

Course Name : Comparative Criminal Law							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 535	N/A	Fall	4.00	0.00	0.00	4.00	6.00
Lecturer Ada Güven, PhD							
Assistant Fioralba Markja, Msc							
Course language Albanian							
Course level Master							
Description The Comparative Criminal Law course aims to serve students and lawyers, to equip them with the culture of institutions and institutes of the criminal law of different countries. The study of this discipline is a prerequisite for understanding and anticipating the evolution of domestic law. The ground on which this discipline operates is foreign criminal-procedural legislation. Comparative studies form the basis of knowledge of foreign law and consequently of the improvement and unification of positive trends in various legislative developments. In the framework of this discipline, the process of birth and development of different legal traditions in the criminal field is reflected chronologically. Comparative studies have started to develop not too early and have not stopped until today when the trend of integration, especially for Albania, raises on the agenda standards comparable to other community members that make up what in other terms is known as " Legal Europe ". This discipline tends to create a clear picture of the main criminal justice systems in Europe and beyond.							
Objectives Studentët do të shqyrtojnë sesi faktorët kulturorë, historikë dhe politikë ndikojnë në formulimin dhe zbatimin e legjislacionit penal në juridiksione të ndryshme. Do të zhvillojnë aftësi për të vlerësuar në mënyrë kritike praktikatat penale nga një perspektivë krahasuese.							
Core Concepts 1. Comparative Criminal Law 2. Convention 3. Legal tradition 4. Legal systems 5. Actors of the criminal process							
Course Outline							
Week	Topic						
1	- General treatments on criminal law compared; - Definition of comparative criminal law. - The object of study of comparative criminal law (Chapter I, Comparative Criminal Law, A. Shegani,)						
2	- Criminal law compared as a legal and scientific discipline; Characteristics of comparative criminal law (Chapter II, Comparative Criminal Law, A. Shegani,)						
3	- Faktorët që favorizojnë studimin e së drejtës penale të drejtës penale të krahasuar - Factors that favor the study of criminal law comparative criminal law - History of comparative law with special emphasis on comparative criminal law (Chapter III, Comparative Criminal Law, A. Shegani,)						
4	- Relationships between comparative criminal law and related disciplines (debate with students) - Criminal sanctions in the criminal legal systems of different countries; (Chapter IV, Comparative Criminal Law, A. Shegani,)						
5	- Sources of comparative criminal law (main sources are conventions, constitutions, codes, customary law, case law). (Chapter V, Comparative Criminal Law, A. Shegani,)						
6	- Presentation from the aspect of solutions included in international documents (resolutions, conventions, protocols, statutes, and other acts) and in the criminal codes of different countries (Chapter VI, Comparative Criminal Law, A. Shegani,)						

7	Methods of studying comparative criminal law: - Comparison of comparative law institutes with a special look at criminal law institutes such as criminal offenses, criminal responsibility, place and time of the commission of criminal offenses, extradition, necessary protection, etc. (Chapter VII, Comparative Criminal Law, A. Shegani,)
8	Midterm Exam
9	British system - Principles, sources, institutes, criminal sanctions. (Discussion with students). - Comparisons of this system with other families of legal systems (Chapter VIII, Comparative Criminal Law, A. Shegani,)
10	- The system of criminal law in the Scandinavian countries, The system of criminal law in some European countries: Italy, Germany, France, etc. (Chapter IX, Comparative Criminal Law, A. Shegani,)
11	- Dutch, Belgian system, - Characteristics of this system - Analysis of some basic institutions of the criminal law of these states (general part, special part, criminal offenses, criminal sanctions, and their types). (Chapter X, Comparative Criminal Law, A. Shegani,)
12	US criminal law, Analysis of some basic institutions of the criminal law of this state (general part, special part, criminal offenses, criminal sanctions, and their types). (Chapter XI, Comparative Criminal Law, A. Shegani,)
13	Criminal law in Latin American countries (Argentina, Brazil, etc.) Analysis of some basic institutions of the criminal law of these countries (general part, special part, criminal offenses, criminal sanctions, and their types). (Chapter XII, Comparative Criminal Law, A. Shegani,)
14	Criminal law in Eastern countries. Analysis of some basic institutions of the criminal law of these states (general part, special part, criminal offenses, criminal sanctions, and their types). (Chapter XIII, Comparative Criminal Law, A. Shegani,)
15	Criminal proceedings systems; Characteristics of inquisitorial and accusatory criminal proceedings (Ross. Mary Ann. Analysis of the criminal justice system in Albania: report of the Program for the Development of a Fair Trial. Tirana: OSCE, 2006.,)
16	Final Exam
Prerequisites	The student must attend the course at a minimum rate of 75%.
Literature	<ul style="list-style-type: none"> • Heller, Kevin Jon. Dubber, Markus (eds). Comparative Criminal Law. Stanford: Stanford University Press: 2011. • Altin Shegani, E Drejta Penale e Krahasuar, Tiranë 2011 • 3. Ross. Mary Ann. Analizë e sistemit të drejtësisë penale në Shqipëri : raport i Programit për Zhvillimin e një Gjykimi të Drejtë. Tiranë : OSCE, 2006
References	<ul style="list-style-type: none"> • Richard J. Terrill, World Criminal Justice Systems: A Comparative Survey, Routledge, 2012 • Lauterwien, Carl Constantin. The limits of criminal Law, a comparative analysis of approaches to legal theorizing. England: Ashgate publishing, 2010. • Ross. Mary Ann. Analizë e sistemit të drejtësisë penale në Shqipëri : raport i Programit për Zhvillimin e një Gjykimi të Drejtë. Tiranë : OSCE, 2006.
Course Outcome	
1	Pas përfundimit të këtij kursi, studentët duhet të kenë aftësinë për të kuptuar faktin se në botën moderne është vështirë të imagjinohet miratimi e ligjeve sistemore (kodeve) në çdo fushë, duke përfshirë të drejtën penale, pa mbështetjen në ,modelet krahasuese.
2	Pas përfundimit të këtij kursi, studentët duhet të kenë aftësinë për të formuar një koncept mbi të drejtën penale krahasuese dhe rolin e saj në avancimin e sistemit të drejtësisë penale dhe efikasitetin e luftimit të kriminalitetit.
3	Pas përfundimit të këtij kursi, studentët duhet të kenë aftësinë për të formuar bindjen se institucionet e së drejtës penale të krahasuar (vepra penale, përgjegjësisë penale dhe sanksioneve penale) janë institucione me interes të lartë për të gjithë botën, në Evropë, në rajon, por edhe për Kosovën dhe qytetarët e saj.
4	Studenti do të njohë aktorët e sistemeve të drejtësisë, figura të ndryshme të veprave penale nga më komplekset me të cilat përballet aktualisht realiteti shqiptar dhe ai botëror.
5	Pas përfundimit të këtij kursi, Studenti duhet të njohi sistemet e ndryshme penale në botë.

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	40	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	0	0	
Total in-term evaluation percent		40	
Final exam percent		60	
Total		100	
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	5	70
Duties	0	0	0
Midterms	1	2	2
Final Exam	1	4	4
Other	0	0	0
Total Work Load			140
Total Work Load / 25 (hours)			5.60
ECTS			6.00