|  |  |
| --- | --- |
| **Subject** | **Penitential law** |
| **Type** | **Semester** | **ECTS** | **Code** |
| MANDATORY (M) | 2 | 4 | CLP-M-1-012 |
| **Course Lecturer** |  |
| **Course Assistant** | Dr.Elmi Kelmendi  |
| **Course Tutor** |  |
| **Aims and Objectives** | This course aims to further advance thorough knowledge of the students in the Master level in the area of criminal justice, respectively in the execution of the penal sanctions with focus on the aims of penalties, the strategies of exectuion of criminal sanctions. In addition, this course aims to:To prepare the students to analyze the national penal legislation and the international standards on the execution of penal sanctions (types of main penalties, additional penalties, measures of forced treatment, alternative sentences, etc; To treat and analyze the modalities and measures for rehabilitation of sentenced persons; To analyze and research the role, functioning and structure of correctional institutions with the function of resocialization of sentenced persons, andTo treat and analyze the rights and obligation of the persons that are sentenced (adults and minors), etc.The aims and objectives align with the specified learning outcomes, ensuring that the course provides a focused and structured approach to achieving the desired knowledge, skills, and attitudes in the field of penitentiary law at the master's level. |
| **Learning Outcomes** | **Learning Outcomes:**After completing this course, students should be able to: •To analyze, interpret, compare and implement legal provisions on penal sanctions; •To have advanced scientific knowledge regarding the theoretical and practical approaches to the execution of penal sanctions;•To compare scientific results that are obtained in the area of implementation of penal sanctions and to use these results in the process of resocialization of the sentenced persons and correctional institutions. |
| **Course Content** | **Course Plan** | **Week** |
| Presentation of the Syllabus - Understanding of and the subject of Penology | 1 |
| Character and the types of penal sanctions before the emergence of the imprisonment sentence | 2 |
| Main systems of execution of imprisonment sentences, understanding and types | 3 |
| Execution of imprisonment sentences and treatment of the sentenced persons | 4 |
| Observation and the study of sentenced persons. – classification of sentenced persons | 5 |
| Tools and methods of treatment of imprisoned persons, discussion, the importance and the types of tools and methods | 6 |
| Methods of treatment of group with the sentenced persons | 7 |
| Case Study | 8 |
| Methods of treatment of group with the sentenced persons | 9 |
| Organization of execution of penal sanctions | 10 |
| The position of sentenced persons during the imprisonment | 11 |
| Obligation of sentenced persons; Execution of alternative sentence; execution of additional sentences and execution of forced treatment measures | 12 |
|  | Execution of penal sanctions against minors | 13 |
|  | Proposing Solutions to Contemporary Challenges: Student presentations on proposed solutions | 14 |
|  | Presentation of research projects | 15 |
| **Teaching/Learning Methods** | **Teaching/Learning Activity** | **Weight (%)** |
| 1. Lectures
 | 40% |
| 1. Exercises
 | 20% |
| 1. Case studies
 | 15% |
| 1. Research
 | 25% |
| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Attendance
 |  1  | 15 | 10% |
| 1. Class presentations on rehabilitation programs and contemporary challenge
 | 1 | 14 | 20% |
| 1. Research paper on a specific aspect of penitentiary law
 | 1 | 15 | 40% |
| 1. Case study analysis of a human rights issue in correctional settings
 | 1 | 8 | 30% |
|  |  |  |  |
| **Course resources** | **Resources** | **Number** |
| 1. Lectures
 | 1 |
| 1. E-research with library
 | 1 |
| 1. Moodle
 | 1 |
| 1. Projector
 | 1 |
|  |  |
| **ECTS Workload** | **Activity** | **Weekly hrs** | **Total workload** |
| 1. Lectures
 | 2 | 30 |
| 1. Exercises
 | 1 | 12 |
| 1. Research paper
 | 1 | 25 |
| 1. Case study
 | 1 | 18 |
|  | 1. Independent study
 | 1 | 15 |
| **Literature/References** | * Lubach, A. (2019). Reforma e burgjeve në Kosovë: Një studim i dilemave të ndërtimit të shtetit (Disertacioni i Doktoraturës, Universiteti i Brightonit).
* Ragip Halili, Penology - The right to execute criminal sanctions, Pristina, 2014;
* Vasilika Hysi, Penology, Tirane 2015
* Rexhep Gashi, Execution of alternative sentences, Pristina, 2013.
* Ashworth, A.: Sentencing and Criminal Justice, Cambridge University Press, 2005.
* Pavarini. M, Guazzaloca. B, “Saggi sul governo dela penalità”,
* Letture integrative al Corso di Diritto Penitenziario, Bologna, Martina editore, 2007.
* Leka, S., & Leka, D. Gjyqësori dhe shtet-ndërtimi i Kosovës: Ekzekutimi i burgimit për gratë në Republikën e Kosovës. International Journal on Responsibility, 2(1), 6. Kuadri rregullator
* Hajdari, A., & Hajdari, A. (2015). Amnistia si një mënyrë specifike e shuarjes së dënimeve me fokus të veçantë në mënyrën e saj të adresimit sipas Ligjit Nr. 04/L-209 për Amnistinë e Kosovës.
* Riza, A. (2016). Ndikimi i ligjit ndërkombëtar dhe evropian në mbrojtjen e të drejtave dhe të burgosurve në Kosovë. I disponueshëm në SSRN 2850090.
* Kushtetuta e Republikës së Kosovës.
* Kodi i Procedurës Penale, nr. 04/L-123 I. 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. PrishtinëKonventa e Gjenevës për refugjatë.
* LIGJI NR. 08/L-132 PËR EKZEKUTIMIN E SANKSIONEVE PENALE
* Konventa e KB-së, mbi Parandalimin dhe Dënimin e Krimit dhe Gjenocidit.
* Konventa e Kombeve të Bashkuara Kundër Torturës.
* Konventa Kundër Torturës dhe Trajtimeve apo Dënimeve të tjera Mizore.
* Konventa mbi të drejtat e fëmijës.
* Ligji për Kompensimin e Viktimave të Krimit, nr. 05/L -036. Gazeta Zyrtare e Republikës së Kosovës, nr. 17 / 30 qershor 2015, Prishtinë.
* Ligji për Mbrojtje nga Diskriminimi, Nr. 05/L -021. Gazeta Zyrtare e Republikës së Kosovës, nr. 16 / 26 qershor 2015, Prishtinë.
 |
| **Contact** | Dr.sc.Elmi Kelmendi Email: elmikelmendi@ubt-uni.net  |