



KOLEGJI - COLLEGE
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Prishtinë, Ulpianë, rr. "Motrat Qiriazhi" nr. 29

SYLLABUS						
Level of studies	Bachelor	Program me	General Law	Academic year	2015-16	
Course	Law on criminal proceedings					
Year	III	Course status	Mandatory	ECTS / credits	6	
Semester	V					
Class Weeks	15		Classes	Lectures	Exercises	
				2	1	
Teaching method	Group lecture accompanied by discussions and mindfulness tests, group and individual consultations, exercises, case studies and research, seminars, assignments					
Consultations	Before and after lectures (or on schedule/office hours)					
Teacher	PhD Besim Kelmendi		Tel / mob	+38344124174		
			e-mail	besimkelmendi@ymail.com		
Assistant			Tel / mob			
			e-mail			
Purpose of study and course content			Student benefits			
<p>The lectures aim to provide students theoretical knowledge as well as study visits in order to study the organizational and functional structure of the justice system in criminal proceedings - general part. The purpose of the course is provide students an understanding of the principles and rules of criminal procedure, including the types of criminal procedure, its relation to other procedures, the subjects of the criminal procedure, its scope and the competences of prosecutors and courts in criminal proceedings. As the new Criminal Procedure Code is expected to enter into effect on 1 January 2020 in Kosovo, students will also be able to gain insights into the innovations that the new Code will introduce, so that students are prepared to become part of the judicial system</p>			<p>Upon successful completion of the programme (course), students will be gain knowledge on:</p> <ol style="list-style-type: none"> 1. rules of criminal procedure in Kosovo 2. types of criminal proceedings 3. relationship of criminal procedure law with other procedures 4. principles of criminal proceedings 5. subjects in criminal proceedings 6. Exclusion of subjects in criminal proceedings 7. the powers of the prosecution and the courts <p>his intellect, critical thinking and approach to the criminal-procedural field, but at the same time embracing the newest democratic principles, as pursued presently and in the future.</p>			

METHODOLOGY FOR SYLLABUS DELIVERY

The course will be introduced by applying lectures, discussions, group work, observing cases in prosecution and court, etc.

During the lecture hours, interactive methods will be applied to enable students to participate regularly and actively in the classroom.

Also during each lecture, power point slides will be prepared and materials from the case law will be analyzed, whereby all students will actively discuss debate or defending seminar papers.

REQUIREMENTS FOR SYLLABUS DELIVERY

Room equipped with computer and projector, desks for exercise

Students evaluation method (in %):

	Marking in %	Final Grade
Presentation and teamwork: 0-5% Individual presentation: 0-10 Activity: 0-5% Seminar paper: 0-10 % Test I: 0-20% Test II: 0-20% Final examination: 0-30%	91-100	10 (ten)
	81-90	9 (nine)
	71-80	8 (eight)
	61-70	7 (seven)
	51-60	6 (six)

STUDENT REQUIREMENTS

Lectures	Exercises
Attending Lectures Active participation, Seminar papers, projects, Participation in tests and exercises, Final examination.	Participation in exercises Individual and group work in case studies, Participation in in discussions.

SUBJECT WORKLOAD ON STUDENT

Activity	Hours	Days / Weeks	Total
Lectures	2	15	30
Exercises	1	15	15
Practical work	-	-	-
Contact with the teacher	2	5	10
Field exercises	2	10	20
Colloquiums / seminars	5	2	10
Homework	1	15	15
Self study time	2	15	30
Preparations for final examination	10	1	10
Time spent in assessments (tests, quizzes, final exams)	7	1	7
Projects proposals	3	1	3
Notes: 1 ECTS credit = 25 hours commitment, e.g. if the course has 6 ECTS credits, the student shall have committed 150 hours per semester		Total workload:	150

Week	Lectures		Exercises	
	Topic	Hours	Topic	Hours
1	<p>Week One:</p> <p>Topic: Basic knowledge of criminal procedure</p> <p>Subcategories:</p> <ol style="list-style-type: none"> 1. Understanding criminal procedure 2. History of criminal proceedings <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.18-28</p>	2	<p>Analyses and discussions on the meaning of criminal proceedings and the history of criminal proceedings</p>	1
2	<p>Week Two:</p> <p>Topic: Similarities and differences of criminal procedure law with substantive law</p> <p>Subcategories:</p> <ol style="list-style-type: none"> 1. Differences of criminal procedure law with of substantive law 2. Similarities of criminal procedure law with substantive law <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p. 57</p>	2	<p>Analyses and discussions on the similarities and differences of criminal procedure law with substantive law</p>	1
3	<p>Week Three:</p> <p>Topic: Types or forms of criminal procedure law</p> <p>Subcategories:</p> <ol style="list-style-type: none"> 1. Indictment procedure 2. Inquiry procedure 3. Mixed procedure <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p. 35-51</p>	2	<p>Analyses and repetition of the lesson regarding the types or forms of criminal procedure law</p>	1
4	<p>Week Four:</p> <p>Topic: Relationship of criminal procedure law with other law</p> <p>Subcategories:</p> <ol style="list-style-type: none"> 1. Relationship to laws in the criminal area 2. Relationship to laws in the civil area <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.55-62</p>	2	<p>Presentation of practical examples and discussion on the report of criminal procedure with civil rights</p>	1

5	<p>Week Five: First test Topic: Relationship to other sciences related to the criminal procedure law</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.64-69</p>	2	Discussions about the similarities and differences between criminal procedure and other sciences	1
6	<p>Week Six: Topic: Sources of criminal procedure law Subcategories: 1. Internal resources 2. External Resources - International</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.71-73</p>	2	Discussions about the similarities and differences between internal and external sources	1
7	<p>Week Seven: Topic: The validity of the provisions of the criminal procedure law according to the hierarchy Subcategories: 1. The Constitution 2. Legal acts 3. Sub-legal acts</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p. 75-78</p>	2	Discussions on the hierarchy of legal provisions - practical examples	1
8	<p>Week Eight: Topic: Immunity in criminal proceedings Subcategories: 1. Immunity under domestic law 2. Immunity under international law</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.79-83</p>	2	Drafting immunity requirements and rulings thereunder	1
9	<p>Week Nine: Topic: Principles of criminal procedure law Subcategories: 1. Glossary of principles 2. Types of principles</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p. 87-113</p>	2	Discussions about the similarities and differences between principles of criminal procedure and principles of other procedures	1

10	<p>Week Ten: Second test:</p> <p>Topic: Subject of criminal procedure law Subcategories:</p> <ol style="list-style-type: none"> 1. The basic subject 2. Secondary subject <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.115-119</p>	2	Presentation and discussion of cases where the primary and secondary subject can be identified	1
11	<p>Week Eleven:</p> <p>Topic: Participants in criminal proceedings Subcategories:</p> <ol style="list-style-type: none"> 1. State Prosecutor 2. Courts <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.123-161</p>	2	Presentation and discussion of examples from practice on the role of participants in criminal proceedings	1
12	<p>Week Twelve:</p> <p>Topic: Other participants in criminal proceedings</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p. 163-169</p>	2	Introducing and practicing the role of other participants in criminal proceedings	1
13	<p>Week Twelve:</p> <p>Topic: Powers of the prosecution and the courts Subcategories:</p> <ol style="list-style-type: none"> 1. Subject competence 2. Territorial competence 3. Conflicts of competence <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.136-147</p>	2	Drafting rulings on competences	1
14	<p>Week Fourteen:</p> <p>Topic: Exclusion of subjects in criminal proceedings Subcategories:</p> <ol style="list-style-type: none"> 1. Exclusion of the state prosecutor 2. Exclusion of judges 3. Exclusion of other entities 	2	Drafting immunity requests and associated rulings	1

	Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p. 131-133			
15	<p>Week Fifteen:</p> <p>Topic: Similarities and differences between the general and specific part of the criminal procedure</p> <p>Criminal Procedure Law, Sahiti, Ejup & Murati, Rexhep, 2016, p.23</p>	2	Presentation of practical examples on the similarities and differences between the general and specific part of the criminal procedure	1

LITERATURE

Basic bibliography:

- Sahiti, Ejup, Murati, Rexhep Criminal Procedure Law, Prishtina, 2016,
- Sahiti, Ejup, Murati, Rexhep, Elshani, Xhevdet, Commentary on Criminal Procedure Code, Prishtina, 2015.
- Murat, Rexhep, Review of Criminal Proceedings Due to New Facts and Evidence, Pristina, 2006.

Additional bibliography:

Juvenile Justice Code (2004)
 Mr.sc. Besim Kelmendi “Fundamentals of the Justice System” lectures published by University College “Business”,
 Law no. 03 / L-223 on the Kosovo Judicial Council,
 Constitution of the Republic of Kosovo,
 Law no. 03 / L-224 on the Kosovo Prosecutorial Council,
 Law no. 03 / L-199 on Courts,
 Law no. 03 / L-225 for the State Prosecutor and
 Law no. 03 / L-117 on Bar Association in Kosovo.

Notes:

For each subject, students will be provided with necessary materials in Albanian.
 At the end of each lesson, certain groups of students will be given assignments or case studies on the lectured topic. Groups of students will be asked to present the results of the assignment and discuss them in class.

STUDENT REMARKS

The student during the studies should be regular and responsible to the institution in which he or she is studying and to the lecturers who cite their materials as foreseen in the syllabus. They must respect the working hours as well as the lecture schedules provided by the institution in which they attend the selected university training programs. They should be committed to selection of assignments, tasks, seminars and various research papers they receive from their pedagogues. During exercises, tests, examinations, they shall always carry an index as an identification document. Students should be vigilant in drafting papers submitted by lecturers and seek guidance on scientific literature, working methods, working techniques, etc. All student papers will be reviewed individually for each drafter. Hence the obligation of each student to concentrate primarily on his or her own individual knowledge in order to be able to achieve the goal and the objective for which he or she is assigned.

Course Mentor:

PhD Besim Kelmendi