



**SYLLABUS FORM**  
**POSITIVE CONSTITUTIONAL LAW**

Basic data of the subject	
<b>Academic Unit:</b>	University of Prizren "Ukshin Hoti" Faculty of Law
<b>Course title:</b>	Positive Constitutional Law
<b>Program:</b>	General Law
<b>Level:</b>	Bachelor
<b>Course status:</b>	Mandatory
<b>Study year:</b>	2 <sup>nd</sup> year , 3 <sup>rd</sup> semester
<b>Number of hours per week:</b>	3+2
<b>Credit value – ECTS:</b>	6
<b>Time / location:</b>	Faculty of Law
<b>Lecturer:</b>	Prof.asoc.Dr. Arif Riza
<b>Contact details:</b>	arif.riza@uni-prizren.com
<b>Course description:</b>	The course "Positive Constitutional Law" studies the constitutional normative system applicable in the Republic of Kosovo. It provides knowledge on the sanctioning and functioning of the constitutional order in the Republic of Kosovo.
<b>Course objectives:</b>	The aim of this course is to convey knowledge to undergraduate students about the theoretical part of Positive Constitutional Law as a separate branch of law. It is worth emphasizing that students will analyze the sources of constitutional law in the Republic of Kosovo, the structure of the constitution of the Republic of Kosovo and other relevant acts that sanction the constitutional system in our state. Special attention will be paid to the organization and scope of constitutional bodies in the Republic of Kosovo.
<b>Learning outcomes:</b>	At the end of the course, students should be able to: <ul style="list-style-type: none"> <li>➤ understand the regulation of the constitutional system in the Republic of Kosovo,</li> <li>➤ understand the organization and scope of constitutional institutions in the Republic of Kosovo,</li> </ul>

	<ul style="list-style-type: none"> <li>➤ respect the constitutionally guaranteed rights in daily life,</li> <li>➤ apply knowledge generated about constitutionally guaranteed rights,</li> <li>➤ successfully materialize in practice all the knowledge gained in this subject.</li> </ul>		
<b>Contribution on student load (must correspond with learning outcomes)</b>			
<b>Activity</b>	<b>Hours</b>	<b>week</b>	<b>Total /hours</b>
Lectures	3	15	45 hours
Exercise theoretical/laboratory	2	15	30
Practice work			
Contact with lecturer/consultations	1	15	15
Field exercises			
Mid-terms, seminars	1	1	1
Homework	1	1/10	10
Individual time spent studying (at the library or home)	1	15	15
Final preparation for the exam	2	15	30
Time spent in evaluation (tests, quiz, final exam)	2	2	4
Projects, presentations, etc.	1	15	15
<b>Total</b>			<b>150 hours 6 ECTS</b>
<b>Teaching methods</b>	<p>This course will be delivered through interactive lectures, case studies and audio-visual aids. Lectures will be combined with presentations where students are required to get involved in the process, documents, laws, conventions, and other necessary materials will also be analyzed.</p>		
<b>Evaluation methods</b>	<p>Assessment of students' knowledge is done throughout the semester, including their participation and activity during lectures, exercises, and during class presentations and discussions. The exam is taken by written or oral test.</p> <ul style="list-style-type: none"> <li>-Tests / Colloquiums 20%</li> <li>-Practical work and seminars 10%</li> <li>-50% approval</li> <li>- Attendance and engagement in lectures 10%</li> <li>- Participation and engagement in exercise classes</li> </ul>		

	10%
<b>Literature</b>	
<b>Basic Literature:</b>	<ol style="list-style-type: none"> <li>1. Arsim Bajrami &amp; Florent Muçaj, “Constitutional Law”, Pristina 2018.</li> <li>2. Arsim Bajrami, "The Constitutional System of the Republic of Kosovo", Pristina, 2011.</li> <li>3. Constitution of the Republic of Kosovo with Constitutional Amendments, 2008.</li> <li>4. Hazër Susuri, “Constitutional Law”, First Edition, Pristina 2017.</li> <li>5. Aurela Anastasi, "Constitutional Law" (For law students), Tirana 2004.</li> <li>6. Marko, Joseph. "The new Kosovo constitution in a regional comparative perspective." Central and East European Law Review 33.4 (2008): 437-450.</li> </ol>
<b>Additional Literature</b>	<ol style="list-style-type: none"> <li>1. Enver Hasani &amp; Ivan Cukalovic, “The Constitution of the Republic of Kosovo-Commentary”, Edition 2013, Pristina.</li> <li>2. European Convention on Human Rights</li> <li>3. Law no. 03 / L-094 on the President of the Republic of Kosovo</li> <li>4. Regulation no. 09/2011 of the work of the Government of the Republic of Kosovo</li> <li>5. Law no. 06 / L-54 on Courts</li> <li>6. Law no. 06 / L-055 on the Kosovo Judicial Council</li> <li>7. Law no. 03 / L-121 to the Constitutional Court of the Republic of Kosovo</li> <li>8. Law no. 04 / L-076 on Police</li> <li>9. Law no. 06 / L-123 on the Kosovo Security Force</li> <li>10. Law no. 03 / L-040 on Local Self-Government</li> </ol>

<b>Designed study plan:</b>	
<b>Week</b>	<b>Lectures which will be held</b>
<i>First week:</i>	<p><b>Sources of constitutional law in the Republic of Kosovo</b>  Kosovo Declaration of Independence  Content of Kosovo Declaration of Independence  Constitution of the Republic of Kosovo  Mission and features of the Constitution of the Republic of Kosovo  Principles of the Constitution of the Republic of Kosovo</p>
<i>Second week:</i>	<p><b>Introduction to the Constitution of the Republic of Kosovo</b>  The structure of the Constitution  Preamble to the Constitution  Basic provisions of the Constitution</p>
<i>Third week:</i>	<p><b>Freedoms and rights guaranteed by the Constitution of the Republic of Kosovo</b>  General principles of human rights and freedoms  Classification of human rights and freedoms  Limitation of human rights and freedoms  Protection of human rights and freedoms</p>
<i>Fourth week:</i>	<p><b>Rights of communities and their members in the constitutional system of the Republic of Kosovo</b>  Guarantees offered by the Constitutional Right to Minority Rights  General principles of community rights  Obligations of the Republic of Kosovo in relation to the rights of communities  The rights of constitutional communities in the Constitution</p>
<i>Fifth week:</i>	<p><b>Representation of communities in the bodies of the Republic of Kosovo</b>  Representation of Communities in the Assembly  Representation of Communities in Government  Representation of communities in the justice system  Representation of communities in the Constitutional Court  Representation of communities in local bodies  Representation of communities in security organs  Representation of communities in Presidency and the Consultative Council for Communities</p>
<i>Sixth week:</i>	<p><b>Assembly of the Republic of Kosovo</b>  Organizational structure of the Assembly  Election and mandate of the Assembly  Immunity of MPs  Powers of the Assembly  The process of adopting laws  Legislation of vital interest  Distribution of the Assembly</p>

<i>Seventh week:</i>	<b>Committees in the Assembly of the Republic of Kosovo</b> Composition of committees Functioning of committees Reporting of committees Types of commissions Subcommittees, their composition and functioning
<i>Eighth week:</i>	<b>President of the Republic of Kosovo</b> Status of President Conditions for the election of the President The procedure of electing the President Mandate and Oath of the President Immunity of the President Temporary absence and dismissal of the President
<i>Ninth week:</i>	<b>Government in the Republic of Kosovo</b> Composition of the Government Election of Prime Minister and Government Government Powers Parliamentary control of the Government
<i>Tenth week:</i>	<b>Justice system in the Republic of Kosovo</b> General principles of the justice system Organization of courts and jurisdiction Appointment, dismissal, reappointment and transfer of judges Kosovo Judicial Council, composition and powers Prosecution organization and jurisdiction Kosovo Prosecutorial Council, composition and powers Advocacy
<i>Eleventh week:</i>	<b>Constitutional Court in the Republic of Kosovo</b> Composition of the Constitutional Court of the Republic of Kosovo and the manner of election of judges Jurisdiction and authorized parties Types of decisions and their effect Budget of the constitutional court
<i>Twelfth week:</i>	<b>Security Sector in the Republic of Kosovo</b> Kosovo Security Force Kosovo Security Council Kosovo Police Kosovo Intelligence Agency Civil Aviation Authority
<i>Thirteenth week:</i>	<b>Independent Institutions in the Republic of Kosovo</b> Ombudsman Auditor General Central Election Commission Central Bank of Kosovo Independent Media Commission Other Independent Institutions (Independent Agencies)

<i>Fourteenth week:</i>	<b>Local Government and Territorial Organization in the Republic of Kosovo</b> Organization and functioning of local self-government Municipality in the Republic of Kosovo Municipal bodies Acts of municipal bodies Types of municipal competencies Municipal finances
<i>Fifteenth week:</i>	<b>Preparation for exam</b>

<b>The academic policy and student's complaisance:</b>	
<ul style="list-style-type: none"> <li>➤ Students are obliged to respect the schedule of lectures and exercises.</li> <li>➤ Students should attend lectures and exercises regularly.</li> <li>➤ The student who is absent more than three times in lectures and exercises will automatically be deducted ten (10) points from the total points achieved in the final assessment (exam), except for certain situations for which the reasons for the absence are justified.</li> <li>➤ Copying during the exam and plagiarism are prohibited.</li> </ul>	