev - Kyiv: Druk. Ministry of Internal Affairs of Ukraine, 2020. 86 p.
8. Volodina, OO Criminal liability for kidnapping [Text] / OO Volodina. - Kh.
9. Gavrysh, S. B. Criminal and legal protection of the environment in Ukraine: Problems of theory, application and development of criminal law [Text] / S. B. Havrysh. - K. : JSC "Book", 2022. - P. 634.
10. Davydovych, I. Some issues of qualification of attacks on law enforcement officers in connection with the performance of their official duties [Text] / I. Davydovych, Y. Kryvobok // Prosecutor's Office. Man. State. - 2019. - No. 9. - pp. 59-69.
11. Dorosh, L.V.. Some issues of criminal liability for crimes against sexual freedom and sexual inviolability [Text] / LV Dorosh. Dorosh // Criminal law protection of life and health of a person: materials of scientific and practical conference, [Kharkiv], April 22-23, 2004. 2004 / editors: V. V. Stashys (chief editor) and others - K. ; Kharkiv : Yurinkom Inter, 2021. - P. 124-128.
12. Dorosh, L. V. Crimes against the authority of state authorities, local self-government bodies and associations of citizens (Articles 338-360) [Text] / LV Dorosh. Dorosh // Criminal Code of Ukraine: scientific and practical commentary / Y. Baulin, V. Borisov, S. Havrysh and others; edited by V. Stashys, V. Tatsiy - 3rd edition, revised and supplemented - Kharkiv: Odyssey LLC, 2019. - P. 910-964.
13. Dudorov O.O., Emelianenko V.V. Movchan R.O. Criminal liability for illegal seizure of a vehicle: analysis of legislative novels. Legal scientific electronic journal. 2021. No. 1. C. 277-286.
14. Dyomenko, S. V. Some problems of distinguishing extortion from related corpus delicti and qualification in the aggregate [Text] / S. V. Dyomenko // Bulletin of the Ministry of Justice of Ukraine. Ministry of Justice of Ukraine. - 2020. - No. 10. - P. 30-39.
15. Detention and custody in the process of inquiry and pre-trial investigation in Ukraine [Text] / V. I. Borisov, N. V. Hlynska, V. S. Zelenetskyi, O. H. Shilo - Kh. 595
16. Crimes against the personal will of a person [Text]: collection of materials of the international scientific and practical seminar / editors: V. Stashys (editor-in-chief) and others - Kharkiv: St. Mary's Ladder, 2022. 240 p.
17. Kalinichenko Y.V. Criminal liability for knowingly false reporting of a crime: a monograph. Kharkiv: Pravo, 2019. 256 c.
18. Kozak, V. A. The concept, criteria and signs of a vulnerable state of a person under the criminal law of Ukraine [Text] / V. A. Kozak // Criminal Law of Ukraine. Theory and practice. - 2007. - No. 1. - P. 27-34.
19. Criminal law of Ukraine: Special part: textbook / V. Tatsiy, V. Borisov, V. Tyutyugin and

others; edited by V. Tatsiy, V. Borisov, V. Tyutyugin. 6th ed. revised and supplemented. Kharkiv: Pravo, 2020. 768 c.

20. Criminal Law of Ukraine: Special part: textbook / V. Tatsiy, V. Borisov, V. Tiutiugin and others; edited by V. Tatsiy, V. Borisov, V. Tiutiugin. 6th ed. revised and supplemented. Kharkiv: Pravo, 2020. 768 c.

21. Kuts V.M., Mamotenko O.P. Illegal handling of analogues of excisable goods (criminal and legal aspects). Kyiv: Norma Prava, 2020. 200 c.

22. Navrotskyi, V. O. Fundamentals of criminal legal qualification [Text] : textbook / V. O. Navrotskyi. K. : Yurinkom Inter, 2019. 704 c.

23. Fundamentals of Criminal Qualification: a textbook / M.I. Panov, I.O. Zinchenko, O.O. Volodina and others; edited by M.I. Panov. Kharkiv: Pravo, 2019. 384 c.

24. Panov, M. I. Crimes against the established order of military service (war crimes) [Text] / M. I. Panov, V. I. Kasyniuk, S. O. Kharytonov. - Kharkiv: Kharkiv Law, 2018. - 172 p.

25. Legal conclusions of the Supreme Court (criminal jurisdiction) for 2018 / compiled by N. Antoniuk, P. Andrushko. Kyiv: Legal Unity: Alerta, 2019. 342 c.

26. Judgments of the European Court of Human Rights in Criminal Cases. Protection of life, health, honor and dignity / edited by V.S. Kovalskyi. Kyiv: Jurinkom Inter, 2019. 296 c.

27. Arkusha L. Discovery and investigation of legalization of proceedings obtained from organized criminal activity / Larisa I. Arkusha; English version N.E. Alexeev. Odessa: Feniks, 2012. 428 p.

28. Arkusha L. I. General provisions of methodics of detection and investigation of organized criminal activity. Development and modernization of the legal systems of Eastern Europe: experience of Poland and prospects of Ukraine: Collective monograph. Vol. 2. Lublin: Izdewniciba "Baltija Publishing", 2017. pp. 24-41 (1.2 d.a.) (336 p.)

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30. James R. Acker, David C. Brody. Criminal Procedure A Contemporary Perspective. London: Jones & Bartlett Learning, LLC. 2012, 672 p.

31. Julian Hermida. Criminal Law in Canada. New York: Wolters Kluwer, 2018. 138 p.

32. Koniushenko, Y., Opanasenko, N., Mariienko, A., & Melnyk, O. (2022). Respect of Human Rights and Freedoms During the Examination of a Person Within Criminal Proceedings: Issues of Theory and Practice. *Ius Humani. Law Journal*, 11(1), 61-74.

33. Koniushenko, Y., Pidyukov, P., Ustyomenko, T., Khakhutsiak, O., & Gultai, M. (2022). Damage compensation mechanism in the criminal process: Mecanismo de indemnización por daños en el proceso penal. *Cuestiones Políticas*, 40(72), 48-68.

34. Koniushenko, Y., Pidyukov, P., Ustyomenko, T., Khakhutsiak, O., & Gultai, M. (2022). Damage compensation mechanism in the criminal process: Mecanismo de indemnización por daños en el proceso penal. *Cuestiones Políticas*, 40(72), 48-68.

35. Kulyk Maryna, Kofanov Andrii, Pavlovska Nataliia, Tereshenko Yuliia, Symchuk Anatolii. Corruption in the Economy of Ukraine. Intellectual Archive Volume 10. Number 3, July - September. Canada. 2021. P. 60-66.

36. Kuzmichova-Kyslenko Ye.V. Features of the Pre-trial Investigation of Air Pollution, Environment and Ecology Research, Vol. 10, No. 2, pp. 133 - 145, 2022.

37. Legal science and education in Ukraine and EU countries: a paradigm shift: Collective monograph. Riga, Latvia: "Baltija Publishing", 2021. 488 p. P. 285-310. URL:

<http://www.baltijapublishing.lv/omp/index.php/bp/catalog/book/159>.

38. Lidiya Kotlyarenko; Maryna Kulyk; Yuliia Tereshchenko; Anatolii Symchuk; Serhii Kharchenko. Features of Officer Training in Military Educational Institutions of Ukraine. Intellectual Archive, Volume 11 Number 1. January-March 2022. Canada. P. 24-30.

39. Munyao Sila. Modern Law of Criminal Procedure in Kenya. London: Partridge Publishing Africa, 2014. 372 p.

40. Nicholas Graphia, Nicholas M. Graphia, Esq., Gulf Coast Legal Publishing. Louisiana Code of Criminal Procedure. London: Independently Published, 2019. 341 p.

41. U. S. Levi US LEGI EDITIONS. Texas Code of Criminal Procedure. New York: Independently Published, 2019. 712 p.

42. Yuliia Sukhomlyn. "The Influence of European Standards on the Establishment of the Institute of Criminal Justice of Ukraine" / Modern problems of the use of special knowledge in pre-trial investigation under martial law: materials of the Scientific and Practical Seminar / Dnipro, May 26, 2022 [editors: L. Nalyvaiko, V. Lazarev, V. Korotaev and others] - Dnipro: DVDUS, 2022, PP.57-59.

### 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
Oral survey during classes (7 topics) - 5 points per topic - max. 35 points. Modular control work - max. 65 points	Oral survey during classes (8 topics) - 5 points per topic - max. 40points. Modular control work - max. 60 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