



## Course syllabus

<b>Subject name</b>	European Criminal Law and Justice
<b>Field of study</b>	Criminal Procedure Law
<b>ECTS credits</b>	3
<b>Semester</b>	2 (Spring)
<b>Language</b>	English
<b>Professor/s</b>	Alejandro Hernández López
<b>Department</b>	Constitutional, Procedural and Ecclesiastical Law
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<b>Date of Review</b>	15/07/2024

### 1. Description

This subject will introduce you to the main aspects of EU Criminal Law and Justice.

The first sessions of this course will provide you an insight on the evolution of the institutional framework of European Criminal Law. After these introductory lectures, the course will be divided in two main sections. The first section will be devoted to the analysis of the most important instruments of secondary law related to judicial cooperation in criminal matters, particularly focusing on the key instruments giving effect to the principle of mutual recognition and on the roadmap for strengthening procedural rights in criminal proceedings in the EU. The second section of this course will be focused on the study of the role of institutions, bodies and agencies of the EU acting in the Area of Freedom, Security and Justice, including the role and influence of the case-law of the Court of Justice of the European Union in this field via preliminary ruling requests.

### 2. Course learning objectives

Students should be able to:

1. Exhibit a good knowledge of the institutional framework of European Criminal Law before and after the entry into force of the Lisbon Treaty.
2. Acquire a basic knowledge of EU secondary legislation in this field, including the main instruments giving effect to the principle of mutual recognition (e.g. EAW, EIO).



3. Comprehend the significance of the Charter of Fundamental Rights and the Directives on the strengthening of criminal safeguards of suspect and accused persons on shaping a judicial cooperation system based on mutual trust.
4. Understand the roles and tasks entrusted to different European bodies and agencies, such as the European Judicial Network (EJN), Eurojust and the European Public Prosecutor's Office (EPPO).
5. Analyse the leading case-law of the Court of Justice of the European Union on this matter.

### 3. Contents / Programme

**Topic 1:** EU Criminal Law and Justice: background and key concepts.

**Topic 2:** Institutional framework of EU Criminal Law.

**Topic 3:** EU secondary legislation in criminal matters (I): mutual recognition instruments.

**Topic 4:** EU secondary legislation in criminal matters (II): procedural rights and safeguards.

**Topic 5:** Agencies and bodies acting in the Area of Freedom, Security and Justice.

**Topic 6:** The role of the Court of Justice: the preliminary ruling requests.

**Topic 7:** The future of EU Criminal Law and Justice: challenges, prospects, and issues

### 4. Bibliography

**Principal reference handbook:**

- AMBOS, Kai, *European Criminal Law*, Cambridge: Cambridge University Press, 2018.

**Other reference works:**

- AMBOS, Kai and RACKOW, Peter (Eds.), *The Cambridge Companion to European Criminal Law*, Cambridge: Cambridge University Press, 2023.
- ARANGÜENA FANEGO, M<sup>a</sup> del Coral, HOYOS SANCHO, Montserrat de and HERNÁNDEZ LÓPEZ, Alejandro (Eds.), *Procedural Safeguards for Suspects and Accused Persons in Criminal Proceedings: Good Practices Throughout the European Union*, Cham: Springer, 2020.
- HERNÁNDEZ LÓPEZ, Alejandro, *Conflicts of Criminal Jurisdiction and Transfer of Proceedings in the EU*, Cham: Springer, 2022.
- KLIP, André, *European Criminal Law: An Integrative Approach* (4<sup>th</sup> edition), Antwerp: Intersentia, 2021.
- KOSTORIS, Roberto E., *Handbook of European Criminal Procedure*, Cham: Springer, 2018.



- MITSILEGAS, Valsamis, *EU criminal law after Lisbon: Rights, Trust and the Transformation of Justice in Europe*. Oxford: Hart Publishing, 2016.

## 5. Workload distribution

Activities	Hours
Classroom-based activities (Lectures, seminars and practical sessions)	24
Online practical activities	21
Guided activities	10
Independent study	20
<b>Total</b>	<b>75</b>

## 6. Assessment criteria

TOOLS	%	OBSERVATIONS
Ongoing assessment	100%	Practical exercises, case studies, attendance at seminars and webinars, problem-solving activities, workshops, class participation