

Yaroslav Mudryi National Law University

Department of Criminal Law

**WORK PROGRAM OF THE ACADEMIC DISCIPLINE
"CRIMINAL LAW OF UKRAINE. GENERAL PART"**

Level of higher education – first (bachelor's) level

Higher education degree – bachelor's degree

Field of knowledge – 08 “Law”

Specialty – 081 “Law”

The status of the academic discipline is mandatory.

Recruitment year – 2024

Approved at the meeting of the Academic
Council

protocol No. ____ dated _____.

Rector

_____ A. P. Hetman

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1. Introduction

1. The purpose and objectives of the academic discipline.

Goal teaching academic discipline – – formation of a system of fundamental knowledge about the social essence and legal content of criminal law, the relationship of criminal law norms, understanding of the basic principles, categories, provisions of criminal law, including the concepts of “criminal liability law”, “criminal offense”, “composition of a criminal offense”, “complicity”, “stages”, “multiple criminal offenses”, “criminal liability”, “punishment”, “conviction”, “other measures of a criminal law nature”, etc.; development of system-logical thinking and basic professional skills and abilities for solving applied issues in the field of application of criminal law norms; activation of analytical activity of higher education students

Task:

- systematic formation in students with basic theoretical knowledge about the sources, principles, institutions and concepts of the General Part of the Criminal Law of Ukraine;
- mastering criminal law terminology;
- formation of skills and abilities for correct orientation in the current criminal legislation of Ukraine;
- development of skills in the correct interpretation and practical application of the provisions of the General Part of Criminal Law;
- acquiring the ability to independently study the provisions of the criminal legislation of Ukraine and other regulatory legal acts, scientific literature, and materials of judicial practice.

1.2. Status of the academic discipline in the structure of the educational and professional program: mandatory. *Prerequisites:* "Theory of Law", "History of the State and Law of Ukraine", "History of the State and Law of Foreign Countries ", "Constitutional Law", "Logic".

3. Corequisites: "Administrative Law", "Civil Law (Part 1) " , "Labor Law", "International Law", "Private International Law".

4. *Post-requisites* : “Criminal law of Ukraine. Special part” , “Criminal process”, “Constitutional law”, “Criminal science”, “Theory and practice of criminal legal qualification”, “Criminal legal issues of combating organized crime”, “Comparative criminal law”, “Exclusion of criminal liability under the legislation of Ukraine”, “System of criminal legal remedies under the legislation of Ukraine”, “Novelization of the criminal law of Ukraine ”.

5. *List of subject competencies of a higher education applicant:*

PC-1. Ability to understand the content of the concepts of the General Part of Criminal Law and the systemic connections between them.

PC-2 Ability to define categories and concepts of the General Part of Criminal Law and characterize their features.

PC-3. Ability to analyze, classify and distinguish between concepts of the General Part of the Criminal Legislation of Ukraine

PC-4 Ability to identify the main criminal law institutions of the General Part of the Criminal Code and reveal their meaning

PC-5 Ability to research , analyze and summarize legal information on the interpretation and application of the provisions of the General Part of the Criminal Legislation of Ukraine

PC-6 Ability to use theoretical knowledge of the provisions of the General Part of the Criminal Code of Ukraine when solving typical criminal cases in

PC-7 Ability to use theoretical and practical skills in resolving issues of applying the provisions of the General Part of the Criminal Legislation of Ukraine in conditions of legislative uncertainty, competition and conflict of criminal law norms

PC-8 Ability to establish legal facts that are important for the application of the relevant provisions of the General Part of the Criminal Legislation of Ukraine

PC-9 Ability to formulate one's own reasoned judgments on the interpretation and application of the provisions of the General Part of the Criminal Legislation of Ukraine

PC-10 Ability to correctly apply the provisions of the General Part of the Criminal Legislation of Ukraine

PC-11 Ability to disclose the content of the subject, methods, tasks, functions and principles of criminal law of Ukraine

PC-12 Ability to understand the features of criminal law regulation of social relations

PC-13 Ability to freely operate with the criminal law conceptual and categorical apparatus in the state language

PC-14 Ability use information systems, electronic databases and registers to search for legal information on the application of the provisions of the General Part of the Criminal Legislation of Ukraine.

PK-15 Ability to autonomously organize the process of independent study of the provisions of the General Part of the Criminal Legislation of Ukraine, critical assessment of the progress achieved and learning outcomes

PC-16 Ability to track and correctly interpret changes in the criminal legislation of Ukraine and the practice of its application.

PC-17 Ability to critically analyze regulatory legal acts, case law materials and scientific positions on the application of the provisions of the General Part of Criminal Law

PC-18 Ability to engage in constructive interpersonal interaction when solving typical tasks on the application of the provisions of the General Part of the Criminal Code

PC-19 Ability to apply the provisions of the General Part of the Criminal Legislation of Ukraine in accordance with the basic principles of criminal law, international standards for the protection of human rights and on the basis of the principle of the rule of law

PC-20 Ability to understand the content of the principles of justice and equality of citizens before the law and their influence on the formation of the provisions of the General Part of the Criminal Code and the practice of their application

PC-21 Ability to demonstrate creative potential in solving problematic issues of applying the provisions of the General Part of the Criminal Legislation of Ukraine

PC-22 Ability to correctly and accurately use the criminal law conceptual and categorical apparatus to substantiate one's own position

PC-23 Ability to conduct discussions and polemics on problematic issues of applying the provisions of the General Part of the Criminal Law of Ukraine

PC-24 Ability to research and analyze the provisions of national and international legal regulations, legal literature and case law materials that directly relate to issues of the General Part of the Criminal Legislation of Ukraine.

The explication of general and special competencies is defined in the map of subject competencies (Appendix 1)

6. *List of learning outcomes higher education student :*

RN ND 1.1 Analyze the provisions of national and international regulatory legal acts, legal literature and case law on the operation of the law on criminal liability in time and space.

RN ND 1.2 Formulate judgments regarding the presence of signs of a criminal offense and a minor act.

RN ND 1.3 Formulate judgments regarding the determination of the severity category of a criminal offense.

RN ND 1.4 Correctly operate with criminal law terminology in the state language on the issues of "the concept of criminal law", "the law on criminal liability", "criminal offense and its types", "classification of criminal offenses".

RN ND 1.5 Correctly and clearly convey to the respondent one's own knowledge, conclusions and arguments on the issues of "criminal liability law", "criminal offense and its types", "classification of criminal offenses".

RN ND 1.6 Use information systems, electronic databases and registers to search for legal information on the issues of "criminal liability law", "criminal offense and its types", "classification of criminal offenses".

RN ND 1.7 Demonstrate skills of constructive interpersonal interaction when solving typical tasks on the issues of "criminal liability law", "criminal offense and its types", "classification of criminal offenses".

RN ND 1.8 Explain the influence of international standards in the field of human rights protection on the formation of the principles of criminal law of Ukraine.

RN ND 1.9 Demonstrate the necessary knowledge and understanding of the essence and content of the criminal law institution "criminal offense".

RN ND 1.10 Formulate definitions and reveal the content of the signs of the concepts of "criminal law", "criminal liability law", "criminal offense", "insignificance of the act", "classification of criminal offenses".

RN ND 1.11 Use theoretical knowledge and argue one's own position when solving typical criminal law cases on the validity of the law on criminal liability in time and space.

RN ND 1.12 Use theoretical knowledge when solving typical criminal law cases on the structure of the law on criminal liability.

RN ND 1.13 Demonstrate skills in determining the severity category of a criminal offense.

RN ND 1.14 Use legal positions and conclusions of the Supreme Court and the Constitutional Court of Ukraine to substantiate one's own position on the validity of the law on criminal liability in time and the insignificance of an act.

RN ND 1.15 To reveal the content of the subject, methods, tasks, functions and principles of the criminal law of Ukraine.

RN ND 1.16 Form a personal opinion and present it in a reasoned manner when applying criminal law norms on the validity of the law on criminal liability in time and space, the concept of a criminal offense and its classification.

RN ND 2.1 Analyze the provisions of national and international regulatory legal acts, legal literature and case law on the grounds of criminal liability and its structural elements.

RN ND 2.2 Formulate judgments regarding the presence of elements and signs of a criminal offense.

RN ND 2.3 Correctly operate with criminal law terminology in the state language on issues of defining the concept of the composition of a criminal offense, its types and its structural elements and features.

RN ND 2.4 Correctly and clearly convey to the respondent one's own knowledge, conclusions, and arguments on the issues of defining the concept of the composition of a criminal offense, its types , and its structural elements and features.

RN ND 2.5 Use information systems, electronic databases and registers to search for legal information on issues of defining the concept of a criminal offense, its types and its structural elements and features.

RN ND 2.6 Demonstrate skills of constructive interpersonal interaction when solving typical tasks on defining the concept of the composition of a criminal offense, its types and its structural elements and features.

RN ND 2.7 Demonstrate the necessary knowledge and understanding of the essence and content of the criminal law institution "elements of a criminal offense."

RN ND 2.8 Formulate definitions and reveal the content of the signs of the concepts "elements of a criminal offense", "object of a criminal offense", "objective side of a criminal offense", "subjective side of a criminal offense", "elements of a criminal offense", "error in criminal law".

RN ND 2.9 Use theoretical knowledge and argue one's own position when solving typical criminal law cases on the structure and elements of a criminal offense.

RN ND 2.10 Use legal positions and conclusions of the Supreme Court to substantiate one's own position on issues of establishing the structural elements and signs of a criminal offense.

RN ND 2.11 Form a personal opinion and present it in a reasoned manner when applying criminal law norms that determine the elements of a criminal offense.

RN ND 3.1 Analyze the provisions of national and international regulatory legal acts, legal literature and case law materials on the stages of committing a criminal offense, complicity and multiplicity of criminal offenses.

RN ND 3.2. Formulate judgments regarding the determination of the stage of committing a criminal offense and the presence of voluntary refusal .

RN ND 3.3 Formulate judgments regarding the presence of complicity, types of complicity , forms of complicity.

RN ND 3.4 Formulate judgments regarding the presence of multiple criminal offenses and their types .

RN ND 3.5 Formulate judgments regarding the presence of circumstances that exclude the criminal illegality of an act.

RN ND 3.6. Correctly operate with criminal law terminology in the state language on the issues of the stages of committing a criminal offense, complicity, multiple criminal offenses, and circumstances that exclude criminal wrongdoing.

RN ND 3.7 Correctly and clearly convey to the respondent one's own knowledge, conclusions and arguments on the stages of committing a criminal offense, complicity, multiple criminal offenses and circumstances that exclude criminal wrongdoing.

RN ND 3.8 Use information systems, electronic databases and registers to search for legal information on the stages of committing a criminal offense, complicity, multiple criminal offenses and circumstances that exclude criminal wrongdoing.

RN ND 3.9 Demonstrate skills of constructive interpersonal interaction when solving typical tasks on the stages of committing a criminal offense, complicity, multiple criminal offenses, and circumstances that exclude criminal wrongdoing.

RN ND 3.10 Demonstrate the necessary knowledge and understanding of the essence and content of criminal law institutions in the "stages of a criminal offense", "complicity", "multiple criminal offenses", "circumstances that exclude the criminal illegality of an act".

RN ND 3.11 Formulate definitions and reveal the content of the signs of the concepts of “stages of committing a criminal offense and their types”, “complicity”, “types of accomplices”, “forms of complicity”, “multiplicity of criminal offenses and its types”, “circumstances that exclude the criminal illegality of an act and their types”.

RN ND 3.12 Use theoretical knowledge and argue one's own position when solving typical criminal law cases on the issues of the stages of committing a criminal offense, complicity, multiple criminal offenses, and circumstances that exclude criminal wrongdoing.

RN ND 3.13 Use legal positions and conclusions of the Supreme Court to substantiate one's own position on the stages of committing a criminal offense, complicity, multiple criminal offenses, and circumstances that exclude criminal wrongfulness.

RN ND 3.14 Form a personal opinion and present it in a reasoned manner when applying criminal law norms on the stages of committing a criminal offense, complicity, multiple criminal offenses, and circumstances that exclude criminal wrongdoing.

RN ND 4.1 Analyze the provisions of national and international regulatory legal acts, legal literature and case law materials on the application of criminal liability and other measures of a criminal law nature.

RN ND 4.2. Formulate judgments regarding the existence of prerequisites and grounds for exemption from criminal liability.

RN ND 4.3 Formulate judgments regarding the presence of prerequisites and grounds for applying special rules for imposing punishment.

RN. ND 4.4 Formulate judgments regarding the prerequisites and grounds for applying exemption from punishment and its serving.

RN ND 4.5 Formulate judgments regarding the presence of a criminal record, the moment of its occurrence and termination.

RN ND 4.6 Formulate judgments regarding the presence of prerequisites and grounds for applying other criminal law measures.

RN. ND 4.7 Correctly operate with criminal law terminology in the state language on issues of applying criminal liability and other measures of a criminal law nature.

RN ND 4.8 Correctly and clearly convey to the respondent one's own knowledge, conclusions, and arguments on the application of criminal liability and other measures of a criminal law nature.

RN ND 4.9 Use information systems, electronic databases and registers to search for legal information on the application of criminal liability and other measures of a criminal law nature.

RN ND 4.10 Demonstrate skills of constructive interpersonal interaction when solving typical tasks on the application of criminal liability and other measures of a criminal law nature.

RN ND 4.11 Explain the influence of international standards in the field of human rights protection on the formation of national legal policy in the field of application of criminal liability and other measures of a criminal law nature.

RN ND 4.12 Demonstrate the necessary knowledge and understanding of the essence and content of the criminal law institutions of "exemption from criminal liability", "punishment and its imposition", "exemption from punishment and its execution", "conviction", "other measures of criminal liability".

RN ND 4.13 Formulate definitions and reveal the content of the signs of the concepts of "criminal liability", "forms of implementation of criminal liability", "punishment", "penalty system", "criminal record", "other measures of a criminal law nature and their types".

RN ND 4.14 Use theoretical knowledge and argue one's own position when resolving typical criminal law cases on issues related to the application of criminal liability and other measures of a criminal law nature.

RN ND 4.15 Use legal positions and conclusions of the Supreme Court and the Constitutional Court of Ukraine to substantiate one's own position on the application of criminal liability and other measures of a criminal law nature.

RN ND 4.16 Demonstrate skills in applying the provisions of the General Part of the Criminal Code in conditions of legislative uncertainty, competition and conflict of criminal law norms based on the basic principles of criminal law and international standards for the protection of human rights.

RN ND 4.17 Demonstrate knowledge of the prerequisites, grounds , and procedure for exemption from criminal liability.

RN ND 4.18 Demonstrate knowledge of the forms of implementation of criminal liability.

RN ND 4.19 Form a personal opinion and present it in a reasoned manner when applying criminal law norms on the application of criminal liability and other measures of a criminal law nature.

The explication of the results of mastering the academic discipline and the results of learning by specialty and specialization is determined in the map of learning outcomes, formulated in terms of competencies (Appendix 2).

7. Program modules academic discipline.

Module 1. The concept and system of criminal law. The Law on Criminal Responsibility. Criminal offense and minor act.

Module 2. Composition of a criminal offense, its elements and signs.

Module 3. Stages of a criminal offense. Complicity in a criminal offense. Repetition, aggregation and relapse of criminal offenses. Circumstances that exclude the criminal wrongfulness of an act.

Module 4. Criminal liability. Application of criminal liability and other measures of a criminal law nature.

The explication of the modules of the competency-based program of the academic discipline is determined in the matrix of connections between the modules of the academic discipline, learning outcomes and subject competencies (Appendix 3).

2. Description of the academic discipline (study units)

Course	level , field of knowledge, specialty	Didactic structure and number of hours
Number of ECTS credits: 6 Number of modules: 4 Total hours: 180 Weekly hours for full-time study: classrooms – 2 – 8 , student's independent work – 2 – 10 .	level – first (bachelor's) Field of knowledge – 08 “Law” Specialty – 081 “Law”	Module 1 Lectures: 8 Practical classes: 8 Independent work: 14 Module 2 Lectures: 14 Practical classes: 12 Independent work: 34 Module 3 Lectures: 10 Practical classes: 8 Independent work: 12 Module 4 Lectures: 14 Practical classes: 16 Independent work: 30 Types of control: current control; final knowledge control (exam)

3. Content of the academic discipline program

Module 1. The concept and system of criminal law.

Criminal Liability Law.

Criminal offense and triviality of the act.

The concept and system of criminal law as a branch of law. The concept, subject, methods, tasks, functions, principles of criminal law. Criminal-legal relations: concept and structure. Criminal law and related branches of law: interrelation and interconnection. The science of criminal law, its subject, methods, tasks. The limits of European integration in the context of criminal law.

Law on Criminal Liability . Concept, features, functions, features and meaning of the law on criminal liability. Inadmissibility of applying the law on criminal liability by analogy. Structure of the Criminal Code of Ukraine, concept and types of dispositions and sanctions. Interpretation of the law on criminal liability. Sources of European criminal law and its influence on the content of the Criminal Code of Ukraine.

The validity of the law on criminal liability in Time and space. Time of entry into force of the law on criminal liability. Determination of the time of commission of a criminal offense. Retroactive effect of the law on criminal liability in time: concept and cases of application. The problem of application of the "intermediate" law on criminal liability.

Validity of the law on criminal liability in space . Content of the territorial principle. Concept of the place of commission of a criminal offense. Definition of the concept of "territory of Ukraine". Content of the principles of citizenship, universal (cosmopolitan) and real. Legal consequences of conviction of a person outside Ukraine. Resolution of the issue of criminal liability of persons who are subject to criminal liability under the legislation of a foreign state and are on the territory of Ukraine, and execution of sentences passed by foreign courts or international judicial institutions.

Criminal offense and triviality of the act. Types of definitions of the concept of a criminal offense. The concept and features of a criminal offense under the criminal law of Ukraine. The place of a criminal offense in the system of offenses . Distinguishing criminal offenses from others. The concept and features of a minor act. Legal consequences of recognizing an act as minor. The significance of provisions on the minor nature of an act for understanding the concept of a criminal offense. Classification of criminal offenses and its significance. The influence of the practice of the European Court of Human Rights (ECHR) on distinguishing a criminal offense from other types of offenses.

Module 2. Elements of a criminal offense, its elements and characteristics.

The composition of a criminal offense: concept, functions and meaning. The relationship between the concepts of a criminal offense and the composition of a criminal offense. The general and specific concept of the composition of a criminal offense. Elements and signs of the composition of a criminal offense, their content and relationship. Classification of signs of the composition of a criminal offense

into mandatory and optional. Classification of the compositions of criminal offenses. Qualification of criminal offenses : concept, subjects of qualification and its meaning.

Object of a criminal offense: concept and meaning. Classification of objects of criminal offenses, their meaning. Types of direct objects . Subject of a criminal offense: concept and place in the structure of a criminal offense. Difference between subject and object of a criminal offense. Victim of a criminal offense.

Objective side of a criminal offense: concept, signs, meaning. Action: concept, signs, forms and types. The meaning of irresistible force, physical and mental coercion for resolving the issue of criminal liability for a socially dangerous act (action or inaction). Concept and types of actions. Conditions of criminal liability for inaction. Socially dangerous consequences as a sign of the objective side of a criminal offense: concept, types, meaning. Causal relationship between an act and socially dangerous consequences: concept, types, procedure for establishing and meaning. Method, situation, place , time, means and instruments of committing a criminal offense: concept, criminal-legal meaning.

Subject of a criminal offense: concept and features. An individual as a mandatory feature of a subject. The problem of recognizing a legal entity as a subject of a criminal offense in the science of criminal law and its solution in the law on criminal liability. Sanity as a mandatory feature of a subject. The age at which criminal liability begins. General and reduced age of criminal liability. Criteria underlying the reduction of the age of criminal liability. Insanity: concept and criteria. Formula of insanity. Legal consequences of recognizing a person as unsound. The question of the criminal liability of a person who became mentally ill after committing a criminal offense. Limited sanity: concept, meaning, legal consequences of recognizing a person as limitedly sane. General and special subject of a criminal offense. Official as a special subject of a criminal offense: concept, features, types. Liability for criminal offenses committed while intoxicated and its justification.

Subjective side of a criminal offense: concept, signs, meaning. The concept of guilt and its meaning. Forms of guilt in criminal law and their meaning. Intent and its types. Intellectual and volitional signs of direct and indirect intent. Distinguishing direct intent from indirect intent . Other classifications of intent and their meaning. Carelessness and its types. Criminally unlawful self-confidence, its intellectual and volitional signs. Distinguishing criminally unlawful self-confidence from indirect intent. Criminally unlawful negligence: its objective and subjective criteria. Case (casus), its distinction from criminally unlawful negligence. Mixed (double, complex) guilt and its meaning for the qualification of a criminal offense. Motive and purpose as optional signs of the subjective side of the composition of a criminal offense, their concept and meaning for the qualification. Error in criminal law: concept, types and significance for criminal liability.

Module 3. Stages of a criminal offense.

Complicity in a criminal offense.

Repetition, aggregation and recurrence of criminal offenses. Circumstances that exclude the criminal illegality of an act.

Stages of a criminal offense. The concept and types of stages of a criminal offense. Completed criminal offense: concept, moment of completion of a criminal offense depending on the features of the construction of the objective side. Unfinished criminal offense and its types. Preparation for a criminal offense: concept, types, distinction of preparation for a criminal offense from the detection of intent and from an attempt to commit a criminal offense. Attempt to commit a criminal offense: concept, types, distinction of an attempt to commit a criminal offense from preparation for a criminal offense and a completed criminal offense. Criminal liability for an unfinished criminal offense, its grounds . Qualification of preparation for a criminal offense and an attempt to commit a criminal offense. Voluntary refusal in the event of an unfinished criminal offense: concept, signs, legal consequences, distinction from effective remorse.

Complicity in a criminal offense: concept, signs, meaning. Types of complicity, their objective and subjective signs, features of the qualification of acts. Criminal liability of complicity: its grounds and limits. Forms of complicity: criteria underlying the division of complicity into forms, characteristics of forms of complicity. Special issues of liability for complicity in a criminal offense. The concept of indirect guilt (indirect execution, causation). Features of liability for complicity in criminal offenses with a special subject. Liability for provocation of a criminal offense. Excess of the perpetrator, its types and significance for criminal liability. Unsuccessful incitement and aiding and abetting. Features of voluntary refusal of complicity. Involvement in a criminal offense: concept, types, distinction of involvement from complicity.

Plurality of criminal offenses: concepts and types. Single criminal offense: concepts, signs, types. Features of ongoing, continued, complex (compound) criminal offenses and criminal offenses qualified by consequences. Repetition of criminal offenses: concepts, signs, types, distinction from related concepts and legal consequences. Aggregate criminal offenses: concepts, signs, types, distinction from related concepts and legal consequences. Recidivism of criminal offenses: concepts, signs, types, distinction from related concepts and legal consequences.

Circumstances that exclude the criminal illegality of an act: concept, signs, types. Necessary defense. The Constitution of Ukraine on the right of every citizen to protection from unlawful encroachments. The concept of necessary defense, its grounds, signs and legal consequences. Exceeding the limits of necessary defense: concept, signs, types and liability. Special types of necessary defense provided for by the Criminal Code of Ukraine. Imaginary defense: concept, signs, liability for damage caused in a state of imaginary defense. Detention of a person who has committed a criminal offense: concept, grounds, signs. Limits of causing damage when detaining a person who has committed a criminal offense. Criminal liability for exceeding the measures necessary to detain a person who has committed a criminal offense. Extreme necessity: concept, grounds, signs of legality and legal

consequences. Exceeding the limits of extreme necessity: concept, signs and liability. Distinguishing extreme necessity from necessary defense. Physical or mental coercion: concept, signs and significance for resolving the issue of criminal liability. Execution of an order or instruction. The concept of a lawful order or instruction and the significance of their execution for resolving the issue of criminal liability. The concept of a clearly criminally unlawful order or instruction. Criminal legal consequences of a person's execution or refusal to execute a clearly criminally unlawful order or instruction. Action associated with risk. Grounds for committing an action associated with risk. Conditions for justified risk. Criminal liability for unjustified risk. Fulfillment of a special task to prevent or expose criminally unlawful activities of an organized group or criminal organization: concept, signs and significance for resolving the issue of criminal liability. Conditions, grounds and signs of fulfilling the duty to protect the Fatherland, independence and territorial integrity of Ukraine.

Module 4. Criminal liability.

Application of criminal liability and other measures of a criminal nature.

Criminal liability: concept and features. The moment of occurrence and termination of criminal liability. Forms of implementation of criminal liability.

Exemption from criminal liability: concept, types, prerequisites, grounds, procedure, conditions and consequences of releasing a person from criminal liability. Features of exemption from criminal liability in connection with effective repentance. Features of exemption from criminal liability in connection with reconciliation of the guilty party with the victim. Features of exemption from criminal liability in connection with the transfer of a person on bail. Features of exemption from criminal liability in connection with a change in circumstances. Features of exemption from criminal liability in connection with the expiration of the statute of limitations, suspension and interruption of the statute of limitations. Features of the application of the statute of limitations in the commission of a

particularly serious crime for which life imprisonment may be imposed. Crimes to which the statute of limitations does not apply.

Punishment and its types. Punishment: concept, features, purpose of application. The concept of the system of punishments and its meaning. Classifications of punishments. The procedure for assigning basic and additional punishments. Features of assigning a fine. Legal consequences of failure to pay a fine. Conditions and procedure for replacing a fine with community or correctional labor or imprisonment. Features of assigning deprivation of a military, special title, rank, rank or qualification class: concept, procedure and legal consequences of its assignment. Features of assigning deprivation of the right to hold certain positions or engage in certain activities. Features of assigning community service. Features of assigning correctional labor. Features of assigning service restrictions for military personnel. Features of assigning confiscation of property. Features of assigning probation supervision. Features of assigning arrest. Features of assigning detention in a disciplinary battalion of military personnel. Features of assigning imprisonment for a certain period. Features of assigning life imprisonment. The legal framework of the EU and the Council of Europe, as well as the decisions of the ECHR in the context of the protection of human rights at the stage of applying punishment.

Imposition of punishment. General principles of imposing punishment. Circumstances that mitigate and aggravate punishment. Imposition of punishment in the event of an unfinished criminal offense and in the event of complicity. Imposition of a milder punishment than provided for by law. Imposition of punishment in the event of circumstances that mitigate punishment. Imposition of punishment in the event of a settlement agreement or admission of guilt in criminal proceedings. Imposition of punishment based on the totality of criminal offenses and on the totality of sentences. Rules for calculating sentences and crediting pretrial detention.

Release from punishment and its serving: concept, types, prerequisites, grounds , procedure for application and legal consequences of release from punishment and its serving. Difference between release from punishment and release from criminal liability. Features of release from punishment and its serving in connection with the entry into force of a new law that eliminates the punishability of the committed act or establishes a milder punishment for it. Features of release from punishment in connection with the loss of a person's public danger. Features of release from serving a sentence with probation. Features of release from serving a sentence with probation for pregnant women and women who have children under seven years of age. Features of release from serving a sentence in connection with the expiration of the statute of limitations for the execution of a guilty verdict. Features of parole from serving a sentence. Features of replacing the unserved part of the sentence with a milder one. Distinguishing between replacing the unserved part of the sentence with a milder one and parole from serving a sentence. Conditional early release from serving a sentence for military service. Features of release from serving a sentence for pregnant women and women with children under three years of age. Features of release from sentence due to illness. Features of release from serving a sentence in connection with the adoption by the authorized body of a decision to transfer a convicted person for exchange as a prisoner of war. Features of release from sentence on the basis of the Law of Ukraine on Amnesty or an Act of Pardon, their differences. Features of release from sentence in the practice of the ECHR.

Criminal record: concept, reason for occurrence, terms during which a person is recognized as having a criminal record, legal consequences of a criminal record. Categories of convicted persons who are recognized as not having a criminal record. Exoneration of a criminal record: conditions, terms, procedure for exoneration of a criminal record, calculation of the terms of a criminal record, legal significance of exoneration of a criminal record. Exoneration of a criminal record: conditions, terms, procedure for exoneration of a criminal record, legal

significance of exoneration of a criminal record. Difference between exoneration of a criminal record and its exoneration.

Features of criminal liability and punishment of minors . Exemption from criminal liability of minors: prerequisites, grounds , procedure for application and legal consequences of such exemption. Types of punishments applied to minors. Features of imposing punishment on minors. Features of releasing minors from serving a sentence with probation. Features of releasing minors from punishment with the application of compulsory educational measures. Features of releasing minors from criminal liability and serving a sentence in connection with the expiration of the statute of limitations. Features of parole of minors from serving a sentence. Features of the repayment and removal of a criminal record for persons who committed a criminal offense before reaching the age of seventeen.

Other measures of a criminal law nature: concept, purpose, features of application, difference from punishment. Features of the application of compulsory medical measures. Features of the application of compulsory treatment. Features of the application of restrictive measures. Features of the application of special confiscation. Features of the application of compulsory educational measures. Features of the application of measures of a criminal law nature in relation to legal entities . Other measures of a criminal law nature under EU legislation.

4. Resource provision of the academic discipline

4.1. Forms of organization of the educational process and types of training sessions:

- forms of organization of the educational process: classes; independent work; practical training ; control measures;
- types of training sessions: lectures, practical classes, individual lessons, consultations.

4.2. Independent work of higher education students

Independent work is a type of educational, research and creative work that a higher education student performs independently in his free time (according to the

schedule). During this type of work, the student must independently study regulatory legal acts, case law materials, recommended educational and other literature, lecture notes, and other sources of information on the topics presented for practical classes.

Forms of independent work of students can be: reproductive , which is carried out according to a certain pattern (solving tasks, performing training tests, etc.); reconstructive, i.e. generalization and addition of the information received (compiling lecture notes, supporting notes/answer plans on the topics of study, summarizing or summarizing regulatory legal acts or acts of judicial practice of their application, preparing thematic presentations, annotating scientific articles and monographs, preparing for current classroom lessons, current tests, exams, etc.); research (preparation of a scientific report on a highly specialized issue; scientific reports and their presentations, preparation and publication of scientific articles, abstracts of scientific reports, etc.).

Independent work is designed to deepen and consolidate students' knowledge of the topics covered by the academic discipline.

4.3. Educational technologies and teaching methods

– educational technologies: problem-based learning, contextual learning, student-centered learning, audiovisual technologies , scientific discussions, interactive technologies, IT technologies, etc.;

– teaching methods: a combination of verbal, visual and practical methods, the problem-based teaching method, press conferences, business games, brainstorming, modeling of professional situations, case method, discussion method, round table , etc.

4.4. Forms of pedagogical control and a system for assessing the quality of formed competencies based on the results of mastering the academic discipline

The forms of monitoring students' knowledge are current and final control.

Current control of students' knowledge includes :

– quality control of students' assimilation of the program material of the academic discipline during practical classes using the following means: oral,

written or express survey, solving practical tasks or problems, participation in the development of a case, defense of an essay or abstract at the initiative of the student or at the request of the teacher, preparation and publication of scientific articles, abstracts of scientific reports, etc. Current control aims to check the level of preparation of the student for studying the current material. During the practical class, the student can receive a grade on a four-point scale (0, 3, 4, 5). Based on the results of practical classes, a general arithmetic number of points is calculated (maximum score of 32 points for 4 modules), which is included in the final rating score;

- quality control of students' mastery of the program material of the academic discipline, which is carried out at the end of the module in in the form of colloquiums, etc.

During the semester, students perform independent work in the form of preparing individual work (articles, report abstracts).

The maximum number of points for individual work (article, report abstract) is 8 points.

The form of final control of knowledge of higher education applicants in the academic discipline is an exam. The maximum number of points that a student can receive for the exam is 60 points. The minimum assessment of the results of current control and independent work, which allows a student to take the exam, is 25 points.

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

Current control								Self-reliance. work	Final control (exam)	Final assessment of knowledge
Module No. 1		Module No. 2		Module No. 3		Module No. 4				
p /s, s/ r	colloquium	p /s, s/ r	colloquium	p /s, s/ r	colloquium	p /s, s/ r	colloquium			

max 4	max 4	max 4	max 4	max 4	max 4	max 4	max 4	max 4	max 60	max 100
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Criteria for evaluating learning outcomes:

Type of control	Number of points in	Criteria (for each assessment)
Current control in a practical lesson	Max 5	Excellent mastery of the educational material on the topic, some minor shortcomings are possible
	4	Good understanding of the topic material , but there are some errors
	3	Satisfactory level of material acquisition, significant number of errors
	Min 0	Unsatisfactory level of material acquisition
Colloquium	Max 5	The results of processing the material are high, a small number of minor errors are possible
	4	Good understanding of the topic material , but there are some errors
	3	Satisfactory level of mastery of the material, a significant number of minor errors
	2	Satisfactory level of material acquisition, significant number of significant errors
	1	Gaps in knowledge, the cadet has a poor grasp of the work material
	Min 0	Unsatisfactory level of material acquisition

<p>Assessment of individual work of higher education students</p> <p>Article</p>	Mac h 8	<p>consistently , systematically, logically, competently, and fully. Modern domestic and foreign scientific literature, regulatory sources, judicial practice, law enforcement practice, and official statistics are thoroughly studied. References to the sources used are provided.</p> <p>The chosen topic is relevant from both practical and theoretical points of view.</p> <p>The state of scientific development of the problem is fully covered, a summary of scientific literature, legislation and other sources is provided. In addition to the presentation of the material, the work contains the author's own approach to solving the problem under consideration and conclusions. The maximum score is given if the prepared article is published by a publishing house.</p>
	7	<p>consistently , systematically, logically, and competently. The author used the main modern domestic and foreign scientific literary sources, legislation, and relevant law enforcement practice. The work contains references to the information sources used.</p> <p>The chosen topic is relevant both from a practical and theoretical point of view. The work is well structured, has a justification for the relevance of the research; the general state of scientific development of the problem is highlighted. In addition to the presentation of the material, the work contains reasoned author's conclusions.</p>
	5	<p>The results of the conducted scientific research on a certain topic are consistently and competently presented. The author used a small number of modern domestic and foreign scientific literary sources, legislation, and law enforcement practice. The chosen topic is relevant both from a practical and theoretical point of view. The work is structured, has a justification for the relevance of the research, and highlights the state of scientific development of the problem. In addition to presenting the material, the work contains separate author's conclusions.</p>
	4	<p>There are few references to judicial and/or law enforcement practice. The chosen topic is relevant, but there is no author's approach to the study of most issues.</p>

Abstracts of the report	Mac h 5	The abstracts of a report at a scientific-practical or scientific conference meet the requirements for this type of work. They concisely formulate the key points that present the report that the higher education student has delivered or wishes to deliver at the conference. The abstracts are designed in accordance with the requirements set by the conference organizers or the publishing house. The maximum score is awarded subject to their publication.
	3	The thesis contains methodological and substantive errors. The conclusions are insufficiently substantiated.
Exam	Mac h 60	1. Complete and thorough answers to all exam questions. 2. Comprehensive, systematic and deep knowledge and understanding of the material provided by the curriculum of the academic discipline. 3. Independent and reasoned disclosure of the content of theoretical and practical issues. 4..Demonstration of skills in solving complex problematic issues of applying the provisions of the General Part of Criminal Law
	55	1. Overall, a complete and thorough answer. 2. Systematic and deep knowledge and understanding of the material provided by the curriculum of the academic discipline. 3. Independent and reasoned disclosure of the content of theoretical and practical issues. 4. The presence of minor inaccuracies when answering one of the exam questions.
	50	1. A sufficiently complete and well-founded answer. 2. Knowledge and understanding of the material provided by the curriculum of the academic discipline. 3. Independent and reasoned disclosure of the content of theoretical and practical issues. 4. The presence of minor inaccuracies when answering several exam questions.
	45	1. Knowledge of the basic material provided for by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession. 2. The main points of the exam questions are covered, but some questions are not covered fully.

	40	1. Knowledge of the basic material provided for by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession. 2. Errors in the exam answer if you have the knowledge to eliminate the most significant ones with the help of a teacher
	35	1. Gaps in knowledge of certain parts of the core material provided for in the curriculum of the academic discipline. 2. The presence of errors in the exam answer.
	min 0	1. Lack of knowledge of a significant part of the basic material provided for by the curriculum of the academic discipline. 2. Inability to continue studies or engage in professional activities without taking a repeated course in this discipline .

4.5. Educational, methodological and informational support

academic discipline

Regulatory and legal acts

Criminal Code of Ukraine. URL: [https://zakon.rada.gov.ua/laws/show/2341-](https://zakon.rada.gov.ua/laws/show/2341-14)

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European Convention on Extradition of 13 December 1957 URL : https://zakon.rada.gov.ua/laws/show/995_033#Text

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 26 November 1987 URL : https://zakon.rada.gov.ua/laws/show/995_068#Text

European Convention on the International Validity of Criminal Judgments of 9 June 2000 URL : https://zakon.rada.gov.ua/laws/show/994_341#Text

Convention on the Non - Applicability of Limitation Periods to Crimes against Humanity and War Crimes of 25 January 1974 URL : https://zakon.rada.gov.ua/laws/show/994_125#Text

Convention for the Protection of Human Rights and Fundamental Freedoms 1950 URL : https://zakon.council.gov.ua/laws/show/995_004#Text

Charter of Fundamental Rights of the European Union of 7 December 2000
URL : https://www.europarl.europa.eu/charter/pdf/text_en.pdf

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

Council Directive 2004/80 of 29 April 2004 relating to compensation to crime victims. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32004L0080>

Council Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Framework Decision 2001/220. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012L0029&qid=1748536168156>

Council Directive 2014/42 of 3 April 2014 on the freezing and confiscation of criminally derived funds and proceeds in the EU. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0042&qid=1748536229978>

Council Directive 2009/52 of 18 June 2009 on minimum standards on sanctions and measures against employers of illegally staying third-country nationals in the EU. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0052&qid=1748536274359>

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<https://infocenter.rada.gov.ua/uploads/documents/29057.pdf>

Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States . URL :
https://zakon.rada.gov.ua/laws/show/994_b17#Text

Framework Decision 2005/212 of 24 February 2005 on confiscation of proceeds , instrumentalities and property derived from crime . URL :
https://zakon.rada.gov.ua/laws/show/984_005-05#Text

Recommendation CM/Rec(2010)1 of the Committee of Ministers to member states on the Council of Europe Rules on Probation. URL : <https://rm.coe.int/e-compendium-in-ukrainian/16806ab9ad>

Code of Ukraine on Administrative Offenses. URL: <https://zakon.rada.gov.ua/laws/show/80731-10#Text>

On amnesty : Law of Ukraine of 05.07.2001 . URL : <https://zakon.rada.gov.ua/laws/show/2593-14#Text>

On Citizenship of Ukraine : Law of Ukraine of 18.01.2001 URL : <https://zakon.rada.gov.ua/laws/show/2235-14#Text>

On the State Border of Ukraine : Law of Ukraine of 04.11.1991 URL : <https://zakon.rada.gov.ua/laws/show/1777-12#Text>

On ensuring the rights and freedoms of citizens and the legal regime in the temporarily occupied territory of Ukraine: Law of Ukraine of 15.04.2014 URL : <https://zakon.rada.gov.ua/laws/show/1207-18#Text>

On Prevention and Counteraction to Discrimination in Ukraine : Law of Ukraine of 06.09.2012 URL : <https://zakon.rada.gov.ua/laws/show/5207-17#Text>

On preventing and combating domestic violence : Law of Ukraine of 07.12.2017 URL : <https://zakon.rada.gov.ua/laws/show/2229-19#Text>

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