

Ministry of Education and Science of Ukraine  
V.N. Karazin Kharkiv National University

Department of criminal law disciplines



Course program

## CRIMINAL PROCESS

Level of academic degree: **first (bachelor degree level)**

Subject area: **29 International Relations**

Special field: **293 International Law**

Program of Study: **International Law**

Type of discipline: **Compulsory subject**

School: **School of Law**

2023/2024 academic year

The program is recommended for approval by the Academic Council of School of Law

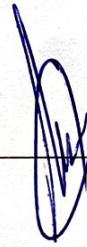
"31" August 2023, protocol № 1

THE PROGRAM DEVELOPER: (S.S. Tereshuk, PHD , Associate Professor of the Department of Criminal Law)

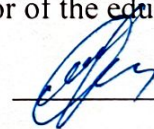
The program was approved at the meeting of the department criminal law disciplines

Protocol from "30" August 2023 № 1

Acting Head of the department of criminal law disciplines \_\_\_\_\_ Hlib RYBALKO



The program is agreed with the guarantor of the education ( professional/scientific) program (project team leader) 293 International Law Bachelor Guarantor of the educational program



\_\_\_\_\_ Lina FOMINA

The program is approved by the Methodological Committee of School of Law

Protocol from "31" August 2023 № 1

Head of Methodological Committee of School of Law \_\_\_\_\_ Hanna ZUBENKO





## INTRODUCTION

The course syllabus “Criminal process” is compiled according to the educational level of the bachelor’s degree in the subject area – 29 International Relations, special field – 293 International Law, area of study – Criminal process.

### 1. Description of the course

1.1. *The purpose of teaching the discipline "Criminal process" is to form students' ideas about the current state of criminal procedural law, the content of criminal proceedings of the court, parties and other participants in criminal proceedings, educating students to systematically update their knowledge and creatively apply them in future professional activities .*

1.2. *The main objectives of the discipline are the formation of such integrated, general and professional (subject, professional) competencies: the ability to solve complex specialized problems and practical problems, to carry out legal analysis of legal issues in international relations and relations with foreign elements or in the learning process, which provides for the application of legal doctrines, principles and legal institutions, relevant mechanisms of international legal regulation and is characterized by complexity and uncertainty of conditions (integral); knowledge and understanding of the subject area and understanding of professional activity (GC 2); ability to adapt and act in a new situation, in particular, in an international context (GC 7); ability to act socially responsibly, to show civic consciousness, to be responsible for the quality of work performed (GC 11); ability to preserve and multiply moral, cultural, scientific values and achievements of society based on understanding the history and patterns of international law, its place in the general system of knowledge about nature and society and in the development of society, technology and technology (GC 14); skills of using information and communication technologies (GC 16); ability to protect the national interests of one's own state with the help of international legal instruments (PC 3); ability to conduct diplomatic and business correspondence, work with international documents: treaties, acts of international organizations, etc. - to analyze their nature and legal status, draft projects and supporting documentation in Ukrainian and foreign languages (PC 13).*

*According to the requirements of the educational-professional program, students must achieve the following learning outcomes:*

***within the formation of integrated competence the students should:***

**know:** the essence and content of the basic doctrinal concepts of criminal procedural law, its general principles and institutions; norms of the current criminal procedural legislation; the order of international cooperation in the field of criminal justice; features of the procedural status of the court (judge), investigating judge, parties and other participants in the criminal proceedings; the content of criminal procedural legal relations; grounds and procedural procedure for making procedural decisions at different stages of criminal proceedings;

**be able to:** give legal justification for decisions; analyze legal facts; to analyze legal issues in the field of international relations and relations with a foreign element; interpret and correctly apply regulations governing criminal proceedings; draw qualified conclusions and provide advice; make decisions and take actions in strict accordance with the law;

**have the skills:** procedural terminology and skills of work with regulations; skills of analysis of legal facts and procedural norms that are the object of professional activity; skills of solving legal problems and application of procedural norms in the field of international cooperation.

***Within the formation of the competence of GC 2; the students should:***

**know:** the system of sources of criminal procedural law and the system of criminal procedural legislation, the main theoretical and practical problems of criminal procedure;

**be able to:** objectively perceive and analyze trends in modern criminal proceedings, as well as legal situations in the field of criminal proceedings, to correctly classify them and determine the legal requirements to be applied;

**have the skills:** to substantiate their own point of view, making procedural decisions that meet the requirements of the law.

***Within the formation of the competence of GC 7; the students should:***

**know:** the procedure for international cooperation in criminal proceedings;

**be able to:** adapt to new situations during the implementation of criminal proceedings;

**have the skills:** to make criminal procedural decisions when situations change.

***Within the formation of the competence of GC 2; the students should:***

**know:** the tasks of criminal proceedings, procedural responsibilities of participants in criminal proceedings;

**be able to:** be responsible for the results of their activities;

**have the skills:** of civil consciousness during the exercise of their procedural powers.

***Within the formation of the competence of GC 14; the students should:***

**know:** the moral, cultural, scientific values and achievements of society;

**be able to:** understand the history and patterns of development of international law, its place in the general system of knowledge about nature and society and in the development of society, technology and technology;

**have the skills:** to preserve and increase the moral, cultural, scientific values and achievements of society in the implementation of criminal proceedings.

***Within the formation of the competence of GC 16; the students should:***

**know:** information and communication technologies;

**be able to:** use information and communication technologies in the implementation of criminal proceedings;

**have the skills:** to use modern advances in information and communication technologies in the implementation of criminal proceedings.

***Within the formation of the competence of PC 3; the students should:***

**know:** the international legal procedures for the protection of national interests of Ukraine;

**be able to:** determine international legal instruments to protect the national interests of their own state;

**have the skills:** to apply international legal instruments to protect the national interests of Ukraine.

***Within the formation of the competence of PC 13; the students should:***

**know:** the procedure for diplomatic and business correspondence, work with international documents during criminal proceedings;

**be able to:** analyze the content of international documents, determine their legal status and significance for criminal proceedings;

**have the skills:** of drafting and supporting documentation in Ukrainian and foreign languages during international cooperation in the field of criminal justice.

*The student must achieve the following program learning outcomes:* determine the persuasiveness of arguments in the process of assessing previously unknown conditions and circumstances (PRN 1); evaluate the disadvantages and advantages of arguments, analyzing the known problem (PRN 6); at the professional level to participate in professional discussions on international legal and general legal issues; respect opponents and their point of view (PRN 12); demonstrate the necessary knowledge and understanding of the essence and content of basic legal institutions and norms of fundamental branches of national law; international law; European law and the law of the European Union (PRN 19); provide advice on possible ways to protect the rights and interests of clients at the national and international levels in various legal situations (PRN 23).

1.3. Credits: 3

1.4. Total hours: 90

1.5. Characteristics of the course	
Performance standard	
Full-time mode of study	Part-time (Distance) mode of study
Year of study	
2	2
Semester	
4	4
Lectures	
32 hours	6 hours
Practicals, seminar classes	
16 hours	4 hours
Lab practicals	
hours	hours
Independent work	
42 hours	80 hours
Individual tasks	
hours	

#### 1.6. Planned educational outcome:

**The students should know:** the essence and content of the basic doctrinal concepts of criminal procedural law, its general principles and institutions; norms of the current criminal procedural legislation; the order of international cooperation in the field of criminal justice; features of the procedural status of the court (judge), investigating judge, parties and other participants in the criminal proceedings; the content of criminal procedural legal relations; grounds and procedural procedure for making procedural decisions at different stages of criminal proceedings; the system of sources of criminal procedural law and the system of criminal procedural legislation, the main theoretical and practical problems of the criminal process; the order of international cooperation in criminal proceedings; tasks of criminal proceedings, procedural responsibilities of participants in criminal proceedings; moral, cultural, scientific values and achievements of society; information and communication technologies; international legal procedures for the protection of national interests of Ukraine; the order of diplomatic and business correspondence, work with international documents during the implementation of criminal proceedings;

**The students should be able to:** give legal justification for decisions; analyze legal facts; to analyze legal issues in the field of international relations and relations with a foreign element; interpret and correctly apply regulations governing criminal proceedings; draw qualified conclusions and provide advice; make decisions and take actions in strict accordance with the law; objectively perceive and analyze the trends that occur in the modern criminal process, as well as legal situations in the field of criminal proceedings, correctly classify them and determine the legal requirements to be applied; to adapt to new situations during the implementation of criminal proceedings; to be responsible for the results of their activities; understand the history and patterns of development of international law, its place in the general system of knowledge about nature and society and in the development of society, technology and technology; use information and communication technologies during criminal proceedings; to determine international legal instruments for the protection of the national interests of one's own state; analyze the content of international documents, determine their legal status and significance for criminal proceedings;

**The students should have the skills:** work with regulations; analysis of legal facts and procedural norms that are the object of professional activity; solving legal problems and application of procedural norms in the field of international cooperation; substantiation of one's

own point of view, making procedural decisions that meet the requirements of the law; making criminal procedural decisions when situations change; manifestation of civic consciousness during the exercise of their procedural powers; preservation and multiplication of moral, cultural, scientific values and achievements of society during the implementation of criminal proceedings; use of modern achievements of information and communication technologies in the implementation of criminal proceedings; skills of application of international legal instruments of protection of national interests of Ukraine; drafting and accompanying documentation in Ukrainian and foreign languages during international cooperation in the field of criminal justice.

## **2. TOPIC PLAN OF THE COURSE**

### ***Section 1. GENERAL PART***

#### *Topic 1. The concept, objectives and system of criminal procedure*

The concept, essence and objectives of the criminal process. The concept and characteristics of the stages of the criminal process, their system. General characteristics of the stages of the criminal process. Criminal procedural functions: concepts and types. Criminal procedural form and its significance. Unity and differentiation of criminal procedural form. Criminal procedural guarantees: essence and system. Historical forms of criminal proceedings.

#### *Topic 2. Criminal procedural law and criminal procedural legislation of Ukraine*

The concept and system of criminal procedural law, its subject and methods. The concept, structure and types of criminal procedure. General characteristics of criminal procedural legal relations. Sources of criminal procedural law. Decisions of the Constitutional Court of Ukraine, the European Court of Human Rights and rulings of the Supreme Court as a source of criminal procedural law. Connection of criminal procedural law with other branches of law and related fields of knowledge. Analogy in criminal procedural law.

The concept and system of criminal procedural legislation of Ukraine. The role of the Constitution of Ukraine and international agreements approved by the Verkhovna Rada of Ukraine in the regulation of criminal proceedings. The structure of the Criminal Procedure Code of Ukraine. The effect of criminal procedure law in space, time and in the circle of persons.

#### *Topic 3. The principles of criminal proceedings*

The concept, essence and system of general principles of criminal proceedings. Classification of principles of criminal proceedings.

Normative content of common law principles of criminal proceedings: rule of law; legality; respect for human dignity; ensuring the right to liberty and security of person; inviolability of the home or other property of a person; the secret of communication; non-interference in private life; inviolability of property rights; access to justice and the binding nature of court decisions.

Normative content of intersectoral principles of criminal proceedings: equality before the law and the court; adversarial nature of the parties and their freedom to present their evidence to the court and to prove their persuasiveness before the court; immediacy of research of indications, things and documents; ensuring the right to appeal against procedural decisions, actions or omissions; dispositiveness; publicity and openness of court proceedings and its full recording by technical means; reasonable timing; the language in which the criminal proceedings are conducted.

Sectoral principles of criminal proceedings and their normative content: presumption of innocence and ensuring proof of guilt; freedom from self-disclosure and the right not to testify against close relatives and family members; prohibition to prosecute twice for the same offense; ensuring the right to protection; publicity.

#### *Topic 4. Subjects of criminal proceedings*

The concept of subjects of criminal proceedings and their classification.

The court in criminal proceedings, its functions and powers. Individual and collegial consideration of the case by the court. Jurors in criminal proceedings. Investigating judge in criminal proceedings, his functions and powers.

The prosecution in criminal proceedings. The prosecutor, his procedural functions and powers at various stages of criminal proceedings. Pre-trial investigation bodies and their competence. Head of the pre-trial investigation body. Procedural status of the investigator and the employee of the operational unit in the criminal process.

The party of protection in criminal proceedings. Suspect, accused (defendant), convicted, acquitted in criminal proceedings, their procedural rights, duties and responsibilities. A person in respect of whom the issue of application of coercive measures of medical or educational nature is being resolved. Legal representatives and defenders of the subjects of the defense. Procedural procedure for involving a defense counsel in criminal proceedings under a contract and appointment. Defender's participation required. Refusal of the defender or his replacement.

The victim in criminal proceedings. Representative and legal representative of the victim.

Other participants in the criminal proceedings. The applicant. Civil plaintiff in criminal proceedings. Representative and legal representative of the civil plaintiff. The civil defendant and his representative in the criminal proceedings. Representative of the legal entity in respect of which the proceedings are conducted. The third person whose property is being seized. Another person whose rights or legitimate interests are restricted during the pre-trial investigation. A representative of the staff of the probation body. Witness and his lawyer. Procedural rights, duties and responsibilities of a witness. Persons who cannot be questioned as witnesses. Translator in criminal proceedings. Expert and specialist in criminal proceedings: common features and differences in their procedural status. Secretary of the court session and court administrator. The person in respect of whom the issue of extradition to a foreign state (extradition) is being considered.

Institute of taps in criminal proceedings. Procedural procedure for resolving the issue of self-recusal or recusal of certain subjects of criminal proceedings.

Ensuring the safety of persons involved in criminal proceedings. State protection of employees of the court, pre-trial investigation bodies, the prosecutor's office and members of their families.

#### *Topic 5. Evidence and proof in criminal proceedings*

The concept, essence and significance of criminal procedural evidence. Elements of criminal procedural evidence. Methods of gathering evidence in criminal proceedings by the prosecution and the defense. Verification and evaluation of evidence as elements of the evidentiary process. Subject, limits and subjects of proof. Duty to prove in criminal proceedings. Features of evidence in certain stages of criminal proceedings.

The concept of evidence and their classification. Belonging, admissibility, reliability and sufficiency of evidence. Conditions for declaring evidence inadmissible. The concept and types of sources of evidence, their general characteristics. Testimony of witnesses and victims, features of their assessment. Testimony of the suspect and the accused, their types, features of assessment. Testimony from other people's words. Material evidence, terms and procedure for their storage. Documents as sources of evidence. Resolving the issue of physical evidence and documents. Expert opinion and its content. Features of expert opinion evaluation.

Moral principles of proof in criminal proceedings.

#### *Topic 6. Recording of criminal proceedings. Procedural deadlines and court costs*

Forms of recording criminal proceedings. The structure and content of the protocol, the procedure for its compilation. Annexes to the protocol. Application of technical means of recording criminal proceedings.

Journal of the court session. Register of materials of pre-trial investigation.

Types of procedural decisions, their structure and content. Classification of procedural decisions.

The concept and essence of the message in criminal proceedings.

The concept, meaning and types of procedural deadlines. Rules for calculating procedural deadlines. Obligation to observe procedural deadlines during criminal proceedings, consequences of violation of procedural deadlines. The order of extension, suspension and restoration of procedural terms.

Procedural costs, their concepts, types and meanings. Reduction of procedural costs or exemption from their payment, deferral and installment of procedural costs. Distribution and determination of the amount of procedural costs. Expenditures borne by the state. Decision on procedural costs.

#### *Topic 7. Compensation (compensation) for damage in criminal proceedings*

Grounds for compensation of damage to the victim, territorial community, state in criminal proceedings. The concept and significance of a civil lawsuit in criminal proceedings. Advantages of joint consideration of a civil claim and materials of criminal proceedings. Grounds, conditions and procedural procedure for filing a civil lawsuit in criminal proceedings. Form and content of the statement of claim. Proof of a civil claim. Ensuring a civil lawsuit and possible confiscation of property in criminal proceedings. Resolution of a civil lawsuit. Compensation (compensation) for damage caused to a person by illegal decisions, actions or inaction of the body carrying out operational and investigative activities, pre-trial investigation, prosecutor's office and court.

#### *Topic 8. Measures to ensure criminal proceedings*

The concept of measures to ensure criminal proceedings and their classification. General rules for the application of measures to ensure criminal proceedings. Types of measures to ensure criminal proceedings and their general characteristics.

Call to the investigator, prosecutor. Court summons. The procedure for making a call. Call summons. The reason and procedure for its application. Grounds and procedural procedure for imposing a fine. Grounds, procedural procedure and terms of temporary restriction in the use of a special right. Grounds and procedure for dismissal. Temporary suspension of a judge from the administration of justice in connection with criminal prosecution and extension of such suspension. The essence of temporary access to things and documents, the procedural order of its application. Things and documents to which access is forbidden. Grounds and procedural procedure for temporary seizure of property. Grounds and procedure for seizure of property.

The concept, purpose and grounds for the application of precautionary measures. Types of precautions. Circumstances taken into account when choosing a precautionary measure.

Personal commitment. Personal guarantee. House arrest. Pledge, determination of its size and application procedure. Grounds and procedure for applying for collateral to state revenue. Use of electronic means of control. Detention as a precautionary measure. Grounds and procedural procedure for choosing a measure of restraint in the form of detention. Terms of detention and the procedure for their extension. General duties of a judge to protect human rights when applying precautionary measures. Grounds and procedural procedure for changing and revoking precautionary measures.

Grounds and procedural order of detention of a person without the decision of the investigating judge, court. Terms of detention. The essence of detention for the purpose of reason.

## ***Section2. SPECIAL PART***

### *Topic 9. General provisions of the pre-trial investigation*



The concept and objectives of the pre-trial investigation stage. Entities authorized to conduct a pre-trial investigation. Forms of pre-trial investigation of criminal offenses and crimes.

The concept and meaning of the general provisions of the pre-trial investigation. Beginning of the pre-trial investigation. Unified register of pre-trial investigations.

The concept of jurisdiction and its types. Combining and separating pre-trial investigation materials. Terms of pre-trial investigation, grounds and procedural order of their continuation. Interaction of the investigator with operational units during the pre-trial investigation. Instructions of the investigator to the employees of operational units. Procedural procedure and terms of consideration of petitions during the pre-trial investigation. Investigation of criminal offenses by the investigative group. Notices in the pre-trial investigation. Acquaintance with the materials of the pre-trial investigation before its completion. Inadmissibility of disclosure of information of pre-trial investigation.

Features of special pre-trial investigation of criminal offenses. General provisions of the special pre-trial investigation. Request of an investigator, prosecutor for a special pre-trial investigation. Consideration of a request for a special pre-trial investigation. Resolving the issue of conducting a special pre-trial investigation. The procedure for handing over procedural documents to a suspect during a special pre-trial investigation.

#### *Topic 10. Investigative (search) actions*

Concepts and types of investigative (search) actions. Classification of investigative (search) actions. Requirements for conducting and registration of investigative (search) actions.

Interrogation, its types, procedural order of conducting and registration. Interrogation of a witness, a victim during the pre-trial investigation in court. Features of interrogation of a minor or a minor. Conducting an interrogation by videoconference. Presentation for identification and its types. Grounds and procedural procedure for presentation for identification. Presentation for identification by video conferencing. Search and its types. Grounds and procedural procedure for conducting a search. Features of certain types of search. Review and its types. Procedural procedure for conducting certain types of inspection. Features of the examination of the corpse. The purpose and procedural order of the investigative experiment. Examination and its types. Procedural procedure for conducting certain types of inspections. Grounds and procedural procedure for examination. Obtaining samples for examination.

#### *Topic 11. Covert investigative (search) actions*

The concept of covert investigative (search) actions and their types. General provisions on covert investigative (search) actions. Grounds for conducting covert investigative (search) actions. Procedural procedure for consideration by an investigating judge of a request for permission to conduct a covert investigative (search) action. Requirements to the resolution of the investigator, prosecutor on conducting covert investigative (investigative actions). Carrying out of covert investigative (search) action before the decision of the investigating judge. Requirements to the decision of the investigating judge on the permission to conduct a covert investigative (search) action, the term of its validity. The procedure for recording the progress and results of covert investigative (search) actions. Reports of persons against whom covert investigative (search) actions were carried out. Measures to protect information obtained as a result of covert investigative (search) actions, as well as information that is not used in criminal proceedings. Use of the results of covert investigative (search) actions.

General provisions on interference in private communication. Grounds and procedural procedure for audio and video control of a person. Grounds and procedural procedure for seizing, inspecting and seizing correspondence. Withdrawal of information from transport telecommunication networks. Withdrawal of information from electronic information systems. Recording and storage of information received from telecommunication networks by technical means and as a result of withdrawal of information from electronic information systems. Research of the information received at application of technical means.

Other types of covert investigative (search) actions. Survey of publicly inaccessible places, housing or other property of a person. Establishing the location of the electronic means. Observation of a person, thing or place. Monitoring of bank accounts. Audio, video control of a place. Control over the commission of a crime. Performing a special task to detect criminal activity of an organized group or criminal organization. Unspoken receipt of samples required for comparative study. Use of confidential cooperation.

Means used during covert investigative (search) actions.

#### *Topic 12. Notification of suspicion*

The concept and procedural significance of the report of suspicion. Cases of notification of suspicion. Contents of a written notice of suspicion. Procedural procedure for serving a written notice of suspicion. Change the suspicion message. Features of the report on suspicion of a certain category of persons.

#### *Topic 13. Suspension and termination of pre-trial investigation*

The concept of stopping the pre-trial investigation. Grounds for suspending the pre-trial investigation. Conditions and procedural procedure for suspending the pre-trial investigation on certain grounds. Announcement of the search for the suspect. Grounds and procedural procedure for reopening the pre-trial investigation.

General provisions for the completion of the pre-trial investigation. Forms of completion of pre-trial investigation. Closure of criminal proceedings: grounds and procedural order.

Grounds and procedural procedure for releasing a person from criminal liability. Requirements for the prosecutor's request to release a person from criminal liability. Procedural procedure for consideration of the issue of release of a person from criminal liability.

Appeal to the court with an indictment, a request for the application of coercive measures of a medical or educational nature. Opening the materials of criminal proceedings to the other party. Acquaintance with materials of criminal proceedings. Requirements for the form and content of the indictment. Register of materials of pre-trial investigation. Request for the application of coercive measures of a medical or educational nature and its content. Delivery of copies of the indictment, a request for the application of coercive measures of a medical or educational nature and a register of materials of the pre-trial investigation. Systematization and technical design of materials of criminal proceedings.

#### *Topic 14. Appeals against decisions, actions or omissions during the pre-trial investigation*

The concept and significance of the institution of appealing against decisions, actions or omissions of officials during the pre-trial investigation. Decisions, actions or omissions of the investigator or prosecutor that may be challenged during the pre-trial investigation and the right to appeal. Deadline for filing a complaint against a decision, action or omission of an investigator or prosecutor, its return or refusal to initiate proceedings. Legal consequences of filing a complaint against a decision, action or omission of an investigator or prosecutor during a pre-trial investigation. Procedure for reviewing complaints against decisions, actions or omissions of an investigator or prosecutor during a pre-trial investigation. Decisions of the investigating judge based on the results of consideration of complaints against decisions, actions or inaction of the investigator or prosecutor during the pre-trial investigation. Appeal against non-compliance with reasonable deadlines.

Appeal against the decisions of the investigating judge during the pre-trial investigation. Decisions of the investigating judge, which are subject to appeal during the pre-trial investigation. The procedure for appealing the decisions of the investigating judge.

Appeals by investigators against decisions, actions or omissions of the prosecutor. Decisions, actions or omissions of the prosecutor that may be appealed by the investigator. Procedure for appealing decisions, actions or omissions of the prosecutor. The procedure for

resolving a complaint against the decision, action or inaction of the prosecutor and the types of decisions based on the results of consideration of such a complaint.

*Topic 15. Judicial proceedings in the court of first instance*

The concept and meaning of jurisdiction in criminal proceedings. Types of jurisdiction. Grounds and procedural procedure for directing criminal proceedings from one court to another. The only judicial information and telecommunication system.

The concept, essence and objectives of the stage of preparatory proceedings. The procedure and timing of the preparatory hearing. Issues to be resolved in the preparatory court session. Judicial decisions made at the stage of preparatory proceedings. Appointment of a trial. Judge's actions related to preparation for trial. Acquaintance of participants of trial with materials of criminal proceedings.

The essence and significance of the trial stage. The structure of the trial. General provisions of the trial. Limits of litigation. Procedural procedure for changing the charge in court.

Preparatory actions at the trial stage. Determining the amount of evidence to be examined and the procedure for their examination. Examination of evidence by the court. Consideration by the court of petitions of participants in court proceedings. Court orders to conduct investigative (search) actions by pre-trial investigation bodies. Finish clarifying the circumstances and verifying them with evidence.

Procedure for court debates. Speeches and remarks of the parties. The last word of the accused. Removal of the court to the deliberation room for a decision. The secret of the judges' meeting.

Types of court decisions. Legality, validity and motivation of the court decision. The procedure for making court decisions, their form. Judgment and dissenting opinion of the judge.

The concept and meaning of the sentence. Issues to be resolved by the court in passing sentence. Types of sentences and their content. Grounds for releasing the accused from custody in the courtroom. Measures of care for minors, the disabled and the preservation of the property of the accused.

The procedure for making decisions in court. Types of decisions and their content.

Proclamation of a court decision. Clarification of the court decision. Delivery of a copy of the court decision. Correction of mistakes and obvious errors in the court decision.

Journal of the court session. Technical recording of the court session.

Special procedures for proceedings in the court of first instance. Simplified criminal proceedings. Special court proceedings. The procedure for a jury trial. Clarification of the right to a jury trial. Jury call. Jury rights and responsibilities. Selection of jurors in court. Bringing the jury to the oath. Inadmissibility of illegal influence on a jury. Elimination of the jury. Procedure for meeting and voting in a jury trial.

*Topic 16. Judicial proceedings for review of court decisions*

Types of court proceedings for review of court decisions in criminal proceedings.

The essence and tasks of the proceedings in the court of appeal. Judicial decisions that can be appealed. The right to appeal. Features of the appeal of individual court decisions. Procedure and terms of appeal. Requirements for appeal.

Limits of review of decisions of the court of first instance by the court of appeal. Procedure for appellate review. Powers of the appellate court as a result of consideration of the appeal. Change of the verdict or decision of the appellate court. Grounds for revocation or change of a court decision by a court of appeal. Grounds for appointing a new trial in the court of first instance. Features of a new trial by the court of first instance. Closure of criminal proceedings by the court of appeal.

The content of the decision of the appellate court. Verdict, decision on the application of coercive measures of medical or educational nature of the court of appeal. Inadmissibility of

deterioration of the legal position of the accused. Return of materials of criminal proceedings. The procedure for reviewing the decisions of the investigating judge on appeal.

The essence and objectives of the proceedings in cassation. Judicial decisions that can be appealed in cassation. The right to cassation appeal. Procedure and terms of cassation appeal. Requirements for a cassation appeal.

Limits of review of court decisions by the court of cassation. The procedure for cassation. Grounds for referring criminal proceedings to a chamber, joint or Grand Chamber of the Supreme Court. Written cassation proceedings. Powers of the court of cassation as a result of consideration of the cassation appeal. Inadmissibility of deterioration of the legal status of the acquitted and convicted. Grounds for revocation or change of a court decision by a court of cassation. A new hearing after the court decision of the court of cassation was overturned. Closure of criminal proceedings by the court of cassation.

Form and content of the decision of the court of cassation. Resolution of rulings by the court of cassation. Return of materials of criminal proceedings.

Grounds for criminal proceedings on newly discovered or exceptional circumstances. Characteristics of newly discovered and exceptional circumstances. The right to file an application for review of a court decision in newly discovered or exceptional circumstances. The term for applying for a review of a court decision in newly discovered or exceptional circumstances. Requirements for an application for review of a court decision in newly discovered or exceptional circumstances. The procedure for filing an application for review of a court decision in newly discovered or exceptional circumstances. Opening criminal proceedings on newly discovered or exceptional circumstances. Refusal of the application for review of the court decision on newly discovered or exceptional circumstances and its consequences. The procedure for reviewing a court decision on newly discovered or exceptional circumstances. Judgment on the consequences of criminal proceedings on newly discovered or exceptional circumstances.

#### *Topic 17. Execution of court decisions*

The essence and tasks of the stage of execution of court decisions. Entry into force of a court decision. Consequences of entry into force of a court decision. The order of execution of court decisions in criminal proceedings. Appeal of a court decision for execution. Reprieve. Issues to be decided by the court during the execution of sentences. Issues to be decided by the court after the execution of the sentence. Procedure for the court to resolve issues related to the execution of the sentence. Enrollment in the term of serving the sentence during the convict's stay in the medical institution.

#### *Topic 18. Special procedures of criminal proceedings*

Types of special proceedings in criminal proceedings. Criminal proceedings on the basis of agreements. Types of agreements, their initiation and conditions of conclusion. Contents of the conciliation agreement. Contents of the plea agreement. Consequences of concluding and approving the agreement. General procedure of court proceedings on the basis of an agreement. Judgment based on the agreement. Consequences of non-performance of the agreement.

Criminal proceedings in the form of private prosecution. Initiation of criminal proceedings in the form of private prosecution. Compensation to the victim in criminal proceedings in the form of private prosecution.

Criminal proceedings against a certain category of persons. Persons in respect of whom a special procedure of criminal proceedings is carried out. Features of notification of suspicion of a certain category of persons, bringing them to criminal responsibility, detention and choosing a measure of restraint against them.

Criminal proceedings against minors. Circumstances to be established in criminal proceedings against minors. Procedure for criminal proceedings against minors. The range of persons involved in criminal proceedings against minors. Peculiarities of conducting procedural actions and application of measures to ensure criminal proceedings against juvenile suspects and accused. The procedure for applying coercive measures of an educational nature to a juvenile accused.

Application of coercive measures of an educational nature to minors who have not reached the age of criminal responsibility. Grounds for the application of coercive measures of an educational nature. Features of pre-trial investigation and trial in criminal proceedings on the application of coercive measures of an educational nature. Court rulings in criminal proceedings concerning the application of coercive measures of an educational nature. Early release from coercive educational measures.

Criminal proceedings concerning the application of coercive measures of a medical nature. Grounds for criminal proceedings concerning the application of coercive measures of a medical nature. Circumstances to be established during the pre-trial investigation in criminal proceedings concerning the application of coercive measures of a medical nature. Peculiarities of pre-trial investigation and trial in criminal proceedings on the application of coercive measures of a medical nature and on persons with limited convictions. Court decision in criminal proceedings on the application of coercive measures of a medical nature. Continuation, change or termination of the application of coercive measures of a medical nature. Resumption of criminal proceedings. Appeal against a court decision.

Criminal proceedings containing information constituting a state secret. Protection of state secrets during criminal proceedings. Features of examination in criminal proceedings, which contains a state secret.

Criminal proceedings on the territory of diplomatic missions, consular posts of Ukraine, on an aircraft, sea or river vessel that is outside Ukraine under the flag or with the identification mark of Ukraine, if this vessel is assigned to a port located in Ukraine. Officials authorized to perform procedural actions. Place of pre-trial investigation of criminal offenses committed on the territory of diplomatic missions, consular posts, vessels of Ukraine.

Special regime of pre-trial investigation in the conditions of martial law, state of emergency or in the area of anti-terrorist operation.

Restoration of lost materials of criminal proceedings.

#### *Topic 19. International cooperation in criminal proceedings*

General principles of international cooperation in criminal proceedings. The scope of international cooperation in criminal proceedings. Legislation governing international cooperation in criminal proceedings. Providing and receiving international legal assistance or other international cooperation without an agreement. Central body of Ukraine in the field of international cooperation during criminal proceedings. The procedure for transmitting to the requesting party information containing a state secret. Execution of procedural actions by diplomatic missions or consular posts. Request for international cooperation. Storage and transfer of physical evidence and documents. Evidential force of official documents.

International legal assistance in conducting procedural actions. Request for international legal assistance. Contents and form of request for international legal assistance. Consequences of fulfilling a request in a foreign country. Consideration of a request of a foreign competent authority for international legal assistance and notification of its results. Refusal to comply with a request for international legal assistance. Procedure for fulfilling a request (instruction) for international legal assistance on the territory of Ukraine. Postponement of international legal assistance. Completion of the procedure for providing international legal assistance. Procedural actions that can be carried out in order to provide international legal assistance. Procedural actions that require special permission. Presence of representatives of the competent authorities of the requesting state during the proceedings. Delivery of documents. Temporary transfer. Calling a person who is outside Ukraine. Interrogation at the request of the competent authority of a foreign state by video or telephone conference. Search, arrest and confiscation of property. Controlled delivery. Border pursuit. Establishment and operation of joint investigation teams.

Extradition of persons who have committed a criminal offense (extradition). Sending a request for extradition (extradition). Central body of Ukraine for extradition (extradition). The order of preparation of documents and sending inquiries. Limits of criminal liability of the extradited person. Enrollment of the term of detention of the extradited person. Informing about the results of criminal proceedings against the extradited person. Temporary extradition. Features of detention. The rights of the person whose extradition is requested. Features of detention of a person who has committed a criminal offense outside Ukraine. Temporary arrest. Application of



a preventive measure in the form of detention to ensure the extradition of a person (extradition arrest). Apply a non-custodial measure to extradite a person at the request of a foreign state. Termination of temporary arrest or pre-trial detention. Extradition inspection. Simplified procedure for extradition of persons from Ukraine. Refusal to extradite a person (extradition). Decision on request for extradition (extradition). Procedure for appealing the decision on extradition (extradition). Postponement of transfer. The actual transfer of the person. Expenses related to the issue of extradition to a foreign state.

Criminal proceedings in the order of adoption. Procedure and conditions for taking over criminal proceedings from foreign states. Impossibility to take over criminal proceedings. Detention of a person pending a request to take over criminal proceedings. Procedure for criminal proceedings taken over from another state. Procedure and conditions for transferring criminal proceedings to the competent authority of another state. Content and form of the request for transfer of criminal proceedings to another state. Consequences of transferring criminal proceedings to the competent authority of another state.

Recognition and execution of judgments of courts of foreign states and transfer of convicted persons. Grounds and procedure for execution of judgments of foreign courts on the territory of Ukraine. Consideration by the court of Ukraine of the issue of execution of a judgment of a court of a foreign state. Execution of a court judgment of a foreign state. Grounds for consideration of the issue of transfer of convicted persons. Conditions for the transfer of convicted persons and their acceptance for serving a sentence. Procedure and terms for resolving the issue of transfer of persons convicted by courts of Ukraine to serve their sentences in foreign states. Notification of change or revocation of a judgment of a court of Ukraine in respect of a citizen of a foreign state. Procedure for consideration of a request (petition) for the transfer of a citizen of Ukraine convicted by a court of a foreign state to serve a sentence in Ukraine. Consideration by the court of the issue of bringing the verdict of a court of a foreign state in accordance with the legislation of Ukraine. Organization of execution of punishment in relation to the transferred convicted person. Notification of a change or reversal of a judgment of a court of another state. Expenses related to the transfer of a convicted person. Recognition and enforcement of judgments of international judicial institutions.

### 3. Structure of the course

Title titles and topics	Course hours											
	Full-time						Part-time					
	Total	including					Total	including				
		lec	pr	lab	in/w	in/t		lec	pr	lab	in/w	in/t
1	2	3	4	5	6	7	8	9	10	11	12	13
<b>Criminal process</b>												
<b>Section 1. GENERAL PART</b>												
Topic 1. The concept, objectives and system of criminal procedure.	5	2	1			2	6	1	1			4
Topic 2. Criminal procedural law and criminal procedural legislation of Ukraine.	5	2	1			2	6	-	-			6
Topic 3. Principles of criminal proceedings.	6	2	1			3	5	1	-			4
Topic 4. Subjects of	8	2	2			4	5	1	-			4

criminal proceedings.												
Topic 5. Evidence and evidence in criminal proceedings.	6	2	2			2	7	-	1			6
Topic 6. Recording of criminal proceedings. Procedural deadlines and court costs.	4	2	-			2	4	-	-			4
Topic 7. Compensation (compensation) for damage in criminal proceedings.	4	2	-			2	6	-	-			6
Topic 8. Measures to ensure criminal proceedings.	7	2	1			4	6	-	-			6
<b>Total (for Section 1)</b>	<b>45</b>	<b>16</b>	<b>8</b>			<b>21</b>	<b>45</b>	<b>3</b>	<b>2</b>			<b>40</b>
<b>Section 2. SPECIAL PART</b>												
Topic 9. General provisions of the pre-trial investigation.	5	2	2			1	6	1	1			4
Topic 10. Investigative (search) actions.	5	2	1			2	5	1	-			4
Topic 11. Covert investigative (search) actions.	3	-	1			2	4	-	-			4
Topic 12. Notification of suspicion.	5	2	1			2	1	-	-			1
Topic 13. Suspension and termination of pre-trial investigation.	5	2	1			2	6	1	1			4
Topic 14. Appeals against decisions, actions or omissions during the pre-trial investigation.	4	2	-			2	4	-	-			4
Topic 15. Judicial proceedings in the court of first instance.	5	2	1			2	4	-	-			4
Topic 16. Judicial proceedings for review of court decisions.	4	2	-			2	4	-	-			4

Topic 17. Execution of court decisions.	3	-	1			2	4	-	-			4
Topic 18. Special procedures of criminal proceedings.	2	-	-			2	3	-	-			3
Topic 19. International cooperation in criminal proceedings.	4	2	-			2	4	-	-			4
<b>Total (for Section 2)</b>	<b>45</b>	<b>16</b>	<b>8</b>			<b>21</b>	<b>45</b>	<b>3</b>	<b>2</b>			<b>40</b>
<b>Total hours</b>	<b>90</b>	<b>32</b>	<b>16</b>			<b>42</b>	<b>90</b>	<b>6</b>	<b>4</b>			<b>80</b>

#### 4. Topics of the seminar classes

№ з/п	Topics	Hours
1	The concept, objectives and system of criminal procedure	1
2	Criminal procedural law and criminal procedural legislation of Ukraine	1
3	Principles of criminal proceedings	1
4	Subjects of criminal proceedings	2
5	Evidence and proof in criminal proceedings	2
6	Measures to ensure criminal proceedings	1
7	General provisions of the pre-trial investigation	2
8	Investigative (search) actions	1
9	Covert investigative (search) actions	1
10	Suspicion report	1
11	Suspension and termination of the pre-trial investigation	1
12	Judicial proceedings in the court of first instance	1
13	Execution of court decisions	1
	<b>Total</b>	<b>16</b>

#### 5. Independent work

№ з/п	Topics	Hours
1	The concept, objectives and system of criminal procedure	2
2	Criminal procedural law and criminal procedural legislation of Ukraine	2
3	Principles of criminal proceedings	3
4	Subjects of criminal proceedings	4
5	Evidence and proof in criminal proceedings	2
6	Recording of criminal proceedings. Procedural deadlines and court costs	2
7	Compensation (compensation) for damage in criminal proceedings	2
8	Measures to ensure criminal proceedings	4
9	General provisions of the pre-trial investigation	1
10	Investigative (search) actions	2
11	Covert investigative (search) actions	2
12	Suspicion report	2
13	Suspension and termination of the pre-trial investigation	2

14	Appeals against decisions, actions or omissions during the pre-trial investigation	2
15	Judicial proceedings in the court of first instance	2
16	Judicial proceedings for review of court decisions	2
17	Execution of court decisions	2
18	Special procedures for criminal proceedings	2
19	International cooperation in criminal proceedings	2
	<b>Total</b>	<b>42</b>

## 6. Methods of control

Entrance controls are used to determine the level of knowledge of students in disciplines that are basic. Conducted at the beginning of the study of discipline by oral questioning or express control (testing).

Current control is carried out at each seminar class in the form of oral questioning, student speeches, testing, control works.

Cross-checking is carried out in the form of written control work to assess the knowledge and skills acquired during the study of topics in the relevant section. Written control work can include detailed answers to questions, answers to tests, writing essays.

Upon completion of the course, an examination is conducted (the maximum amount of points is 40). Accordingly, in this semester, the sum of points on the results of work in seminars and the implementation of individual teaching and research tasks can reach 60.

### Grading scheme

#### Example for offset

Current control, independent work		In total		Total mark
Section 1	Section 2		Final Exam	
T1 - T8	T9 – T19	60	40	100
30	30			

#### Example for the exam

Current control, independent work		In total	Final Exam	Total mark
Section 1	Section 2			
T1 – T8	T9 – T19	60	40	100
30	30			

In the study of each topic, current control is conducted in the form of oral questioning and student appearances on pre-determined issues. For a speech at a seminar, a student can get from 1 (addition, clarification after the answer or presentation of another student) to 3 (detailed analysis of the issue with the inclusion of these scientific articles, monographs, statistical data, schemes, etc.) points.

Writing an abstract or preparing a presentation on a topic that was prescribed by a teacher, provided that the abstract (presentation) meets the requirements for its content, volume

and design (the existence of a substantiated content of the work plan, references in the text, page numbers, literature list, etc.) may be rated up to 3 points.

Current control also involves writing tests or written control work on issues that were considered in relevant topics. Maximum of 3 points is given for the evaluation of the work.

The curriculum also provides for the writing and presentation of course work on the history of international law. It can be rated at a maximum of 20 points.

The minimum total amount of points per semester required to admit a student to the exam is 30, the maximum is 60. The maximum number of points for the examination is 40. Accordingly, the maximum number of points scored for the study of discipline is 100 points.

### **Grading scale**

The amount of points for all types of educational activities during the semester	Score on a national scale	
	for an exam	for a final test
90 – 100	Excellent	Credited
70-89	Good	
50-69	Adequate	
1-49	Inadequate	Not credited

### **6.1. Questions that are submitted for the current and final control:**

1. The concept, nature and objectives of the criminal process.
2. The concept of stages of the criminal process. The system of criminal procedure in Ukraine.
3. Criminal procedural functions: concepts and types.
4. Criminal procedural form and its significance.
5. Criminal procedural guarantees.
6. Historical forms of criminal proceedings.
7. The concept and system of criminal procedural law, its subject and methods.
8. Sources of criminal procedural law.
9. Criminal procedural legal relations.
10. Connection of criminal procedural law with other branches of law and related fields of knowledge.
11. The concept and system of criminal procedure legislation of Ukraine.
12. The effect of criminal procedure law in space, time and in the circle of persons.
13. The concept, essence and system of principles of criminal procedure.
14. Procedural characteristics of the general legal principles of the criminal process.
15. Intersectoral principles of criminal procedure and their general characteristics.
16. Sectoral principles of the criminal process and their general characteristics.
17. The concept and classification of subjects of criminal proceedings.
18. Jury in criminal proceedings. Powers of the court.
19. Investigating judge in criminal proceedings, his functions and powers.
20. Parties in criminal proceedings: general characteristics of the subject composition.
21. The prosecutor in criminal proceedings, his functions and powers.
22. Procedural status of the investigator and the head of the pre-trial investigation body.
23. The concept and procedural status of the victim in criminal proceedings. Representatives and legal representatives of the victim.



24. The concept and procedural status of the suspect.
25. The concept and procedural status of the accused.
26. Defense counsel in criminal proceedings, his procedural rights and responsibilities.
27. Procedural procedure for involving a defense counsel in criminal proceedings of the person's choice and purpose. Defender's participation required.
28. Refusal of the defender or his replacement.
29. Legal representatives of the suspect and the accused, the procedural procedure for their involvement in criminal proceedings.
30. A person in respect of whom the issue of application of coercive measures of an educational or medical nature is being or has been resolved.
31. Grounds and conditions for joint consideration of a civil claim and criminal proceedings.
32. The concept of civil plaintiff and his procedural status.
33. Representatives and legal representatives of the civil plaintiff.
34. The concept and procedural status of the civil defendant, his representatives.
35. The applicant in the criminal proceedings.
36. A representative of the legal entity in respect of which the proceedings are being conducted in criminal proceedings.
37. A third person whose property is being seized.
38. A witness in criminal proceedings, his procedural rights, duties and responsibilities.
39. The concept and procedural status of the translator.
40. Expert and specialist in criminal proceedings.
41. Registrar of the court session and court administrator.
42. Ensuring the safety of persons involved in criminal proceedings.
43. State protection of employees of the court, pre-trial investigation bodies, the prosecutor's office and members of their families.
44. The institute of taps in criminal proceedings. Procedural procedure for dismissal of certain subjects of criminal proceedings.
45. The concept and content of the process of proof.
46. Subjects of evidence in criminal proceedings.
47. Methods of gathering evidence in criminal proceedings.
48. Evaluation of evidence as an element of the evidentiary process.
49. Subject and limits of proof.
50. Sources of evidence in the criminal process of Ukraine.
51. The concept and classification of evidence in criminal proceedings. Belonging, admissibility and reliability of evidence.
52. Indications as a source of evidence. Features of their inspection and evaluation.
53. Expert opinion and features of its assessment.
54. Material evidence and documents as sources of evidence: the order of storage and resolution of their fate.
55. The concept and types of procedural deadlines in criminal proceedings, the order of their calculation.
56. Procedural costs, their types and procedure for reimbursement.
57. Compensation (compensation) for damage caused by illegal decisions, actions or omissions of the body carrying out operational and investigative activities, pre-trial investigation, prosecutor's office or court.
58. The concept and system of measures to ensure criminal proceedings.
59. General rules for the application of measures to ensure criminal proceedings.
60. Summons to the investigator, prosecutor, summons. Grounds and procedural order of application of the drive.
61. Grounds and procedural procedure for imposing a fine.

62. Grounds and procedural procedure for temporary restriction in the use of a special right.
63. Grounds and procedural procedure for removal from office.
64. Temporary suspension of a judge from the administration of justice in connection with criminal prosecution. The procedure for extending the period of such removal.
65. Procedural order of temporary access to things and documents.
66. Procedural procedure for temporary seizure of property.
67. Grounds and procedural procedure for seizure of property.
68. The concept and types of precautionary measures.
69. Purpose and grounds for application of precautionary measures. Circumstances taken into account when choosing a precautionary measure.
70. Procedural procedure for applying a precautionary measure in the form of a personal obligation.
71. Procedural procedure for the application of a precautionary measure in the form of a personal guarantee.
72. Procedural procedure for the application of a measure of restraint in the form of house arrest.
73. Procedural procedure for applying a precautionary measure in the form of bail.
74. Grounds and procedural procedure for the application of a preventive measure in the form of detention.
75. Detention of a person without the decision of the investigating judge, court.
76. Grounds and procedural procedure for revocation or change of a precautionary measure.
77. The concept and objectives of the stage of pre-trial investigation. Forms of pre-trial investigation of criminal offenses and crimes.
78. The concept and system of general provisions of pre-trial investigation.
79. Commencement of the pre-trial investigation. Unified register of pre-trial investigations.
80. The concept of jurisdiction and its types.
81. Consolidation and separation of materials of pre-trial investigation.
82. Terms of pre-trial investigation, grounds and procedural order of their continuation.
83. The procedure for calculating the time during the merger and allocation of materials for the pre-trial investigation.
84. Interaction of the investigator with operational units during the pre-trial investigation. Instructions of the investigator to the employees of operational units.
85. Investigation of criminal offenses by the investigative group.
86. Procedural decisions in the pre-trial investigation.
87. Organization and procedural management of pre-trial investigation, prosecutorial supervision, departmental and judicial control at the stage of pre-trial investigation.
88. The concept and types of investigative (search) actions. Classification of investigative (search) actions.
89. Interrogation, its types, procedural order of carrying out and registration. Features of interrogation of a minor or a minor.
90. Conducting a video conference interrogation during the pre-trial investigation.
91. Presentation for identification, its types. Grounds and procedural procedure for presentation for identification.
92. Conducting a presentation for identification by video conference during the pre-trial investigation.
93. Search and its types. Grounds and procedural procedure for conducting a search.
94. Review and its types. Procedural procedure for conducting certain types of inspection.
95. Purpose and procedural order of the investigative experiment.

96. Examination and its types. Procedural procedure for conducting certain types of inspections.
97. Grounds and procedural procedure for examination. Obtaining samples for examination.
98. The concept of covert investigative (search) actions and their types. General provisions on covert investigative (search) actions.
99. Procedural procedure for consideration by an investigating judge of a request for permission to conduct a covert investigative (search) action.
100. Grounds and procedural procedure for audio and video control of a person.
101. Grounds and procedural procedure for seizing, inspecting and seizing correspondence.
102. Withdrawal of information from transport telecommunications networks.
103. Withdrawal of information from electronic information systems.
104. Survey of publicly inaccessible places, housing or other property of a person.
105. Establishing the location of the electronic means.
106. Observation of a person, thing or place.
107. Monitoring of bank accounts.
108. Audio, video control of a place.
109. Control over the commission of a crime.
110. Execution of a special task for disclosure of criminal activity of an organized group or criminal organization.
111. Unspoken receipt of samples required for comparative research.
112. Use of confidential cooperation.
113. Use of the results of covert investigative (search) actions.
114. The concept and meaning of the report of suspicion. Cases of notification of suspicion.
115. Contents of a written notice of suspicion. Procedural procedure for serving a written notice of suspicion.
116. Change of the notice of suspicion. Procedure for appealing a notice of suspicion.
117. The concept of suspension of pre-trial investigation. Grounds and procedural procedure for suspending the pre-trial investigation after notifying the person of the suspicion.
118. Forms of completion of pre-trial investigation.
119. Closure of criminal proceedings: grounds and procedure. Closure of proceedings against a legal entity.
120. Grounds and procedural procedure for releasing a person from criminal liability.
121. Opening of materials of criminal proceedings to the other party.
122. Requirements for the form and content of the indictment. Register of materials of pre-trial investigation.
123. Petition for the application of coercive measures of a medical or educational nature and its content.
124. Features of special pre-trial investigation of criminal offenses.
125. Procedure for reviewing complaints against decisions, actions or omissions of an investigator or prosecutor during a pre-trial investigation. The decision of the investigating judge based on the results of consideration of such complaints.
126. Appeal against the decisions of the investigating judge during the pre-trial investigation.
127. Appeals by investigators against decisions, actions or omissions of the prosecutor.
128. The concept, meaning and types of jurisdiction in criminal proceedings. Referral of criminal proceedings from one court to another.
129. The concept, nature and objectives of the stage of preparatory proceedings.
130. Judicial decisions made at the stage of preparatory proceedings.
131. The essence and significance of the stage of the trial. The structure of the trial.

132. The limits of the trial. Procedural procedure for changing the charge in court.
133. Preparatory actions at the trial stage. The procedure for examining evidence during the trial.
134. Procedure for judicial debates in court proceedings.
135. Types of sentences and their content.
136. The procedure for making decisions in court. Types of decisions and their content.
137. Special procedures for proceedings in the court of first instance. Special court proceedings.
138. The essence and tasks of the proceedings in the court of appeal.
139. Grounds for revocation or change of a court decision by a court of appeal.
140. Powers of the appellate court as a result of the appellate review.
141. The essence and objectives of the proceedings in cassation.
142. Grounds for revocation or change of a court decision by a court of cassation.
143. Powers of the court of cassation as a result of the cassation review.
144. Grounds and procedure for transferring criminal proceedings to a chamber, a joint chamber or the Grand Chamber of the Supreme Court.
145. Grounds and procedural procedure for review of court decisions based on newly discovered circumstances.
146. Grounds and procedural procedure for review of court decisions in exceptional circumstances.
147. The essence and objectives of the stage of execution of court decisions. The procedure for the court to resolve issues related to the execution of the sentence.
148. Types of special procedures of criminal proceedings.
149. Criminal proceedings on the basis of agreements.
150. Criminal proceedings in the form of private prosecution.
151. Criminal proceedings against a certain category of persons.
152. Criminal proceedings against minors. The procedure for applying coercive measures of an educational nature to a juvenile accused.
153. The procedure for applying coercive measures of an educational nature to minors who have not reached the age of criminal responsibility.
154. Criminal proceedings concerning the application of coercive measures of a medical nature.
155. Criminal proceedings containing information constituting a state secret.
156. Criminal proceedings on the territory of diplomatic missions, consular posts of Ukraine, on an aircraft, sea or river vessel located outside Ukraine under the flag or with the identification mark of Ukraine, if this vessel is assigned to a port located in Ukraine.
157. Restoration of lost materials of criminal proceedings.
158. General principles of international cooperation in criminal proceedings.
159. International legal assistance in conducting procedural actions.
160. Extradition of persons who have committed a criminal offense (extradition).
161. Criminal proceedings in the order of adoption.
162. Recognition and execution of judgments of courts of foreign states and transfer of convicted persons.
163. Special regime of pre-trial investigation in the conditions of martial law, state of emergency or in the area of anti-terrorist operation.

## 7. Recommended literature

1. Andenaes J. The General Part of the Criminal Law of Norway / J. Andenaes. – FB Rotham, 1965. – V. 3.
2. American Bar Association. Section of Criminal Justice. Criminal justice. – The Section, 1996. – V. 11.

3. Ashworth A., Horder J. Principles of criminal law / A. Ashworth, J. Horder. – Oxford University Press, 2013.
4. Bassiouni M. C. (ed.). International Criminal Law: Multilateral and bilateral enforcement mechanisms / M. C. Bassiouni. – Brill, 2008. – V. 2.
5. Brown D. et al. Criminal Laws: Materials and commentary on criminal law and process in NSW / D. Brown et al. – Federation Press, 2011.
6. Carrigan J. R. Tax Crimes-Statute of Limitations-Tolling Provisos / Tax L. Rev. – 1955. – V. 11. – P. 137.
7. Combs C. C. Terrorism in the twenty-first century / C. C. Combs, 2003.
8. Dressler J., Strong F. R., Moritz M. E. Understanding criminal law / J. Dressler. – Lexis Pub., 2001. – P. 151–163.
9. Dubber M. D. Comparative criminal law / M. D. Dubber, 2006.
10. Frase R. S. Comparative Criminal Justice as a Guide to American Law Reform: How Do the French Do It, How Can We Find Out, and Why Should We Care? / R. S. Frase // California Law Review, 1990. – P. 539–683.
11. Gorecki J. Capital punishment: Criminal law and social evolution / J. Gorecki. – New York : Columbia University Press, 1983. – P. 15.
12. Fletcher G. P. The grammar of criminal law: American, comparative, and international / G. P. Fletcher, 2007.
13. Massey D. S. American apartheid: Segregation and the making of the underclass / D. S. Massey. – Harvard University Press, 1993.
14. Paul G. Cassell Northwestern University, School of Law / G. Paul – Printed in U.S.A. Northwestern University Law Review. – Vol 90. – №. 2 Articles Miranda's Social Costs: An Empirical Reassessment.
15. Pires A. P. La politique législative et les crimes à "double face": éléments pour une théorie pluridimensionnelle de la loi criminelle, (drogues, prostitution etc.) / Pires A. P. – CIRCEM, 2002.
16. Radzinowicz L. A. History of English Criminal Law and Its Administration from 1750 : The Emergence of Penal Policy / L. A. Radzinowicz. – Stevens & sons, 1948. – V. 5.
17. Reichel P. L. Comparative criminal justice systems: A topical approach. – Upper Saddle River / P. L. Reichel. – NJ : Prentice Hall, 2002.
18. Schulhofer S. J. Harm and punishment: A critique of emphasis on the results of conduct in the criminal law / S. J. Schulhofer // University of Pennsylvania Law Review. – 1974. – P. 1497–1607.
19. Stephen J. F. A history of the criminal law of England / J. F. Stephen. – Cambridge University Press, 2014. – V. 2.
20. Williams G. L. Criminal law: The general part / G. L. Williams. – Stevens, 1953.
21. Wolfgang M. E. Patterns in criminal homicide / M. E. Wolfgang. – 1958.
22. Lawrence M. Friedman. A History of American Law / Lawrence M. Friedman. – New York. – 1985.
23. Csoba Varga. Differing Mentalities of Civil Law and Common Law? The Issue of Logic in Law / Csoba Varga // Порівняльно-правові дослідження. – 2009. – № 1. – С. 29-37.

### Supporting literature

1. Criminal proceedings: a textbook / [O. V. Kaplina, OG Shilo, VM Trofimenko and others]; for general ed. OV Kaplina, OG Shilo. - Kharkiv: Pravo, 2018. - 584 p.
2. Criminal proceedings: a textbook / For general. ed. VV Kovalenko, LD Udalova, DP Written. - Kyiv: "Center for Educational Literature", 2013. - 544 p.
3. Loboyko LM Criminal procedure: Textbook. - K.: Істина, 2014. - 432 с.
4. Loboyko LM, Banchuk OA Criminal procedure: Textbook. - K.: Baire, 2014. - 280 с.
5. Moldovan AV, Melnyk SM Criminal Procedure of Ukraine: Textbook. way. - Kyiv: Center for Educational Literature, 2013. - 368 p.
6. Criminal proceedings. Textbook for exam preparation / OV Kaplina, MO Karpenko, VI Maryniv, VM Trofimenko, AR Tumanyants, OG Shilo. - H.: Oberig, 2014. - 248 p.
7. New Criminal Procedure Code of Ukraine: comments, explanations, documents / resp. ed. VS Kowalski. - K.: Юрінком Інтер, 2013. - 408 с.
8. Tkachuk OM Criminal and Criminal Procedure Codes: article-by-article index of legal positions of the Supreme Court - the Grand Chamber and the Criminal Court of Cassation (practice in 2018) / OM Tkachuk. - Kharkiv: Pravo, 2019. - 252 p.



9. Criminal Procedure Code of Ukraine with article-by-article materials of the case law of the European Court of Human Rights / [A. V. Stolitniy, Yu. G. Sevruck, OV Sapin and others]; for order. AV Century. - 2nd ed., Reworked. and add. - Kharkiv: Pravo, 2019. - 952 p.

#### **10. Посилання на інформаційні ресурси в Інтернеті, відео-лекції, інше методичне забезпечення**

1. <https://www.rada.gov.ua/en> – the official portal of the Verkhovna Rada of Ukraine
2. <https://www.kmu.gov.ua/en> – the official portal of the Cabinet of Ministers of Ukraine
3. <http://mvs.gov.ua/en/> – the official website of the Ministry of Internal Affairs of Ukraine
4. <https://en.gp.gov.ua/ua/index.html> – the official website of the Prosecutor General's Office of Ukraine
5. <http://www.nbu.gov.ua/> – National library of Ukraine named after VI Vernadsky
6. <http://reyestr.court.gov.ua> – Єдиний державний реєстр судових рішень
7. <http://culonline.com.ua> – online library of educational literature
8. <http://www.ligazakon.ua> – News Agency "LIGA: LAW"
9. <http://www.usa.gov> – USA Government site
10. <http://eur-lex.europa.eu> – Access to European Union law
11. <https://books.google.com.ua> – Google Books
12. <https://www.legislationline.org/documents/section/criminal-codes> – OSCE Office for Democratic Institutions and Human Rights. Criminal codes of the countries of the world
13. <https://www.law.cornell.edu/uscode> – United States Code / Legal Information Institute Cornell University Law School
14. <http://www.loc.gov> – Library of Congress
15. <http://www.icc-cpi.int> – International Criminal Court website