



SYLLABUS form Criminal Procedure Law I

Basic data of the subject	
Academic Unit:	Faculty of Law
Course title:	Criminal Procedure Law I
Level:	Bachelor
Course status:	Compulsory
Study year:	III
Number of hours per week:	3 Lectures + 2 Practical Classes
Credit value – ECTS:	7
Time / location:	Faculty of Law, Univeristy of Prizren “Ukshin Hoti”
Lecturer:	Prof.Dr. Armend Podvorica
Contact details:	armendi_537@hotmail.com tel. +383 44 163 311
Course description	The course will focus on creating opportunities for students to master and gain knowledge on Criminal Procedure Law I. Students will be encouraged to be active participants in lectures through presentations or seminar papers. The method of delivery of the course will be interactive. However, other forms of contemporary teaching will be used to make this course accessible, clearer, and easier to students.
Course objectives:	The purpose of the course is to offer students substantial and sufficient knowledge about the institutes and principles on which criminal proceedings are conducted. This course also aims to analyze the importance of criminal procedural actions undertaken to enlighten the criminal offense and the discovery of its perpetrator and the imposition of a criminal sanction for the purpose of achieving the main purpose of criminal proceedings in the preventive and repressive fight against criminality.
Learning outcomes:	

	<p>After taking this course, students will be able to :</p> <ul style="list-style-type: none"> - create the concept of what constitutes Criminal Procedure Law I; - distinguish the object and subjects of the criminal procedure; - understand measures to ensure the presence of the defendant; - understand the role and importance of the course in the study of concepts that consist in the study of criminal procedural actions that are undertaken to enlighten the offense and detecting its perpetrator.
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Contribution on student load (must correspond with learning outcomes)

Activity	Hours	week	Total /hours
Lectures	3	15	45 h
Exercise theoretical/laboratory	2	15	30 h
Practice work			
Contact with lecturer/consultations	0.5	15	7.5 h
Field exercises			
Mid-terms, seminars	0.5	15	7.5 h
Homework			
Individual time spent studying (at the library or home)	3	15	45 h
Final preparation for the exam	3	15	30 h
Time spent in evaluation (tests, quiz, final exam)			
Projects, presentations, etc.			5h
Total			175

Teaching methods

Teaching methods	Analysis, interactive discussion groups, practical work

Evaluation methods

Evaluation methods	<p>Three mid-term exams</p> <p>Project work</p> <p>Presentations</p>
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	Participation and attendance Final exam
Literature	
Basic Literature:	Dr.sc. Ejup Sahiti & Dr.sc. Rexhep Murati, Criminal Procedure Law, Prishtinë, 2016.
Additional Literature	<p>Students should study the relevant provisions regulating criminal proceedings in Kosovo and the UN Conventions the Rights and Freedom, the European Convention for the Protection of Human Rights and Fundamental Freedoms and other international documents on human rights as follows:</p> <p>Criminal Code of Kosovo, Code no. 04/L-082, G. Z. No. 19/2012, and no.30/2012.</p> <p>Criminal Procedure Code of Kosovo, Code no. 04/L-123, G.Z., N Juvenile Justice Code of Kosovo, Code no. 03/L-193 ,G.Z. No.78/2010.</p> <p>Law on the Execution Criminal Sanctions, No.03/L-191, G.Z. no.79/2010.</p> <p>Law on Courts, Law no. 03/L-199, G.Z. 79/2010 and No. 03/L-171, G.Z. no. 28/2012.</p> <p>Law on the Constitutional Court, Law no. 03/L- 121,G.Z. no. 46/2009.</p> <p>Law on Kosovo Judicial Council, No. 03/L-223, G.Z. 84/2010.</p> <p>Law on State Prosecutor, Law no. 03/L-225, G.Z. 83/2010.</p> <p>Law on Special Prosecution of the Republic of Kosovo, Law no.03/L-052, G.Z. 27/2008.</p> <p>Law on the Kosovo <i>Prosecutorial</i> Council, Law no. 03/L-224, G.Z. 83/2010.</p> <p>Law on the Bar, No. 03/L-117.</p> <p>Legal Clinic – Author Dr. Hashim Qollaku & Dr. Fejzullah Hasani, UPZ</p> <p>Hajdari, Azem, Criminal Procedure Law, Prishtinë, 2010.</p> <p>Hajdari, Azem, Criminal Procedure Law, Special Part,</p>

	Prishtinë, 2013.o. 37/ 2012.
Designed study plan:	
Week	Lectures which will be held
<i>First week:</i>	Review of the syllabus, course schedule and other important information for the course
<i>Second week:</i>	<p>CRIMINAL LAW IN GENERAL AND REGULATION OF CRIMINAL PROCEEDINGS</p> <ul style="list-style-type: none"> - Forms of state-society response to criminality; - Meaning of material criminal law, criminal procedure, the right of criminal procedure and the right to execute sanctions for criminal proceedings. - Regulation of criminal procedure and realization of human rights.
<i>Third week:</i>	<p>HISTORICAL DEVELOPMENT OF CRIMINAL PROCEDURE LAW</p> <ul style="list-style-type: none"> - Basic forms of criminal procedure. - The accusatorial, inquisitorial and mixed systems of criminal procedure. - Historical development of the criminal justice system in Kosovo.
<i>Fourth week:</i>	<p>THE RELATION OF CRIMINAL PROCEDURE LAW WITH OTHER LEGAL BRANCHES AND SCIENTIFIC DISCIPLINES</p> <ul style="list-style-type: none"> - The relation of criminal procedure law with the material criminal law - The relation of criminal procedure law with the right to execute criminal sanctions. - The relation of criminal procedure law with other punitive procedure - The relation of criminal procedure law with civil procedure and other scientific disciplines. <p>SOURCES OF CRIMINAL PROCEDURE LAW</p>

	<ul style="list-style-type: none"> - Internal and external resources
Fifth week:	<p>THE VALIDITY OF THE PROVISIONS OF CRIMINAL PROCEDURE LAW</p> <ul style="list-style-type: none"> - The validity of the provisions of criminal procedure on territory, time, and person. - Immunity under the domestic law and the international law <p>INTERPRETATION OF THE PROVISIONS OF CRIMINAL PROCEDURE LAW</p> <ul style="list-style-type: none"> - Types of interpretation - According to the subject - According to the goal - According to the method
Sixth week:	<p>FUNDAMENTAL PRINCIPLES OF CRIMINAL PROCEDURE</p> <ul style="list-style-type: none"> - The definitions of principles - Principle of officers of criminal prosecution - Principles of legality of criminal prosecution - The accusing principles - Right to fair and impartial trial within a reasonable time - Presumption of innocence of defendant and In Dubio Pro Reo - Equality of parties - Principle of judicial independence - Publicity of trial - Right of rehabilitation and compensation
Seventh week:	<p>THE SUBJECT OF CRIMINAL PROCEEDINGS</p> <ul style="list-style-type: none"> - Primary subject - Secondary subject - Types of secondary subject : property claims, collateral issues and costs of criminal proceedings
Eighth week:	<p>Intermediary test 1 Group discussions</p>
Ninth week:	<p>THE PARTICIPANTS OF CRIMINAL PROCEDURE</p> <ul style="list-style-type: none"> - Primary participants: court, prosecutor, and the defenadant; - The principles of the organisational structure of the courts; - Qualitifactions of judges

	<ul style="list-style-type: none"> - Disqualification of judges - Competencies of the courts - Types of competencies and assessment of competence - Legal assistance
Tenth week:	<p>THE PARTIES IN CRIMINAL PROCEDURE</p> <ul style="list-style-type: none"> - The authorized state prosecutor - The defendant and defence counsel - The other secondary parties in criminal proceedings - The injured party in criminal proceedings - The motion for prosecution by the injured party - The representatives of the injured party legal representative and authorized representative) - The third persons in criminal proceedings (the witnesses, experts) - The procedural assistance (the clerk of the court, interpreter, etc.)
Eleventh week:	<p>CRIMINAL PROCEDURAL ACTIONS</p> <ul style="list-style-type: none"> - Indictment - Decisions of the court - Legal remedies
Twelfth week:	<p>MEASURES TO ENSURE PRESENCE OF DEFENDANT</p> <ul style="list-style-type: none"> - Summons - Order for arrest - Promise of the defendant not to leave his or her place of current residence - Prohibition on approaching a specific place or person - Attendance at a police station - Bail - House detention - Diversion - Detention on remand
Thirteenth week:	<p>MEASURES TO ENSURE MATERIAL EVIDENCE AND PROPERTY CLAIMS</p> <ul style="list-style-type: none"> - Measures to ensure material evidence - The search of a house and the search of person - Covert and technical investigative measures - Search and temporary confiscation - Measures to ensure property claims
Fourteenth week:	<p>THE BURDEN OF PROOF IN CRIMINAL PROCEEDINGS</p> <ul style="list-style-type: none"> - Verification of facts in criminal proceedings - Evidence in criminal proceedings

	<ul style="list-style-type: none"> - Clasification of evidence, object of evidence,(<i>thema probandi</i>) burden of proof (onus probandi) - Irrelevant or intrinsically unreliable evidence inadmissible - Types of some evidence - The statement by the defendant, examination of defendant, and corroboration of defendant - Statement of witnesses, privileged witnesses - Witness protection, cooperative witness - Expert analysis - Site inspection and reconstruction - Material evidence
<i>Fifteenth week:</i>	Final exam
Academic policies and rules of conduct:	
<p>Students are obliged to comply with the code and conduct of the University of Prizren. Any suspected violation of the Code of Conduct, shall be referred to the University officials for further proceeding.</p>	