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| **Subject** | **Criminal Procedure Law** | | | |
| **Type** | **Semester** | **ECTS** | **Code** |
| Mandatory (M) | 5 | 6 | Law-B-042 |
| **The lecturer of the subject**    **Subject assistant**  **Subject tutor** | Assistant Professor Dr. Albulena Ukimeraj |  |  |  |
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| **Aims and Objectives** | The purpose of the subject is to explain, in a theoretical and practical way, the criminal procedure legislation, the institutes and provisions that regulate the criminal procedure in all procedural stages. To instruct the students regarding to the basic knowledge for proving the facts in the criminal procedure as well as the investigative actions.  To provide students with general knowledge about the main procedural institutes and their function in the protection of human rights and the effective fight against criminality.  Course Objectives:   * To understand the purpose of criminal procedure law, namely all criminal procedural stages by analyzing the selected cases; * Understanding the general structure of the criminal procedure and the rights and obligations of the parties in the criminal procedure; * To explain the participants (subjects) in all the criminal procedural stages; * Solving the easiest cases in the criminal procedure; * To apply the basic knowledge for proving the facts in the criminal procedure as well as with investigative actions. * To apply the knowledge of Procedures with legal remedies; Regular legal remedies and Extraordinary legal remedies. | | | |
| **Learning Outcomes** | After completing this course, students should be able to:   * Demonstrate a detailed understanding of the Criminal Procedure Code and be able to interpret legal norms from criminal law. * Learn to effectively draft decisions, rulings and legal remedies from the field of criminal procedure; * To gain knowledge about the impact of legal reforms on judicial procedures in the legal system of Kosovo * Apply and engage in legal analysis and reasoning, problem solving, and written and oral communication related to criminal procedural law. * To be prepared for teamwork with competent law enforcement authorities (police, prosecution, courts), NGOs and the private sector; * To apply and engage in the realization of research projects that include the analysis and interpretation of the legal regulation of Kosovo's legislation in the field of Criminal Procedure. | | | |
| **Course Content** | **Course Plan** | | | **Week** |
| Presentation of the syllabus of the introduction to the Criminal Procedure Law; | | | 1 |
| Principles of criminal procedure; | | | 2 |
| Accusative and inquisitorial form of criminal procedure; | | | 3 |
| Participants (subjects) in criminal proceedings; | | | 4 |
| Criminal procedural action; | | | 5 |
| Measures to ensure the presence of the defendant in criminal proceedings, measures aimed at the indigent | | | 6 |
| Colloquium I | | | 7 |
| Measures for securing material evidence;  The process of proving in criminal proceedings; | | | 8  9 |
| Pre-criminal procedure; | | | 10 |
| Alternative Procedure; | | | 11 |
| Accusation;  Main criminal procedure; | | | 12 |
| Procedure with legal remedies; Regular legal remedies | | | 13 |
| Colloquium II | | | 14 |
| Final exam | | | 15 |
| **Teaching/Learning Methods** | **Teaching/Learning Activity** | | | **Weight (%)** |
| 1. Lectures | | | 40% |
| 1. Seminars | | | 30% |
| 1. Case studies exercises | | | 20% |
| 1. Writing legal writs | | | 10% |
|  | 1. Problem-based learning 2. Role play 3. Legal debate 4. Study visits | | |  |
| 1. Study visits | | |  |
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| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Participation | 1 | 1-13 | 10% |
| 1. Seminar | 1 | 12 | 10% |
| 1. Case study Colloqium 1 2. Legal Writ Colloqium 2 3. Case studies exercises | 1 | 7  14  3-12 | 35%  35%  10% |
| 1. Final exam |  | 15 | 0-100% |
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| **Course resources and means of materialization** | **Resources** | | | **Number** |
| 1. Class (e.g) | | | 1 |
| 1. Projector | | | 1 |
| 1. Moodle | | | 1 |
| **ECTS Workload** | **Activity** | | **Weekly hrs** | **Total workload** |
| 1. Lectures | | 3 | 39 |
| 1. Seminars | | 1 | 13 |
| 1. Practical work | |  | 11 |
| 1. Self-study and readings | | 2 | 48 |
| 1. Case study preparation | | 1 | 14 |
| 1. Legal writ preparation and analysis | | 1 | 12 |
| 1. Preparation for final exam | | 1 | 7 |
| 1. Exams | | 3 | 6 |
| **Literature/References** | * **Basic literature:** * Ejup, Sahit; Rexhep , Murati. (2018) E Drejta e Procedurës Penale. Prishtinë. * Osman, Jasarevic; Ahmet, Maloku. (2021). E drejta e Procedurës Penale I dhe II. (pjesa e përgjitshme dhe e veçantë). Universiteti i Travnikut, Fakulteti juridik, Travnik. * Ejup, Sahiti. (2006). Argumentimi në procedurën penale, Prishtinë. * Rexhep, Murati. (2006). Rishikimi i procedurës penale për shkaktë fakteve dhe provave të reja, Prishtinë. * Sahiti, Ejup and Murati, Rexhep and Elshani, Xhevdet (2014) Komentar Kodi i Procedurës Penale. GIZ, Prishtinë. * **The legal framework** * Kushtetuta e Republikës së Kosovës. * Kodi i Procedurës Penale, nr. 08/L-032. Gazeta Zyrtare e Republikës së Kosovës / Nr. 24 / 17 Gusht 20202, Prishtinë. * Kodi i Procedurës Penale, nr. 04/L-123. Gazeta Zyrtare e Republikës së Kosovës / Nr. 37 / 28 dhjetor 2012, Prishtinë. * Kodi Penal i Republikës së Kosovës, nr. 06/L-074. Gazeta Zyrtare e Republikës së Kosovës / Nr. 2 / 14 janar 2019, Prishtinë. * Kodi i Drejtësisë për të Mitur, nr. 03/L-193. Gazeta Zyrtare e Republikës së Kosovës: viti V / Nr. 78 / 20 gusht 2010. Prishtinë. * **Additional literature:** * Roberts. P, Zuckerman. (2004). A, “Criminal Evidence”, New York. * Maloku, E., Jasarevic, O., & Maloku, A. (2021). Assistance of the psychologist expert in the justice bodies to protect minors in Kosovo. EUREKA: Social and Humanities, (2), 52-60. Retrieved from <https://doi.org/10.21303/2504-5571.2021.001649> * Maloku, A., Maloku, E. (2021). Fajlor i terminologjisë juridiko-penale për gazetarë. Kolegji Iliria, Prishtinë. * Maloku, A., Maloku, E. (2020). Protection of Human Trafficking Victims and Functionalization of Institutional Mechanisms in Kosovo. Acta Danubius University. Juridica, 16 (1), 21–44. * Ismail, Zejneli. (2017). Criminal Procedural Legislation and respecting of freedom and human rights. * Halim, Islami. (2007). Proçedura Penale. 3rd edition, Tiranë. * Fatmir, Tartale. (2008) Ekspertimi si provë në proçedimin penal, Tirane. * Jani, Dhrami. (2001). I pandehuri, Tiranë. * Ejup, Sahiti. (1993). Dëshmia e dëshmitarit si provë në procedure penale, Prishtinë. * Oreste, Dominioni. (2010). Proçedura Penale (translation in Albanian),Tiranë. | | | |
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