



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2019/2020		
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)	OMODEI RICCARDO ERCOLE	Ricercatore a tempo determinato	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	OMODEI RICCARDO ERCOLE Wednesday 9:30 11:30 Dipartimento di Giurisprudenza - Sezione scienze penalistiche (II piano)		

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 theory of the State.</p>
LEARNING OUTCOMES	<p>(On Dublin descriptors - section 'Didattica' of the website 'Giurisprudenza' - And according on RAD).</p> <p>Knowledge and capacity to understand: Knowledge of the general problems of the comparison in relation to criminal law. Knowledge of the general concepts and issues common to the western legal systems.</p> <p>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. CAPACITY OF APPLICATION OF KNOWLEDGE AND UNDERSTANDING:</p> <p>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 and possible solutions.</p> <p>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 teaching topics, although showing to know the basic knowledges; 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</p> <p>Oral final exam and intermediate optional exams. Positive evaluation of the exams will always provided on a scale ranging from 18 to 30 cum laude points.</p> <p>The oral exam consists of an interview aimed at ascertaining the candidate's 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. After an introduction on the method and purposes of comparative analysis in criminal law, the course will focus on a few specific topics (consent and the medical field, criminal protection of cultural property, combating criminal organisation), which will be analysed by considering the solutions provided by different legal systems. The general outlines of European and international criminal law will also be analysed.</p>
TEACHING METHODS	<p>Traditional lectures and classroom exercises.</p>
SUGGESTED BIBLIOGRAPHY	<p>- Per la parte di diritto penale comparato, il docente fornirà il materiale a lezione.</p> <p>- BERNARDI Alessandro, La competenza penale accessoria dell'Unione europea: problemi e prospettive, in Diritto penale contemporaneo. Rivista trimestrale, 2012, n. 1, p. 43-78, reperibile al link: http://www.penalecontemporaneo.it/foto/356920121DPCTRIMESTRALE.pdf#page=49&view=fit</p>

	- Rossi Pierfrancesco, The Al Mahdi Trial before the international criminal court: Attacks on Cultural heritage between war crimes and crimes against humanity, in Diritti umani e diritto internazionale, 2017, p. 87-100.
--	---

SYLLABUS

Hrs	Frontal teaching
4	General problems and method of comparison in criminal law.
8	consent in the medical field in common law and civil law systems
8	Criminal protection of cultural property
8	the fight against organised crime
10	The concept of international crime: content and systemic importance. Jurisdiction of International Criminal Court and typical conducts of international crimes. In particular: crimes against cultural heritage
10	Relationship between national and european law in the current evolution towards forms of european and supranational integration.