Federal State Autonomous Educational Institution of Higher Education
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
RUDN University

LAW INSTITUTE

educational division (faculty/institute/academy) as higher education programme developer

COURSE SYLLABUS

Comparative criminal procedure

course title

Recommended by the Didactic Council for the Education Field of:

40.03.01 JURISPRUDENCE

field of studies / speciality code and title

The course instruction is implemented within the professional education programme of higher education:

BACHELOR OF LAWS (LLB)

higher education programme profile/specialisation title

1. COURSE GOAL(s)

The goals of the course are to:
1) form a comprehensive understanding of the forms and methods of resolving disputes in different systems of legal orders among students;
2) convey issues related to criminal proceedings in foreign countries
3) transfer knowledge of different stages of foreign countries criminal procedure
4) analyze similarities and differences of Russian criminal procedure and foreign countries criminal procedure
5) use leading achievements of foreign countries criminal procedure science for improving domestic criminal procedure law

2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course (module) Comparative Civil Procedure intends to train and guide students to achieve the development of following competences (competences in part):

Table 2.1. List of target competences (parts of competences)

Code (UC, GPC, PC)	Competence	Competence indicators
GPC-1	Can analyze the main patterns of formation, implementation and development of law.	GPC-1.1. Knows the basics of the history of law, its nature and patterns; GPC-1.2. Uses legal methodology in order to analyze the main patterns of formation, implementation and development of law; GPC-1.3. Formulates and explains their position to complete professional tasks using relevant legal information
GPC-2	Can apply the norms of substantive and procedural law to solve professional problems	GPC-2.1. Knows the system of branches, institutions and sources of law, understands the specifics of implementation and interaction of norms of substantive and procedural law;
GPC-8.	Can obtain relevant legal information in a purposeful and efficient way from various sources, including legal databases, to complete specific professional tasks using information technology and considering information security requirements.	GPC-8.1. Can obtain relevant legal information from various sources, including legal databases, processes and arranges it based on the goal; GPC-8.2. Uses information technology to complete specific professional tasks; GPC-8.3. Demonstrates the readiness to complete professional tasks while considering information security requirements.
PC-1.	Can draft regulatory acts, formulate legal norms for various levels of rulemaking and areas of professional activity.	PC-1.1. Identifies the societal need for legal regulations of public relations in a particular area as well as gaps and conflicts in the current legislation and has the tools to overcome and eliminate them;
PC-5	Is able to apply the comparative legal method and use the knowledge of foreign legal systems in practice.	PC-5.1. Knows the specifics of the comparative legal method and the features of its use in legal practice; PC-5.2. Knows the specifics of the legal systems, judicial systems, the legal profession structure in the major countries and the main trends of law development in the modern world;

Code (UC, GPC, PC)	Competence	Competence indicators
		PC-5.3. Can use the comparative legal method to identify general and specific features of the compared objects and search for unified legal solutions; PC-5.4. Masters the skills of using the comparative legal method and the results of comparative legal research when comparing various legal solutions and deciding on best practice, considering the international experience.

At the end of this course, students will:

know
- the basic typology of modern criminal procedure systems and their particularities and differences;

- the general structure and principles of criminal procedure in the global context;

- the main sources, notions and institutes of foreign countries' criminal procedural law;

- the debatable and problematic issues of the foreign criminal procedure of individual countries

- the features of the functioning of individual institutions of foreign criminal procedure

- the practice of applying the norms of criminal procedure legislation of individual states

- the trends of development and harmonization of modern criminal procedure law.

be able to
- analyze foreign criminal procedural law and case-law in order to assess the perspectives of cases examination by the foreign court

- do legal analysis of particular cases and legal conflicts

- search, analyze, and work with legally relevant information by using the juridical, comparative and other specific methods

- work with judicial information (search, evaluate, use information, necessary for fulfillment of academic and professional tasks, from various sources, including application of the systematic approach)

3.COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE
The course refers to the core/variable/elective* component of (B1) block of the higher educational programme curriculum.
* - Underline whatever applicable.
Within the higher education programme students also master other (modules) and / or internships that contribute to the achievement of the expected learning outcomes as results of the course study.

Table 3.1. The list of the higher education programme components/disciplines that contribute to the achievement of the expected learning outcomes as the course study results

Compete nce code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
GPC-1	Can analyze the main patterns of formation, implementation and development of law.	Theory of State and Law Administrative Law Civil Law Constitutional Law Criminal Law Criminal Procedure and Forensic Science Family Law	Comparative Civil Procedure Comparative Financial and Tax Law
GPC-2	Can apply the norms of substantive and procedural law to solve professional problems.	Theory of State and Law Administrative Law Civil Law Constitutional Law Criminal Law Criminal Procedure and Forensic Science Family Law	Comparative Civil Procedure Comparative Financial and Tax Law
GPC-8	Can obtain relevant legal information in a purposeful and efficient way from various sources, including legal databases, to complete specific professional tasks using information technology and considering information security requirements	Theory of State and Law Administrative Law Civil Law Constitutional Law Criminal Law Criminal Procedure and Forensic Science Family Law	Comparative Civil Procedure Comparative Financial and Tax Law
PC-1	Can draft regulatory acts, formulate legal norms for various levels of rulemaking and areas of professional activity	Theory of State and Law Administrative Law Civil Law Constitutional Law Criminal Law Criminal Procedure and Forensic Science Family Law	Comparative Civil Procedure Comparative Financial and Tax Law
PC-5	Is able to apply the comparative legal method and use the knowledge of foreign legal systems in practice.	Theory of State and Law Administrative Law Civil Law Constitutional Law Criminal Law Criminal Procedure and Forensic Science Family Law	Comparative Civil Procedure Comparative Financial and Tax Law

* To be filled in according to the competence matrix of the higher education programme.

4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

The total workload of the course is 4 credits (144 academic hours).

*Table 4.1. Types of academic activities during the periods of higher education programme mastering (**__full-time training__**) *

Type of academic activities	Total academic hours	Semesters/training modules			
		9	A	B	C
Classroom learning, academic hours	*60*			*36*	*24*
including:					
Lectures (LC)	26			18	8

Type of academic activities		Total academic hours	Semesters/training modules			
			9	A	B	C
Lab work (LW)		0			0	0
Seminars (workshops/tutorials) (S)		34			18	16
Self-studies						
Evaluation and assessment (exam/passing/failing grade)						
Course workload	academic hours_	**144**			**72**	**72**
	credits	**4**			**2**	**2**

*Table 4.2. Types of academic activities during the periods of higher education programme mastering (**part-time training**)**

Type of academic activities		Total academic hours	Semesters/training modules			
			1	2	3	4
Classroom learning, academic hours						
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)						
Self-studies						
Evaluation and assessment (exam/ passing/failing grade)						
Course workload	academic hours_					
	credits					

* To be filled in regarding the higher education programme part-time training mode.

*Table 4.3. Types of academic activities during the periods of higher education programme mastering(**correspondence training**)**

Type of academic activities		Total academic hours	Semesters/training modules			
			1	2	3	4
Classroom learning, academic hours						
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)						
Self-studies						
Evaluation and assessment (exam/ passing/failing grade)						
Course workload	academic hours_					
	credits					

* To be filled in regarding the higher education programme correspondence training mode.

5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
Section 1. Sources of criminal procedure law (Russia, France, Germany, England, USA).	Topic 1.1. General characteristics of the criminal procedure law. System and types of sources of criminal procedure law. Principles of criminal procedure.	LC S
	Topic 1.2. Crime globalization influence on criminal procedure.	LC S
	Topic 1.3. Norms of international law as a source of national criminal procedure.	LC S
	Topic 1.4. Constitution as a source of criminal procedure law.	LC S
Section 2. Criminal justice authorities (Russia, France, Germany, England, USA)	Topic 2.1. Criminal justice authorities: their types and purposes. Court system, its structure and elements. Competence of different instances courts.	LC S
	Topic 2.2. Prosecutor office: its structure, competence and interoperation with other criminal procedure participants.	LC S
	Topic 2.3. Investigative bodies and their department belonging. Special investigative bodies and their competence.	LC S
	Topic 2.4. Police: structure, competence and role in the criminal procedure.	LC S
	Topic 2.5. A preliminary inquisition and their forms: the form of a preliminary investigation and the form of an enquiry.	LC S
	Topic 2.6. Advocacy as a criminal procedure participant.	LC S
	Topic 2.7. Over-national bodies of criminal procedure and their influence on the national criminal procedure. Limits of such influence.	LC S
Section 3. Evidences and proving in criminal proceedings (Russia, France, Germany, England, USA)	Topic 3.1. Evidence, purpose, subject and burden of proof in criminal proceedings.	LC S
	Topic 3.2. Characteristics of certain types of evidence, prohibitions of proof.	LC S
	Topic 3.3. Hi-tech influence on the evidences and proving in the criminal procedure.	LC S
	Topic 3.4. Inadmissibility and non-relevance of evidence	LC S
Section 4. Pre-trial proceedings in criminal procedure (Russia, France, Germany, England, USA)	Topic 4.1. Pre-trial proceedings, its role and government subjects to run it. The forms of pre-trial proceedings: the form of a preliminary investigation and the form of an enquiry.	LC S
	Topic 4.2. Bodies to run the preliminary investigation. Bodies to run the enquiry.	LC S
	Topic 4.3. Reasons and grounds for the institution of a criminal case. Procedure of the criminal case institution.	LC S
	Topic 4.4. Reasons and grounds for criminal case institution refusal. Appealing the criminal case institution refusal.	LC S

Course module title	Course module contents (topics)	Academic activities types
	Topic 4.5. Measures of restriction: concept, types, grounds for application	LC S
	Topic 4.6. Investigative actions: concept, types, purposes and subjects of their running.	LC S
	Topic 4.7. Judicial control on the pre-trial proceedings stage. Procedural acts of pre-trial proceedings.	LC S
	Topic 4.8. Procedural acts of pre-trial proceedings.	LC S
Section 5. Litigation in criminal cases (Russia, France, Germany, England, USA)	Topic 5.1. Trial as a central stage of criminal proceedings, its conceptual foundations and general conditions. Participants of the trial.	LC S
	Topic 5.2. Methods of bringing the accused to trial in the criminal process. Judicial bodies empowered to decide this issue.	LC S
	Topic 5.3. The procedure for the consideration of the case in the order of bringing to court. Types of court decisions taken at the stage of bringing to trial.	LC S
	Topic 5.4. Preparatory part of the trial.	LC S
	Topic 5.5. Judicial investigation: its goals, the scope of the examination of evidence, the discretionary powers of the presiding judge.	LC S
	Topic 5.6. Judicial debate and the last word of the defendant. Resolution of the verdict.	LC S
	Topic 5.7. Types of sentences. Other types of court resolution. Appling remedial and security measures.	LC S
Section 6. Ways of revision (appeal) of court decisions (Russia, France, Germany, England, USA)	Topic 6.1. Fulfilling the confiscation procedure according to the court decision.	LC S
	Topic 6.2. Appealing instances court and its resolutions.	LC S
	Topic 6.3. Proceedings in the court of the cassation instance. Types of cassation instance court decisions	LC S

* - to be filled in only for **full** -time training: *LC - lectures; LW - lab work; S - seminars.*

6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

Table 6.1. Classroom equipment and technology support requirements

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
Lecture	Classroom for lectures, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
		Office, MS Teams), Chrome
Lab	Classroom for lab work, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Seminars	Classroom for seminars, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Computer classroom	Computer classroom for academic activity, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, 30 personal computers, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Self-studies Classroom	Classroom for Self-studies, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Courtroom	Classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome

* It is necessary to specify a classroom for self-study of students

7. RESOURCES RECOMMENDED FOR COURSE STUDY

Main reading (sources):

Malcai O., Levine-Schnur R. When Procedure Takes Priority: A Theoretical Evaluation of the Contemporary Trends in Criminal Procedure and Evidence Law [Электронный ресурс] // Canadian Journal of Law & Jurisprudence. 2017. №30.01. C. 187-213. ISSN 0841-8209 DOI: 10.1017/cjlj.2017.8 http://dx.doi.org/10.1017/cjlj.2017.8

Öberg J. Trust in the Law? Mutual Recognition as a Justification to Domestic Criminal Procedure [Электронный ресурс] // European Constitutional Law Review. 2020. №16.1. C. 33-62. ISSN 1574-0196 DOI: 10.1017/s1574019620000036 http://dx.doi.org/10.1017/s1574019620000036

Additional (optional) reading (sources):

Yin B., Duff P. CRIMINAL PROCEDURE IN CONTEMPORARY CHINA: SOCIALIST, CIVILIAN OR TRADITIONAL? [Электронный ресурс] // International and Comparative Law Quarterly. 2010. №59.04. C. 1099-1127. ISSN 0020-5893 DOI: 10.1017/s0020589310000618 http://dx.doi.org/10.1017/s0020589310000618

Weigend T., Ghanayim K. Human Dignity in Criminal Procedure: A Comparative Overview of Israeli and German Law [Электронный ресурс] // Israel Law Review. 2011. №44.1-2. C. 199-228. ISSN 0021-2237 DOI: 10.1017/s0021223700001023 http://dx.doi.org/10.1017/s0021223700001023

Internet-(based) sources:

1. Electronic libraries with access for RUDN students
- RUDN Electronic library system http://lib.rudn.ru/MegaPro/Web
- Electronic library system «University Library online» http://www.biblioclub.ru
- Electronic Library «URAIT» http://www.biblio-online.ru
- Electronic library system «Student. Consultant»www.studentlibrary.ru
- Electronic library system «Lan» http://e.lanbook.com/
- Electronic library system "Troitskyi most"

Internet-(based) sources (others):

1. Courts and Tribunals judiciary. The Structure of the Courts // https://www.judiciary.gov.uk/wp- content/uploads/2012/08/courts-structure-0715.pdf
2. COUR DE CASSATION // https://www.courdecassation.fr/la-cour
3. POLICE NATIONALE// https://www.police-nationale.interieur.gouv.fr/
4. BKA (Bundeskriminalamt) // bka.de
5. Bundesgerichtshof // https://www.bundesgerichtshof.de/DE/Home/home_node.html
6. Supreme Court of the United States of America // https://www.supremecourt.gov/
7. Law enforcement in the United States // https://en.wikipedia.org/wiki/Law_enforcement_in_the_United_States
8. Litigation and enforcement in UK (England and Wales): overview. http://uk.practicallaw.com/7- 502-0631
9. The European e-Justice Portal - https://e-justice.europa.eu/home.

2. Databases and search engines:
- Electronic Legal and Regulatory Documentation Fund http://docs.cntd.ru/
- Search system Yandex https://www.yandex.ru/
- Search system Google https://www.google.ru/
- SCOPUS http://www.elsevierscience.ru/products/scopus/
- Google Scholar https://scholar.google.com/

Training toolkit for self- studies to master the course *:

* The training toolkit for self- studies to master the course is placed   on the course page in the university telecommunication training and information system under the set procedure.

8. ASSESSMENT TOOLKIT AND GRADING SYSTEM* FOR EVALUATION OF STUDENTS' COMPETENCES LEVEL UPON COURSE COMPLETION

The assessment toolkit and the grading system* to evaluate the competences formation level (competences in part) upon the course study completion are specified in the Appendix to the course syllabus.

* The assessment toolkit and the grading system are formed on the basis of the requirements of the relevant local normative act of RUDN University (regulations / order).

DEVELOPERS:

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HEAD OF EDUCATIONAL DEPARTMENT:

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