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**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 law

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 purpose of the discipline "Criminal Law of Foreign Countries" is to provide students with theoretical knowledge about the criminal law of foreign countries, as a branch of law, a scientific discipline. After completing the course, the student should have a clear understanding of the concept of the development of modern criminal law in foreign countries - developed and developing; main criminal law directions and schools, sources of criminal law in foreign countries, the concept of a crime in the criminal law and doctrine of developed and developing countries; study the concepts of guilt, criminal law theories of complicity, stages and criminal law assessment of preliminary criminal activity in the criminal law of foreign countries, the concept, goals and system of punishments, as well as get acquainted with groups and certain types of specific crimes based on the criteria for building a system of a special part of a foreign criminal law, to understand for themselves the basics of the qualification of crimes, taking into account their description in the dispositions of the norms.

The purpose of this course is to give students the necessary legal knowledge in the field of criminal law of foreign countries - developed and developing, which is a necessary condition for the preparation of highly qualified lawyers.

Lectures are given on the basis of the current criminal legislation of foreign countries and special literature, including in its content a comparative legal analysis of the current legislation of the Russian Federation with the legislation of countries near and far abroad.

As a result of studying the course, students should be able to: apply the criminal law in resolving issues that arise in the practical activities of state bodies; correctly qualify the acts that fall under the signs of a crime; determine the existence of grounds for the release of a person from criminal liability; navigate the criminal law and other normative legal acts; follow the changes and additions made to the Criminal Code of the Russian Federation and comment on them correctly.

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 (GC, 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;

Code (GC, GPC, PC)	Competence	Competence indicators
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; 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 system of foreign criminal law;*
- *main types of crimes in foreign countries;*
- *features of punishment for crimes in foreign countries;*

be able to:

- *distinguish features of the criminal legislation of representatives of various legal families;*

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

Competence 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	Comparative Civil Procedure Comparative Financial and Tax Law

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
		Criminal Procedure and Forensic Science Family 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 5 credits (180 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
<i>Contact academic hours</i>	59	27	32		
including:					
Lectures (LC)	25	9	16		
Lab work (LW)					
Seminars (workshops/tutorials) (S)	34	18	16		
<i>Self-studies</i>	100	42	58		
<i>Evaluation and assessment (exam/passing/failing grade)</i>	21	3	18		
Course workload	academic hours	180	72	108	
	credits	5	2	3	

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
<i>Classroom learning, academic hours</i>					
including:					
Lectures (LC)					
Lab work (LW)					
Seminars (workshops/tutorials) (S)					
<i>Self-studies</i>					
<i>Evaluation and assessment (exam/passing/failing grade)</i>					
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
1. General characteristics of the criminal law of foreign countries: history of occurrence and sources	<ol style="list-style-type: none"> 1. Continental, Anglo-Saxon and Muslim criminal law systems. 2. Trends in the development of modern criminal law in foreign countries. <ol style="list-style-type: none"> 1. Representatives of the main criminal law trends and schools: their views, theories, scientific works. 2. The influence of various criminal law theories on criminal law. 3. "Classical" and "neoclassical" schools in criminal law; Criminal Code of France 1810 4. The theory of the "New Social Protection". 5. C. Beccaria and his book "On Crimes and Punishments". 6. Sources of French criminal law: CC 1992, other laws and regulations. 7. Sources of criminal law in Germany: the Criminal Code of 1871 and its reforms in 1975, 1987 and 1998, other sources of criminal law. 8. Sources of criminal law in England: common and statutory law (basic legislative acts); draft CC 1989 9. Sources of US criminal law: dualism of sources, complexity and inconsistency of criminal law; Model 1962 Criminal Code and American Criminal Law Reform; the role of common law in the regulation of criminal law relations in the United States. 	LC, S

Course module title	Course module contents (topics)	Academic activities types
	<p>10. Sources of criminal law in Japan: Criminal Code 1907 and its subsequent changes, other sources of criminal law.</p> <p>11. Sources of criminal law in Asian and African countries that have experienced the influence of the "continental" system of law.</p> <p>12. Sources of criminal law in Asian and African countries that have been influenced by the Anglo-Saxon system of law.</p> <p>13. Criminal Code of India; its impact on the criminal law of developing countries.</p> <p>14. Sources of Muslim criminal law.</p>	
2. The concept of a crime and the classification of crimes in the criminal law of foreign countries.	<p>1. Definition of a crime in the criminal law and doctrine of Germany, France, England, the USA and other countries.</p> <p>2. Elements (signs) of a crime.</p> <p>3. Classification of crimes.</p> <p>4. Concepts of guilt in the criminal law theories of foreign countries.</p> <p>5. Guilt and its types in the criminal law of Germany.</p> <p>6. Guilt and its types in French criminal law</p> <p>7. Types of guilt in the criminal law of the developing countries of Asia and Africa of the "continental" system of law.</p> <p>8. Guilt and its types in the criminal law of England and the USA, as well as developing countries of the Anglo-Saxon system of law.</p> <p>9. Wine and its types in the criminal law of Latin America.</p> <p>10. Objective imputation (“purely material crimes” and “the institution of strict liability”) in the criminal law of foreign countries.</p>	LC, S
3. Perpetrator of a crime under the criminal law of foreign countries: age, guilt and sanity	<p>1. Sanity. Criteria of insanity under the criminal law of France, Germany, England and the USA. Reduced sanity.</p> <p>2. Influence of intoxication on criminal liability.</p> <p>3. Age of criminal responsibility under the criminal law of France, Germany, England and the USA</p> <p>4. The problem of criminal liability of minors in foreign countries. Measures of influence applied to minors</p> <p>5. The problem of criminal liability of legal entities in the criminal law of foreign countries.</p>	LC, S
4. Complicity in crime Preliminary criminal activity	<p>1. Criminal law theories of complicity.</p> <p>2. The concept of complicity and types of accomplices in the criminal law of England and the USA; legislative regulation of the institution of complicity in the criminal law of the countries of the Anglo-Saxon system of law.</p>	LC, S

Course module title	Course module contents (topics)	Academic activities types
	<p>3. Complicity in the criminal law of Germany, France and developing countries of the "continental" system of law. Forms and types of complicity. Involvement in crime.</p> <p>4. Complicity in the criminal law of Latin American countries.</p> <p>5 The principle of punishability of preliminary criminal activity from the stage of attempt and ways to derogate from it.</p> <p>6. Theories of differentiation between attempt and preparation.</p> <p>7. Attempt to commit a crime under the criminal law of France, a failed crime, voluntary refusal and active repentance.</p> <p>8. Types of preliminary criminal activity under the criminal law of England, the USA and developing countries of the Anglo-Saxon system of law: incitement, conspiracy and attempt; unworthy attempt, voluntary refusal to commit a crime.</p> <p>9. Attempt under the criminal law of Latin American countries; responsibility for earlier preliminary criminal activity under the Criminal Code of some countries; bad attempt, voluntary refusal.</p>	
<p>5. The concept, goals and system of punishments. Types of punishments</p>	<p>1. The concept of criminal punishment.</p> <p>2. Purposes of punishment in the criminal law doctrine and legislation of developed and developing countries.</p> <p>3. Punishment systems under the criminal law of France, Germany, England, USA and Japan.</p> <p>4. Punishment systems under the criminal law of Asian and African countries - "continental" and Anglo-Saxon systems of law, Latin American countries.</p> <p>5. The problem of the death penalty in the modern criminal law of foreign countries.</p> <p>6. Types of imprisonment. Imprisonment as an alternative punishment to the death penalty and a fine.</p> <p>7. Types of punishment under Muslim criminal law.</p> <p>8 Property penalties: fines, confiscation, etc.</p> <p>9. Probation and early release.</p> <p>10. Punishment and security measures in developed and developing countries. Preventive detention.</p>	<p>LC, S</p>
<p>6. Crimes against the person</p>	<p>1. General characteristics of crimes against a person under the criminal law of developed and developing countries.</p> <p>2. Types of crimes against a person under the criminal law of England, the USA and developing countries of the Anglo-Saxon system of law.</p>	<p>LC, S</p>

Course module title	Course module contents (topics)	Academic activities types
	3. Types of crimes against a person under the criminal law of France, Germany and developing countries of the "continental" system of law. 4. Types of crimes against a person under the criminal law of Latin American countries. 5. Crimes against life and health in Muslim criminal law.	
7. Property crimes	1. General characteristics of property crimes in developed and developing countries. 2. Crimes against property in developed and developing countries. 3. Economic crimes in developed and developing countries. 4. Types of crimes against property under the criminal law of England, the USA and developing countries of the Anglo-Saxon system of law. 5. Types of crimes against property under the criminal law of Germany, France and developing countries of the "continental" system of law 6. Types of crimes against property under the criminal law of Latin American countries. Types of crimes against property in Muslim criminal law.	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 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	Multimedia projector,

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
	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.	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):

VAN SLIEDREGT, ELIES. *International Criminal Law: Over-studied and Underachieving?* [Электронный ресурс] // *Leiden Journal of International Law*. 2016. №29.01. С. 1-12. ISSN 0922-1565 DOI: 10.1017/s0922156515000618 <http://dx.doi.org/10.1017/s0922156515000618>

Review Essay of Core Concepts in Criminal Law and Criminal Justice: Anglo-German Dialogues (edited by Kai Ambos and others, 2020) [Электронный ресурс] // *Israel Law Review*. 2020. №53.3. С. 392-408. ISSN 0021-2237 DOI: 10.1017/s0021223720000102 <http://dx.doi.org/10.1017/s0021223720000102>

VISWANATH R. *Elevating Cultural Rights Using International Criminal Law—The Asian Story* [Электронный ресурс] // *Asian Journal of International Law*. 2020. №11.1. С. 1-12. ISSN 2044-2513 DOI: 10.1017/s2044251320000211 <http://dx.doi.org/10.1017/s2044251320000211>

Additional (optional) reading (sources):

KREVER T. *International Criminal Law: An Ideology Critique* [Электронный ресурс] // *Leiden Journal of International Law*. 2013. №26.03. С. 701-723. ISSN 0922-1565 DOI: 10.1017/s0922156513000307 <http://dx.doi.org/10.1017/s0922156513000307>

INTERNATIONAL CRIMINAL LAW BY OTHER MEANS: THE QUASI-CRIMINAL JURISDICTION OF THE HUMAN RIGHTS COURTS [Электронный ресурс] // The American Journal of International Law. 2013. №107.1. С. 1-44. ISSN 0002-9300 DOI: 10.5305/amerjintelaw.107.1.0001 <http://dx.doi.org/10.5305/amerjintelaw.107.1.0001>

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 "Troitskiy most"
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:

Associate Professor of the
Department of
Criminal Law, Criminal
Procedure and Criminalistics

Georgiy A. Rusanov

Position, Name of the
Department

Signature

Full name

HEAD OF EDUCATIONAL DEPARTMENT:

Head of the Department of

Criminal Law, Criminal
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Director of the Law Institute
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