



UNIVERSITÀ DEGLI STUDI DI PALERMO

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| DEPARTMENT | Giurisprudenza | | |
| ACADEMIC YEAR | 2016/2017 | | |
| MASTER'S DEGREE (MSC) | LAW | | |
| SUBJECT | COMPARATIVE, INTERNATIONAL AND EUROPEAN CRIMINAL LAW | | |
| TYPE OF EDUCATIONAL ACTIVITY | X | | |
| AMBIT | 20015-Attività formative in ambiti disciplinari affini o integrativi a quelli di base e caratterizzanti, anche con riguardo alle culture di contesto e alla formazione interdisciplinare | | |
| CODE | 16838 | | |
| SCIENTIFIC SECTOR(S) | IUS/17 | | |
| HEAD PROFESSOR(S) | CRUPI ROSARIA | Ricercatore | Univ. di PALERMO |
| OTHER PROFESSOR(S) | | | |
| CREDITS | 6 | | |
| INDIVIDUAL STUDY (Hrs) | 102 | | |
| COURSE ACTIVITY (Hrs) | 48 | | |
| PROPAEDEUTICAL SUBJECTS | 18747 - CRIMINAL LAW - INTEGRATED COURSE | | |
| MUTUALIZATION | | | |
| YEAR | 5 | | |
| TERM (SEMESTER) | 1° semester | | |
| ATTENDANCE | Not mandatory | | |
| EVALUATION | Out of 30 | | |
| TEACHER OFFICE HOURS | CRUPI ROSARIA Tuesday 10:00 13:00 Stanza del docente, secondo piano, sezione penalistica del Dipartimento di Giurisprudenza ovvero collegamento via Teams in permanenza delle misure di distanziamento. | | |

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| PREREQUISITES | <p>KNOWLEDGE:</p> <p>a) of the main concepts of public law and criminal law, also in the perspective of their historical evolution;</p> <p>b) of the main concepts of the general theory of law and of theory of the State.</p> <p>c) of the main concepts of private law.</p> |
| LEARNING OUTCOMES | <p>KNOWLEDGE AND CAPACITY TO UNDERSTAND: Knowledge of the general problems of the comparison in relation to criminal law and to some characteristic profiles of german criminal system. Capacity to understand relationships and differences with the corresponding aspects of italian criminal system. Understanding of range of international crimes in the Statute of the International Criminal Court as a new model of relevance of criminal law and capacity to identify of the development of the criminal law of European origin.</p> <p>CAPACITY OF APPLICATION OF KNOWLEDGE AND UNDERSTANDING: Capacity to apply the comparative method to a knowledge of penal systems functional to the solution of the problem from the criminal policy perspective.</p> <p>MAKING JUDGMENT: ability to compare the different theories and to develop critical arguments.</p> <p>ABILITY TO TO COMMUNICATE: Communicating knowledge in a comprehensive and convincing manner also acquired through short written papers.</p> <p>CAPACITY LEARNING: Capacity to connect the dogmatic to criminal policy in the context of european and international integration.</p> |
| ASSESSMENT METHODS | <p>Oral Final exam - Grades on a scale between 18 and 30 cum laude</p> <p>The exam consists of an interview aimed at ascertaining the level of knowledge of the topics in the syllabus, the level of command in the specialized language and the ability of the candidate to develop a reasoning aimed at the application of theoretical knowledge to specific cases in order to argue possible solutions. The interview consists of a minimum of 3 questions</p> <p>The evaluation will take place 'in conformity' to the following evaluation grid:</p> <p>-Excellent 30 -30 cum laude: good knowledge of the topics, excellent property language, excellent capacity of analysis ; the student is able to apply theoretical knowledge to real cases which are proposed to be analysed. He/she is also able to properly argue possible solution, including multiple alternatives</p> <p>- Very good 26-29: good knowledge of the topics, good properties of language, good capacity analytical; the student is able to apply theoretical knowledge to real cases which are proposed to be analysed. The students is able to adequately apply theoretical knowledge to real cases which are proposed to be analyzed.</p> <p>- Good 24-25: Basic knowledge of the main topics, good property of language, the student shows limited ability' to apply theoretical knowledge to real cases which are proposed to be analyzed.</p> <p>-Satisfactory 21-23: the student does not show that complete command of the main topics, although seems to possess a basic knowledge of the relevant areas; he/she shows satisfactory property of language albeit with a poor ability' to adequately apply theoretical knowledge to real cases which are proposed to be analyzed.</p> <p>- Sufficient 18-20: minimal knowledge of the main teaching and technical language issues, limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed</p> <p>- Insufficient outcome: the student does not have an acceptable knowledge of the contents of the various topics on the agenda.</p> |
| EDUCATIONAL OBJECTIVES | <p>The course aims to integrate knowledge of criminal law already in posses of the student in a comparative perspective between different national legal systems and with respect to supranational legal systems and to stimulate the capacity to apply the theoretical framework to the solution of cases, also with the respect to different legal systems.</p> |
| TEACHING METHODS | <p>Lectures.</p> |
| SUGGESTED BIBLIOGRAPHY | <p>- MAIWALD Manfred, L'evoluzione del sistema penale tedesco in un confronto con l'ordinamento italiano, a cura di V. MILITELLO, Giappichelli, Torino, 1993, p. 192;</p> <p>- SIRACUSA Licia, Il transito del diritto penale di fonte europea dalla vecchia alla nuova Unione post-Lisbona, in Rivista Trimestrale di diritto penale dell'economia, 2010, p. 779-840 (on line su www.academia.edu);</p> <p>- AUTORI VARI, Introduzione al diritto penale internazionale, Milano, 2006, solo le seguenti sezioni: p. 1-31; p. 93-137.</p> |

SYLLABUS

| Hrs | Frontal teaching |
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| 4 | General problems and method of comparison in criminal law. |
| 20 | <p>Comparison with the evolution of the german penal system:</p> <p>A) main steps of the penal reform in Germany, as a common reference for the whole international movement of criminal reform for the experience international penal reform movement.</p> <p>B) analysis of some institutes of the general part of the german criminal law and comparison with the corresponding institutes of the general part of the italian criminal law.</p> <p>C) expansion of the european and international criminal law in the light of the new criminal policy emergencies.</p> |
| 20 | <p>The concept of international crime: content and systemic importance.</p> <p>Jurisdiction of International Criminal Court and typical conducts of international crimes. In particular: authorship and conspiracy.</p> |
| 4 | Relationship between national and european law in the current evolution towards forms of european and supranational integration. |