UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza
ACADEMIC YEAR	2018/2019
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.

DOCENTE: Prof.ssa ROSARIA CRUPI

PREREQUISITES	KNOWLEDGE: a) of the main concepts of public law and criminal law, also in the perspective of their historical evolution; b) of the main concepts of the general theory of law and theory of the State. c) of the main concepts of private law.
LEARNING OUTCOMES	(On Dublin desctiptors - section 'Didattica' of the website 'Giurisprudenza' - And according on RAD). 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. 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. MAKING JUDGMENT: ability to compare the different theories and to develop critical arguments. ABILITY TO TO COMMUNICATE: Communicating knowledge in a comprehensive and convincing manner also acquired through short written papers. CAPACITY LEARNING: Capacity to connect the dogmatic to criminal policy in the context of european and international integration
ASSESSMENT METHODS	Oral Final exam - Grades on a scale between 18 and 30 cum laude 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. The interview consists of a minimum of 3 questions The evaluation will take place 'in conformity' to the following evaluation grid: -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 - Very good 26-29: good knowledge of the topics, good properties of language, good capacity analytical; tthe 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. - 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. -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. - Sufficient 18-20: minimal knowledge of the main teaching and technical language issues, limited or no capacxty to adequately apply theoretical 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. The oral exam consists of an interview aimed at ascertaining the candidate's knowledge to real cases which are proposed to be analyzed - Insufficient outcome: the student does not have an acceptable knowledge of the contents of the various topics on the agenda.
EDUCATIONAL OBJECTIVES	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.
TEACHING METHODS	Front-loaded lectures.
SUGGESTED BIBLIOGRAPHY	- 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; - 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

	- AITALA, Rosario Salvatore, Diritto internazionale penale, Le Monnier, Milano, 2021, solo le seguenti sezioni: da p. 3 a p. 41 (Genesi ed evoluzione); da p. 67 a 109 (La struttura delle fattispecie penali internazionali; Cause di esclusione della responsabilità penale); da p. 113 a 181 (Crimini di guerra; Crimini contro l'umanità; Genocidio).

SYLLABUS

Hrs	Frontal teaching
4	General problems and method of comparison in criminal law.
20	Comparison with the evolution of the german penal system: 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. 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. C) expansion of the european and international criminal law in the light of the new criminal policy emergencies.
12	Genesis and evolution of international criminal law. The structure of international criminal cases. Causes of exclusion of criminal responsibility. War crimes. Crimes against humanity. Genocide.
4	Relationship between national and european law in the current evolution towards forms of european and supranational integration.