

**Yaroslav Mudryi National Law University**  
**Department of Criminal Law**

**WORKING PROGRAM OF ACADEMIC DISCIPLINE**  
**«Comparative criminal law»**

**Level of higher education** – the second (master's) level

**Degree of higher education** – master's degree

**Field of knowledge** – 08 «Law»

**Specialty** – 081 «Law»

**Discipline status** – the student's choice

**Recruitment year** – 2021

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### 1. Description of the academic discipline

The working program of the educational discipline «Comparative criminal law» was developed in accordance with the educational and professional program «Law» of the second (master's) level of higher education, field of knowledge 08 «Law», specialty 081 «Law».

Name of indicators	Field of knowledge, specialty, level of education	Didactic structure of the educational discipline	
		full-time education	external form of education
The number of ECTS credits is 4.0	Field of knowledge - 08 "Law"	At the student's choice	At the student's choice
The number of modules is 3	Specialty - 081 "Law"	Year of preparation: 2021-2022 _	Year of preparation: 2021-2022 _
		semester	semester
The total number of hours is 120	Level of education - second (master's)	1-2 _	1-2 _
Weekly hours for full-time education: classrooms – 2–4, independent work of the student - 6–8.		<b>Lectures</b>	<b>Lectures</b>
		20 hours	6 hours
		<b>Practical / seminar classes</b>	<b>Practical / seminar classes</b>
		8 p.m.	4 hours
		<b>Individual work</b>	<b>Individual work</b>
80 hours		110 hours	
	Types of control: current control; final control of knowledge (differentiated and offset)	Types of control: current control; final control of knowledge (differentiated assessment)	

*The purpose of the academic discipline* is to form systematic knowledge about the criminal law systems of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems, their main criminal law institutions, as well as the practice of applying criminal legislation and other sources of criminal law, which is based on the comparative method.

#### **Task :**

– to develop in students of higher education the ability to fluently master the concepts and categories of comparative criminal law;

– to achieve the study by students of higher education of general and common

features in the criminal law of Ukraine and the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems;

– to create among students of higher education the awareness of the uniqueness of the criminal law systems of these countries, which is determined by the peculiarities of historical development and at the same time their unity, which is based on modern processes of globalization and harmonization of national criminal law legislation;

– to form in students of higher education the skills and abilities to deal with practical situations based on the criminal norms of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.

***Educational discipline in the structure of the educational and professional program. Interdisciplinary connections***

*Prerequisite:* «Criminal law (General part)», «Criminal law (Special part)», «International law».

*Requirements:* «International criminal law, «Transitional justice».

***2. Expected learning outcomes***

As a result of mastering the academic discipline, the student of higher education must demonstrate the following learning outcomes:

RN-1.	Demonstrate knowledge of the concept of "comparative criminal law", its subject and method.
PH-2.	Explain the concept of "criminal legal system", types of criminal law systems .
PH-3.	To carry out a comparative legal analysis of the criminal legal acts of the countries Anglo-American and Romano-German systems of criminal law.
PH-4.	Name the concepts, signs of criminal offenses of Ukraine and the countries of Anglo-Saxon (England and the USA) and Romano-Germanic (France and Germany) legal systems.
pH -5.	Demonstrate knowledge of the possibility and prior criminal activity in Ukraine and the countries of the Anglo-Saxon (England and the USA) and Romano-Germanic (France and Germany) legal systems.
pH -6.	Apply the provisions of criminal law regarding complicity and complicity during the qualification of criminal offenses in Ukraine and the Anglo-Saxon (England and USA) and Romano-Germanic (France and Germany) legal systems regarding

	complicity.
pH -7	Analyze the criminal legislation and the relevant practice of the criminal law of Ukraine and the Anglo-Saxon (England and USA) and Romano-Germanic (France and Germany) legal systems regarding punishment and its features.
RN-8.	Apply knowledge of sentencing and other measures of a criminal law nature in the criminal law of Ukraine and foreign countries.
pH -9.	Demonstrate systematic and comparative knowledge of the construction of Special parts of the criminal law of Ukraine and the countries of the Anglo-Saxon (England and the USA) and Romano-Germanic (France and Germany) legal systems.
pH -10	To explain the rules of application of criminal legislation during the qualification of criminal offenses according to the norms of the Special part of criminal law regarding criminal offenses against the foundations of national security.
PH -11.	Demonstrate knowledge and understanding of the specifics of criminal law norms and application practices regarding the qualification of criminal offenses against life and health in Ukraine and the countries of the Anglo-Saxon (England and the USA) and Romano-Germanic (France and Germany) legal systems.
pH -12.	To determine the regularities and trends in the development of legal norms and practices and their application regarding the qualification of criminal offenses against property in Ukraine and the countries of the Anglo-Saxon (England and the USA) and Romano-Germanic (France and Germany) legal systems.

The teaching of the academic discipline ensures the formation of general and special competences in the student of higher education and the achievement of learning outcomes determined by the standard of higher education of the relevant specialty and the educational and professional program "Law", namely:

***General competencies:***

ZK1. Ability to abstract thinking, analysis and synthesis.

ZK2. Ability to conduct research at an appropriate level.

ZK3. Ability to search, process and analyze information from various sources.

ZK 4. Ability to adapt and act in a new situation.

ZK 5. The ability to communicate in a foreign language in the professional sphere , both orally and in writing.

ZK 6. Ability to generate new ideas (creativity).

ZK7. Ability to learn and master modern knowledge.

ZK9. Ability to work in an international context.

ZK1.3. The ability to formulate a personal opinion and present it with evidence.

***Special competencies:***

SK1. The ability to apply the principles of the rule of law to solve complex

problems and problems, including in situations of legal uncertainty.

SK 5. The ability to use modern legal doctrines and principles in law-making and in the process of applying institutions of public and private law, as well as criminal justice.

SC 6. The ability to justify and motivate legal decisions, to give detailed legal arguments.

SK10. The ability to make decisions in situations that require a systematic, logical and functional interpretation of legal norms, as well as an understanding of the peculiarities of the practice of their application.

SK1 3. The ability to convey information, ideas, the content of problems and the nature of optimal solutions to specialists and non-specialists in the field of law with proper reasoning.

SK1.2. Ability to demonstrate knowledge and understanding of legal systems in the context of globalization.

***Program learning outcomes:***

PRN1. Assess the nature and character of social processes and phenomena, and demonstrate an understanding of the limits and mechanisms of their legal regulation.

PRN3. Conduct collection, integrated analysis and summarization of materials from various sources, including scientific and professional literature, databases, digital, statistical, test, and others, and check them for reliability using modern research methods.

PRN4. Make a presentation of your research on a legal topic, using primary sources and techniques of legal interpretation of complex complex problems arising from this research, argue the conclusions.

PRN5. Communicate freely in a legal foreign language (one of the official languages of the Council of Europe) orally and in writing.

PRN6. Reasonably formulate one's legal position, be able to oppose, evaluate evidence and present convincing arguments.

PRN7. Discuss complex legal problems, propose and justify options for their

solution.

PRN 8. Assess the reliability of information and the reliability of sources, effectively process and use information for conducting scientific research and practical activities.

PRN1 2. Conduct a comparative legal analysis of individual legal institutions of different legal systems, taking into account the relationship between the legal system of Ukraine and the legal systems of the Council of Europe and the European Union.

PRN17. Integrate the necessary knowledge and solve complex law enforcement tasks in various spheres of professional activity.

PRN1.3. To analyze the mechanisms of public-law and private-law regulation in legal practice.

### ***3. Contents of the curriculum***

Module 1. Concept of comparative criminal law and sources of criminal law of Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.

*Comparative criminal law, subject, method and its place in the system of legal sciences.* Concept of comparative criminal law as a science and academic discipline, its place among other legal sciences, connection with other academic disciplines. Subject of comparative criminal law. Comparative (comparative) method .

*General characteristics of the criminal legal systems of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) countries.* The concept of criminal legal systems and their classification. General characteristics of Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems. The main trends in the development of modern criminal law in England, the USA, France and Germany.

*Sources of criminal law of the Anglo-Saxon ( England , USA) and Romano-Germanic (France and Germany) legal systems.* The concept of sources of criminal law in England, the USA, France and Germany. Peculiarities of the criminal



legislation of England, the meaning of statutory law. The Model Criminal Code of the United States and its influence on the development of American criminal law. Judicial precedent as a source of criminal law in England and the USA: its concept, meaning, significance. Sources of criminal law in the countries of the Romano-Germanic legal system. The Criminal Code as the main source of French and German criminal law. Judicial interpretation and other laws in France and Germany.

Module 2. Comparative characteristics of the General part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.

*Concepts, signs and classification of criminal offenses. Composition of a criminal offence: concepts, signs and meaning.* The concept of a criminal offense and its features. Classification of criminal acts and their criteria. Felonies and misdemeanors in the countries of the Anglo-Saxon legal system. Crime and misdemeanor in the countries of the Romano-Germanic legal system. Types of criminal acts under the Criminal Code of France: crime, misdemeanor and violation. The concept of the composition of a criminal offense, its content, types, functions and meaning. Objective signs of a criminal offence. Subjective signs of a criminal offence. Concepts of guilt in French criminal law. Forms of guilt in the countries of the Romano-Germanic system of criminal law. Degrees of intent in French criminal law. " Mens rea " in the countries of the Anglo-American system of criminal law. Intent, recklessness and negligence as forms of fault in England. Forms of guilt according to the Model Code of Criminal Procedure of the United States.

*Stages of committing criminal offenses.* Peculiarities of previous criminal activity in England, USA. Previous criminal activity in France and Germany. Establishment of liability for conspiracy, incitement and attempt as methods of prior criminal activity. Common law and statute law division of conspiracy in England. Absence of the institution of preparation for crime in French criminal law.

*Complicity and circumstances excluding the criminal illegality of the act. in a criminal offense.* Approaches to defining the concept of complicity in the criminal law of the countries of the Anglo-American and Romano-German criminal law

systems. Co-execution and complicity (in the narrow sense of the word) according to the Criminal Code of France. The possibility of complicity in a reckless crime under the criminal law of England, the USA, France. Types of accomplices. The concept and types of the perpetrator of the crime in the USA. Impact of the Criminal Justice Act 1967 on the identification of participants in the crime in England. Other accomplices (organizer, instigator, accomplice). Types of assistance.

Circumstances excluding the criminal illegality of the act. The concept and system of circumstances excluding the criminality of an act in England, the USA, France and Germany. The absence of a clear system of circumstances that exclude the criminality of an act under the criminal law of England. The concept of "defense" in the Anglo-Saxon system of criminal law, its types. Attributing lack of judgment and the subject's failure to reach the age from which responsibility can begin in criminal law to the circumstances that exclude the criminality of the act under the Criminal Code of France. Extreme necessity: legislative regulation and legality conditions, responsibility for exceeding its limits. Types of emergency according to the Code of Criminal Procedure of Germany. Other circumstances that exclude the criminality of the act: detention of the person who committed the crime, execution of an order or order, physical or mental coercion, justified risk, etc.

*Punishment and other criminal-legal measures.* The concept, signs and purpose of punishment in England, the USA, France and Germany. The main theories of punishment: absolute, relative and mixed (Germany); retribution, intimidation, deprivation and correction for the prevention of crime in Anglo-Saxon countries. Sentencing purposes under the Criminal Justice Act 2003 in England. System and classification of punishments. Division of punishments into main, additional and mixed. Criminal, correctional and police punishments, general criminal and police punishments according to the Criminal Code of France. Other criminal law measures (security measures): concepts, exclusion from punishment. Certain types of "security measures" in the criminal law of the Anglo-American legal system. Prevention of Crime Act 1908 in England. Types of security measures (corrections) in the criminal law of the Romano-Germanic legal system. Personal

and real security measures in French criminal law. The concept of sentencing, basic principles and principles of sentencing in England, the USA, France and Germany. Concept of punishment system. The general characteristics and significance of mitigating or aggravating circumstances for sentencing. Peculiarities of criminal liability and punishment of minors. Types of punishments applied to minors in England and the USA. Punishment against minors in the countries of the Romano-Germanic legal system. A system of alternative measures applied to juvenile criminal law in England, the United States, France and Germany.

Module 3. Comparative characteristics of the special part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.

*Comparative characteristics of the special part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.* The concept of the special part of criminal law, its system. Characteristics of the special part in the countries of the Romano-Germanic legal family. The number and order of placement of sections (chapters) in the Special Part. The lack of a generally accepted definition of the Special part in the doctrine of criminal law and the criminal legislation of England. Two-level construction of a special part in the USA.

*Peculiarities of criminal liability for criminal offenses against national security under the criminal law of Ukraine and foreign countries.* System of crimes against the foundations of national security (state security). Criminal liability for crimes that encroach on the state (constitutional) order, sovereignty, independence, territorial integrity and economic basis of the state. The concept of "treason" according to the Criminal Code of Germany, treason covers encroachments on the internal security of the state regardless of citizenship. Acts of treason against England (1351, 1795, 1848 yr.). Criminal responsibility for "insulting" the state or nation. Establishment of criminal law protection of life of senior officials in criminal laws. Criminal liability for "treason against the crown" under the Treason Acts in England. Establishment of criminal liability for assaulting the President in the USA.

*Peculiarities of criminal liability for criminal offenses against life and health and for criminal offenses against property under the criminal law of Ukraine and foreign countries.* Crimes against a person: features of criminal law regulation, types and system of crimes against a person in England, USA, France and Germany. Types of murders. Privileged types of murder. Responsibility for euthanasia. General characteristics of crimes against property under the criminal law of England, the USA, France and Germany. Types of crimes and their features. The concept of "theft" in US criminal law. Appropriation, embezzlement of property or taking possession of it by abuse of official position: a comparative analysis under the criminal law of Ukraine and Germany, France, England. Types of appropriation according to the Criminal Code of the Federal Republic of Germany: simple appropriation and appropriation of entrusted property. Types of appropriation according to the Criminal Code of France: appropriation of pledged property; appropriation of property subject to seizure; artificial creation of insolvency. Fraud and its types under the criminal law of England, namely: obtaining property by deception; receiving a monetary reward by deception; obtaining services by deception; evasion of obligations by deception; carrying out financial transactions on credit accounts by deception; obtaining property benefit by fraudulently making a false report. The term "simple deception" in French criminal law. Importance of Kidnapping Acts 1968 and 1978 yr. in the criminal law of England. The term property under the Abduction Act 1968 and its significance for the qualification of theft in the criminal law of England. Burglary as a specific type of property crime in the Anglo-Saxon legal system. Robbery and robbery: characteristics of foreign criminal law. The concept of "robbery" in US criminal law. Robbery as a qualified type of theft under the criminal law of England.

#### ***4. Scope and structure of the academic discipline***

##### ***4.1. For students of full-time higher education***

No	Date (according to the schedule)	Subjects of the training course	Volume in hours		
			That's all	Including	
				Lectures	Practical

					classes, seminar classes, colloquiums, etc	work
		<b>Module 1. Concept of comparative criminal law and sources of criminal law of Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.</b>				
		Topic 1. Comparative criminal law, subject, method and its place in the system of sciences.	14	2	2	10
		<b>Topic 2.</b> General characteristics of the criminal legal systems of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) countries.	14	2	2	10
		<b>Topic 3.</b> Sources of criminal law of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.	16	2	2	12
		<i>Together</i>	44	6	6	32
		<b>Module 2. Comparative characteristics of the General part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.</b>				
		<b>Topic 1 .</b> Concepts, signs and classification of criminal offenses. Composition of a criminal offence: concepts, signs and meaning.	10	2	2	6
		<b>Topic 2.</b> Stages of committing criminal offenses.	10	2	2	6

		<b>Topic 3.</b> Complicity and circumstances excluding the criminal wrongfulness of an act in a criminal offense.	10	2	2	6
		<b>Topic 4.</b> Punishment and other criminal-legal measures.	10	2	2	6
		<i>Together</i>	40	8	8	24
		<b>Module 3. Comparative characteristics of the special part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.</b>				
		<b>Topic 1.</b> Comparative characteristics of the special part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, USA) and Romano-Germanic (France and Germany) legal systems.	12	2	2	8
		<b>Topic 2.</b> Peculiarities of criminal liability for criminal offenses against national security under the criminal law of Ukraine and foreign countries.	12	2	2	8
		<b>Topic 3.</b> Peculiarities of criminal liability for criminal offenses against life and health and for criminal offenses against property under the criminal law of Ukraine and foreign countries.	12	2	2	8
		<i>Together</i>	36	6	6	24
		<b>Total hours / ECTS credits</b>	<b>120/4.0</b>	<b>20</b>	<b>20</b>	<b>80</b>

#### ***4.2. For applicants of higher education in correspondence form of education***

Date (according to the schedule)	Subjects of the training course	Volume in hours			
		That's all	Including		
			Lectures	Practical	Individual work

				classes, seminar classes, colloquiums, etc	
	<b>Module 1. Concept of comparative criminal law and sources of criminal law of Anglo-Saxon (England, United States of America) and Romano-Germanic (France and Germany) legal systems.</b>				
	<b>Topic 1.</b> Comparative criminal law, subject, method and its place in the system of sciences.	17	2	-	15
	<b>Topic 2.</b> Sources of criminal law of the Anglo-Saxon (England, United States of America) and Romano-Germanic (France and Germany) legal systems.	17	-	-	17
	<i>Together</i>	34	2	-	32
	<b>Module 2. Comparative characteristics of the General part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, United States of America) and Romano-Germanic (France and Germany) legal systems.</b>				
	<b>Topic 1.</b> Concepts, signs and classification of criminal offenses. Composition of a criminal offence.	19	2	2	15
	<b>Topic 2.</b> Complicity in a criminal offense.	15			15
	<b>Topic 3.</b> Circumstances excluding the criminal illegality of an act.	15			15
	<b>Topic 4.</b> Punishment and other criminal-legal measures.	15			15
	<i>Together</i>	64	2	2	60
	<b>Module 3. Comparative characteristics of the special part of the</b>				

	<b>criminal law of Ukraine and the Anglo-Saxon (England, United States of America) and Romano-Germanic (France and Germany) legal systems.</b>				
	<b>Topic 1.</b> Comparative characteristics of the Special part of the criminal law of Ukraine and the countries of the Anglo-Saxon (England, United States of America) and Romano-Germanic (France and Germany) legal systems.	10	2	2	6
	<b>Topic 2.</b> Peculiarities of criminal liability for criminal offenses against national security under the criminal law of Ukraine and foreign countries.	6	-	-	6
	<b>Topic 3.</b> Peculiarities of criminal liability for criminal offenses against property under the criminal law of Ukraine and foreign countries.	6	-	-	6
	<i>Together</i>	22	2	2	18
	<b>Total hours / ECTS credits</b>	<b>120/4.0</b>	<b>6</b>	<b>4</b>	<b>110</b>

### ***5. Forms of pedagogical control and assessment tools learning outcomes***

Evaluation of the results of study of the educational discipline «Comparative criminal law» involves current and final control and is carried out on the basis of a cumulative point-rating system.

*Current* knowledge control includes:

– quality control of students' assimilation of the program material of the educational discipline in practical classes using the following means: oral/written survey, express survey, solving practical tasks, participating in the development of a case, preparing a presentation, essay, abstract, etc. The current control is aimed at



checking the level of the student's preparation in studying the current material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5) ;

– quality control of the students' assimilation of the program material of the educational discipline, which is conducted at the end of the modules in the form of colloquiums.

An obligatory form of independent work of students is the preparation of a final written work. The maximum number of points based on the results of the defense of the final written work is 20 points.

The form of *final control of the* knowledge of higher education students in an academic discipline is a differentiated assessment. Minimum number of points to receive differentiated assessment - 60 points.

Distribution of points between forms of organization of the educational process and types of control measures:

Current control							Final assessment of knowledge (differentiated credit)
Module No. 1		Module No. 2		Module No. 3		Independent work of students	
p/z	Colloquium	p/z	Colloquium	p/z	Colloquium		
max 20	max 10	max 15	max 10	max 15	max 10	max 20	max 100

### ***6. Criteria for evaluating learning outcomes***

type of control	Scores	Criteria (for each grade)
Current control in a practical session	Max 5	Excellent assimilation of educational material on the topic, some minor shortcomings are possible.
	4	Good assimilation of the material on the topic, but there are some mistakes.
	3	Satisfactory level of assimilation of the material, a significant number of errors.
	Min 0	Unsatisfactory level of assimilation of the material.
Colloquium	Max 10	The results of processing the material are high, a small

		number of insignificant errors are possible.
	5	Satisfactory level of assimilation of the material, a significant number of errors.
	Minimum 0	Unsatisfactory level of assimilation of the material.
Individual final written work	Mach 20	The work is designed in accordance with the requirements of the department. The work does not contain methodological errors, there are references to sources and own conclusions. In the defense, in-depth knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	15	The work is designed in accordance with the requirements of the department. The work contains minor methodological errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	10	The work is designed in accordance with the requirements of the department, but with minor errors. The work contains methodological and content errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic was demonstrated, but there were problems with the argumentation of individual concepts and judgments in the work, the proof of conclusions.
	5	The work was prepared with errors and violations of cathedral requirements regarding the form of work. The work contains methodological and substantive errors, an insufficient number of sources were used to substantiate the research and conclusions. During the defense, difficulties arose regarding the disclosure of the content of the topic, providing arguments regarding individual provisions of the work and the validity and provenance of the conclusions.
	Minimum 0	The work is improperly designed, without references to sources, and contains methodological errors. During the defense, the author of the work cannot demonstrate knowledge of the chosen topic, provide arguments for concepts and perform information analysis. The work was performed in violation of the requirements of academic integrity.
	Differentiated scoring	100
90		1. Complete knowledge of the material provided by the curriculum of the academic discipline. 2. Mastering the basic literature and getting to know the additional literature recommended by the department. 3. Ability to independently replenish knowledge of the discipline, understanding its importance for practical work.

with calculated	85	<ol style="list-style-type: none"> <li>1. Sufficiently complete knowledge of the material provided by the program of the educational discipline, in the absence of significant errors in the answer.</li> <li>2. Learning the basic literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge of the discipline, understanding its importance for practical work.</li> </ol>
	75	<ol style="list-style-type: none"> <li>1. Knowledge of the basic material provided by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession.</li> <li>2. Learning the basic literature recommended by the department.</li> <li>3. Errors and significant inconsistencies in the answer to the assessment if there is knowledge to eliminate them independently or with the help of the teacher.</li> </ol>
	70	<ol style="list-style-type: none"> <li>1. Knowledge of the basic material provided by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession.</li> <li>2. Acquaintance with the basic literature recommended by the department.</li> <li>3. Errors in the answer to the test in the presence of knowledge to eliminate the most significant errors with the help of the teacher.</li> </ol>
	60	<ol style="list-style-type: none"> <li>1. Gaps in knowledge of certain parts of the main material provided by the curriculum of the academic discipline.</li> <li>2. The presence of errors in answering questions on the test.</li> </ol>
not counted	55	<ol style="list-style-type: none"> <li>1. Lack of knowledge of a significant part of the main material provided by the program of the academic discipline.</li> <li>2. Impossibility to continue studying or carry out professional activities without passing a repeated course in this discipline.</li> </ol>

### ***7. Pedagogical control for students of higher education full-time/ part-time teaching***

#### **Scale of final pedagogical control**

Rating according to the ECTS scale	Definition	Rating on a national scale for credit	Rating on a 100-point scale used at NYU
<b>AND</b>	<b>Excellent</b> – Excellent execution, with only a small number of errors	counted	90 - 100
<b>IN</b>	<b>Very good</b> – above average with a few errors		80-89
<b>WITH</b>	<b>Good</b> – generally correct work with a number of minor errors		75-79
<b>D</b>	<b>Satisfactory</b> – not bad, but with a significant number of shortcomings		70-74
<b>IS</b>	<b>Sufficient</b> – performance meets minimum criteria		60-69
<b>FX</b>	<b>Unsatisfactory</b> – work needs to be done before rewriting	not counted	35-59
<b>F</b>	<b>Unsatisfactory</b> – serious further work is required, a mandatory repeat course		0 - 34

## *8. Educational, methodical and information support academic discipline*

### *Normative and legal acts*

Criminal code of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/2341-14#Text>

Constitution of Ukraine. URL: <https://zakon.rada.gov.ua/laws/show/254к/96-бп#Text>

Criminal Code of the French Republic. URL: [https://www.legislationline.org/download/id/3316/file/France\\_Criminal%20Code%20updated%20on%202012-10-2005.pdf](https://www.legislationline.org/download/id/3316/file/France_Criminal%20Code%20updated%20on%202012-10-2005.pdf)

German Criminal Code. URL: [https://www.gesetze-im-internet.de/englisch\\_stgb/](https://www.gesetze-im-internet.de/englisch_stgb/)

Title 18 – crimes and criminal procedure of the United States Code. URL: [https://www.legislationline.org/download/id/8301/file/USA\\_title\\_18\\_us\\_code\\_crimes\\_2017\\_en.pdf](https://www.legislationline.org/download/id/8301/file/USA_title_18_us_code_crimes_2017_en.pdf)

On the Statement of the Verkhovna Rada of Ukraine «On the Russian Federation Committing Genocide in Ukraine»: Resolution of the Verkhovna Rada of Ukraine dated 04/14/2022 №. 2188-IX. URL: <https://zakon.rada.gov.ua/laws/show/2188-20#Text>

### *Basic literature*

Great Ukrainian legal encyclopedia: in 20 volumes / Nat. Acad. rights of Sciences of Ukraine, Institute of State and Law named after V.M. Koretskyi, Yaroslav Mudryi National Law University; editor V.Ya. Tatius [and others]. T.17: Criminal law / chap. editor V.Ya. Tatsius , 2017. 1064 p.

Drozdov O.M., Drozdova O.V. Legal positions of the European Court of Human Rights: an analytical review / by general ed. OHM. Drozdova, M.S. Kovtun, V.I. Kovtun Kharkiv: Factor Publishing House, 2018. 624 p.

Zhitny O. O. Criminal law of Ukraine in the international dimension (comparative legal analysis). Kharkiv: Odyssey, 2013. 376 p.

Zubkova V.I. Criminal legislation of European countries: a comparative legal study. Moscow: Yurlytinform , 2013. 328 p.

Criminal law of Ukraine. General part: textbook / V.Ya. Tatsii , V.I. Tyutyugin , V.I. Borisov and others; edited by: V.Ya. Tatsia , V.I. Tyutyugina , V.I. Borisov. 6th ed., revision. and added Kharkiv: Pravo, 2020. 584 p.

Criminal codex of Ukraine. Scientific and practical commentary: in 2 volumes / by general ed. V.Ya. Tatsia , V.I. Borisova, V.I. Tyutyugina . 5th ed., supplement. Vol. 1: General part / Yu.V. Baulin , V.I. Borisov, V.I. Tyutyugin and others. Kharkiv: Pravo, 2013. 376 p.

Savchenko A.V. Criminal legislation of Ukraine and federal criminal legislation of the United States of America: a comprehensive comparative legal study: monograph. Kyiv: KNT, 2007. 596 p.

Starovoytova Yu.G. The general part of the criminal law of England and the USA: training. manual Kyiv : Atika , 2012. 104 p.

Havronyuk M.I. Criminal legislation of Ukraine and other states of continental Europe: comparative analysis, problems of harmonization: monograph. Kyiv: Jurisconsult, 2006. 1048 p.

Nadia Shulzhenko et al. The mechanism of international cooperation according to the UN Convention against Transnational Organized Crime, *Revista de la universidad del zulia* . 3a época . Año 11 No. 31, 2020, 377 – 390.

Shulzhenko N., Romashkin S. Internet fraud and transnational organized crime . *Juridical Tribune ( Tribuna Juridica )* . 2020. Vol. 10(1). P. 162 - 172 .

Shulzhenko N., Romashkin S., Rubashchenko M., Tatarenko H. The problematic aspects of International core crimes and transnational crimes according to International Law . *Revista de la Universidad del Zulia* . October 2020 . P. 376 - 388 .

Shulzhenko N., Romashkin S., Shulzhenko O., Mokhonchuk S. (2020). Implementation of international crimes under the Rome Statute into national legal systems. *Amazonia Investiga* . 9(28), 528 – 535.

Shulzhenko N., Romashkin S. Types of individual criminal responsibility according to article 25 (3) of the Rome Statute . *Juridical Tribune ( Tribuna Juridica )* . 2021. P. 72 – 80.

#### *Additional literature*

Lykhova S., Dychakivska T. Comparative criminal law: science, subject, method. *Legal Ukraine*. 2008. No. 10. P. 89–94.

Issues of criminal law in the decisions of the Constitutional Court of Ukraine: study. manual / arrangement: L.P. Brych , O.I. Denkovych , L.V. Kurylo, V.S. Yasenitskyi ; view. the second, additional Lviv: LvDUVS , 2015. 264 p.

The practice of applying the provisions of the General part of the Criminal Code of Ukraine by the Supreme Court of Ukraine [ Article O.P. Gorokh]; In general ed. A.A. Musicians. Kyiv: Center for Educational Literature, 2017. 524 p.

Decisions of the European Court of Human Rights in criminal cases. Protection of life, health, honor and dignity / by general ed. V.S. Kovalsky. Kyiv: Yurinkom Inter, 2019. 296 p.

Havronyuk M.I. Modern all-European criminal legislation: problems of harmonization. Kyiv: Istyna, 2005. 264 p.

Yatsenko S.S. The main issues of the General part of the criminal law of foreign countries: training. manual Kyiv: Dakor, 2013. 168 p.

#### *Internet resources*

The official web portal of the Database of Legal Positions of the Supreme Court of Ukraine – <https://lpd.court.gov.ua/login>

The official web portal of the Verkhovna Rada of Ukraine is <https://www.rada.gov.ua>

The official website of the Supreme Court of Ukraine is

<https://supreme.court.gov.ua/supreme>

The official web portal of the Unified State Register of Court Decisions is

<https://reyestr.court.gov.ua>

The official web portal of the Constitutional Court of Ukraine is

<https://ccu.gov.ua>

The official web portal of the Ministry of Internal Affairs of Ukraine is

<https://mvs.gov.ua>

The official web portal of the Ministry of Justice of Ukraine is

<https://minjust.gov.ua>

The official web portal of the National Police of Ukraine is

<https://www.npu.gov.ua>

The official web portal of the Yaroslav Mudryi National Law University Scientific Library - <https://library.nlu.edu.ua>

The official web portal of the President of Ukraine is

<https://www.president.gov.ua>

The official web portal of the Cabinet of Ministers of Ukraine is

<https://www.kmu.gov.ua>

The official web portal of the Search and Analytical Portal "Court in the Palm" - <https://conp.com.ua>

The official web portal of the resource "Practice of the ECtHR. Ukrainian aspect" – <https://www.echr.com.ua/rishennia-espl/>

The official web portal of the Repository of the Yaroslav Mudryi National Law University Scientific Library – <https://dspace.nlu.edu.ua>

### *SENMK*

Standardized electronic educational and methodological complex of the Department of Criminal Law. URL: <https://library.nlu.edu.ua/senmk/itemlist/category/114-kafedra-kriminalnogo-prava-1.html>