

## COURSE OUTLINE

### (1) GENERAL

<b>SCHOOL</b>	INTERNATIONAL STUDIES, COMMUNICATION & CULTURE		
<b>ACADEMIC UNIT</b>	INTERNATIONAL, EUROPEAN AND AREA STUDIES		
<b>LEVEL OF STUDIES</b>	POSTGRADUATE		
<b>COURSE CODE</b>	<b>165</b>	<b>SEMESTER</b>	<b>B'</b>
<b>COURSE TITLE</b>	Mutual recognition of decisions in criminal matters and EU criminal procedural law		
<b>INDEPENDENT TEACHING ACTIVITIES</b> <i>if credits are awarded for separate components of the course, e.g. lectures, laboratory exercises, etc. If the credits are awarded for the whole of the course, give the weekly teaching hours and the total credits</i>	<b>WEEKLY TEACHING HOURS</b>	<b>CREDITS</b>	
	3	7,5	
<i>Add rows if necessary. The organisation of teaching and the teaching methods used are described in detail at (d).</i>			
<b>COURSE TYPE</b> <i>general background, special background, specialised general knowledge, skills development</i>	Special background and skills development		
<b>PREREQUISITE COURSES:</b>	Mainly the courses of the first semester: "Basic concepts and institutions of European criminal law" and "Judicial protection and the principle of a fair trial in the European area"		
<b>LANGUAGE OF INSTRUCTION and EXAMINATIONS:</b>	Greek		
<b>IS THE COURSE OFFERED TO ERASMUS STUDENTS</b>	Not offered		
<b>COURSE WEBSITE (URL)</b>	<a href="https://openeclass.panteion.gr/courses/PMS165/">https://openeclass.panteion.gr/courses/PMS165/</a>		

### (2) LEARNING OUTCOMES

<p><b>Learning outcomes</b></p> <p><i>The course learning outcomes, specific knowledge, skills and competences of an appropriate level, which the students will acquire with the successful completion of the course are described.</i></p> <p><i>Consult Appendix A</i></p> <ul style="list-style-type: none"> <li>• <i>Description of the level of learning outcomes for each qualifications cycle, according to the Qualifications Framework of the European Higher Education Area</i></li> <li>• <i>Descriptors for Levels 6, 7 &amp; 8 of the European Qualifications Framework for Lifelong Learning and Appendix B</i></li> <li>• <i>Guidelines for writing Learning Outcomes</i></li> </ul>
<p>Upon completion of the course students will be able to:</p> <ul style="list-style-type: none"> <li>• Comprehend, interpret and evaluate the institutions of cooperation between judicial authorities of the EU Member States, in application of the principle of mutual recognition of decisions in criminal matters.</li> <li>• Comprehend and evaluate the functional and regulatory importance of the EU directives on the procedural rights of suspects, accused persons, requested persons and victims as well as interpret their integration laws.</li> <li>• Assess the incorporation of EU legal acts into the internal legal order.</li> <li>• Comprehend the interaction between the CJEU, the ECtHR and national courts on the protection of fundamental rights in the context of the application of rules on mutual</li> </ul>

recognition of decisions in criminal matters.

- Follow the developments of the case law as well as evaluate and comment on relevant court decisions in a well-documented way.
- Identify the problems that arise in the practical implementation of individual institutions and rights as well as develop well-documented proposals to solve them.

### General Competences

*Taking into consideration the general competences that the degree-holder must acquire (as these appear in the Diploma Supplement and appear below), at which of the following does the course aim?*

*Search for, analysis and synthesis of data and information, with the use of the necessary technology*

*Adapting to new situations*

*Decision-making*

*Working independently*

*Team work*

*Working in an international environment*

*Working in an interdisciplinary environment*

*Production of new research ideas*

*Project planning and management*

*Respect for difference and multiculturalism*

*Respect for the natural environment*

*Showing social, professional and ethical responsibility and sensitivity to gender issues*

*Criticism and self-criticism*

*Production of free, creative and inductive thinking*

*.....*

*Others...*

*.....*

Search for, analysis and synthesis of data and information, with the use of the necessary technology

Adapting to new situations

Decision-making

Working independently

Team work

Working in an interdisciplinary environment

Production of new research ideas

Respect for difference and multiculturalism

Criticism and self-criticism

Production of free, creative and inductive thinking

### (3) SYLLABUS

#### Topics of lectures

- Mutual recognition of decisions in criminal matters and establishment of common minimum rules in the field of criminal procedural law
- Mutual recognition of decisions in criminal matters, mutual trust and protection of fundamental rights
- EU directives on the procedural rights of suspects, accused persons and requested persons
- Common features of measures for the implementation of the mutual recognition of decisions in criminal matters – Development over time
- European arrest warrant
- European investigation order
- Mutual recognition of freezing orders and confiscation orders
- EU directives on the procedural rights of victims

#### (4) TEACHING and LEARNING METHODS - EVALUATION

<p style="text-align: center;"><b>DELIVERY</b> <i>Face-to-face, Distance learning, etc.</i></p>	<p>Face-to-face. Distance learning, in case of a guest from abroad</p>	
<p style="text-align: center;"><b>USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY</b> <i>Use of ICT in teaching, laboratory education, communication with students</i></p>	<ul style="list-style-type: none"> <li>• Power point</li> <li>• Supporting the learning process through a dedicated learning platform [e-class]</li> <li>• Communication with students via e-mail and/or the online platform of the course.</li> </ul>	
<p style="text-align: center;"><b>TEACHING METHODS</b> <i>The manner and methods of teaching are described in detail. Lectures, seminars, laboratory practice, fieldwork, study and analysis of bibliography, tutorials, placements, clinical practice, art workshop, interactive teaching, educational visits, project, essay writing, artistic creativity, etc.</i></p> <p><i>The student's study hours for each learning activity are given as well as the hours of non-directed study according to the principles of the ECTS</i></p>	<b>Activity</b>	<b>Semester workload</b>
	Lectures	65
	Study and analysis of bibliography and case law	30
	Comment on a practical issue	50
	Non-directed study	80
	<b>225</b>	
<p style="text-align: center;"><b>STUDENT PERFORMANCE EVALUATION</b> <i>Description of the evaluation procedure</i></p> <p><i>Language of evaluation, methods of evaluation, summative or conclusive, multiple choice questionnaires, short-answer questions, open-ended questions, problem solving, written work, essay/report, oral examination, public presentation, laboratory work, clinical examination of patient, art interpretation, other</i></p> <p><i>Specifically-defined evaluation criteria are given, and if and where they are accessible to students.</i></p>	<p>Final written examination, the subjects of which are communicated online via eclass on the day and time specified in the relevant examination schedule, and the answers are also sent online, with a deadline of 24 hours from the notification of the subjects.</p> <p>During the course, each student undertakes to present orally and deliver in writing a comment on a practical issue related to the practical implementation of the mutual recognition of decisions in criminal matters or the protection of a procedural right.</p> <p>The evaluation is based on the following:</p> <ol style="list-style-type: none"> <li>a) Participation in the discussions of each lecture: 20%</li> <li>b) Comment on a practical issue: 30%</li> <li>c) Final written examination: 50%</li> </ol> <p>Students are informed of the evaluation criteria in the first lesson.</p> <p>Students have access to their marked papers if they wish.</p>	

## (5) ATTACHED BIBLIOGRAPHY

- Suggested bibliography:

### In Greek

- Αναγνωστόπουλος Η.*, *Ne bis in idem*, Ευρωπαϊκές και Διεθνείς Όψεις, Π.Ν. Σάκκουλας, 2008
- Αναγνωστόπουλος Η.*, Δικαιώματα των κατηγορουμένων στην Ευρωπαϊκή Ένωση. Οι οδηγίες 2010/64/ΕΕ και 2012/13/ΕΕ, Π.Ν. Σάκκουλας, 2017
- Αρβανίτης Δ.*, Η ευρωπαϊκή εντολή έρευνας, Π.Ν. Σάκκουλας, 2021
- Βούλγαρης Δ.*, Ευρωπαϊκό ένταλμα σύλληψης, σε: *Ειδικοί Ποινικοί Νόμοι*, Π.Ν. Σάκκουλας, τελ. ενημέρωση Ιανουάριος 2020
- Ένωση Ελλήνων Ποινικολόγων* (επιμ.), *Η ποινική δικονομία της Ευρωπαϊκής Ένωσης*, Νομική Βιβλιοθήκη, 2020
- Καϊάφα-Γκμπάντι Μ.*, Νομολογία του ΔΕΕ και ευρωπαϊκό ένταλμα σύλληψης: βασικές κατευθύνσεις και σύγχρονες τάσεις, *ΠοινΔικ* 2019, σελ. 153 επ.
- Καϊάφα-Γκμπάντι Μ. /Παπακυριάκου Θ.*, *Στοιχεία Ενωσιακού Ποινικού Δικαίου*, β' εκδ., Εκδ. Σάκκουλα Αθήνα-Θεσσαλονίκη 2019
- Κυριτσάκη Ι.*, Το ευρωπαϊκό ένταλμα σύλληψης και η αρχή του διττού αξιοποίνου, Εκδ. Σάκκουλα, 2009
- Μουζάκης Δ.*, Το ευρωπαϊκό ένταλμα σύλληψης, *Νομική Βιβλιοθήκη*, 2009
- Μυλωνόπουλος Χρ.*, *Διεθνές & Ευρωπαϊκό Ποινικό Δίκαιο*, 3 εκδ., *Νομική Βιβλιοθήκη*, Αθήνα 2021
- Μυλωνόπουλος Χρ.* (επιμ.), *Διεθνές Ποινικό Δίκαιο και σύγχρονη πραγματικότητα*, εκδ. Π.Ν. Σάκκουλας, Αθήνα 2017
- Τζαννετής Αρ.*, Η προστασία των θεμελιωδών δικαιωμάτων του εκζητουμένου στην ενωσιακή ποινική συνεργασία, εκδ. Π. Ν. Σάκκουλας, Αθήνα 2020
- Τζαννετής Αρ.*, Η Ευρωπαϊκή Εντολή Έρευνας (ενσωμάτωση της Οδηγίας 2014/41/ΕΕ με το Ν. 4489/2017), *ΠοινΧρ* 2018, σελ. 81 επ.
- Τσόλκα Ο./Αρβανίτης*, Ν. 4489/2017 «Ευρωπαϊκή εντολή έρευνας – Εναρμόνιση με την Οδηγία 2014/41/ΕΕ», σε: *Ειδικοί Ποινικοί Νόμοι*, εκδ. Π. Ν. Σάκκουλας, 2021
- Τσόλκα Ο.*, Άρθρο 48 ΧΘΔ της ΕΕ, σε: *Σαχκπεδικού/Ταγαράς*, Κατ' άρθρο ερμηνεία του Χάρτη Θεμελιωδών Δικαιωμάτων της ΕΕ, *Νομική Βιβλιοθήκη*, 2020
- Τσόλκα Ο.*, Αμοιβαία αναγνώριση ποινικών αποφάσεων και προστασία θεμελιωδών δικαιωμάτων εντός του «χώρου ελευθερίας, ασφάλειας και δικαιοσύνης» της ΕΕ, *ΠΧρ* 2018, σελ. 425-432

### In English, French and German:

- Ambos K.*, *European Criminal Law*, Cambridge University Press, 2018
- Bachmaier L.*, Transnational evidence: towards the transposition of Directive 2014/41 regarding the European Investigation Order in criminal matters, *Eucrim* 2015, p. 47-53
- Braum St.*, Das Prinzip der gegenseitigen Anerkennung, *GA* 2005, p. 687-709
- Braum St.*, The Carles Puigdemont Case: Europe's Criminal Law in the Crisis of Confidence, *German Law Journal* 2018, p. 1349-1357
- Brodersen K. H./Glerum V./Klip A.*, *The European Arrest Warrant and In Absentia Judgments*, Eleven International Publishing, 2020
- Buchard Chr.*, Die Konstitutionalisierung der gegenseitigen Anerkennung, *Juristische Abhandlungen*, Band 55, Frankfurt am Main 2019
- Callewaert J.*, The European arrest warrant under the European Convention on Human Rights: A matter of Cooperation, Trust, Complementarity, Autonomy and Responsibility, *ZEUS* 2021, p. 105-114
- Carrera S./Curtin P./Geddes A.*, 20 Years Anniversary of the Tampere Programme, σε: <https://cadmus.eui.eu/bitstream/handle/1814/66986/MPC-Tampere-Programme-final.pdf?sequence=1&isAllowed=y>
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- Flore D.*, *Droit pénal européen*, 3. Éd., Collection Droit de l' Union Européenne, Dirigée par F. Picod, Brulant, Paris 2021
- Hecker B.*, *Europäisches Strafrecht*, 6. Aufl., Springer Verlag, Berlin-Heidelberg 2021
- Klip A.*, *European Criminal Law*, 3<sup>rd</sup> ed. Intersentia, Cambridge-Antwerp-Portland 2016

*Lavenex S.*, Mutual recognition and the monopoly of force limits of the single market analogy, *Journal of European Public Policy* 2007, σελ. 762-793  
*Maduro M. P.*, So close and yet so far the paradoxes of mutual recognition, *Journal of European Public Policy* 2007, σελ. 814-831  
*Mitsilegas V.*, *EU Criminal Law after Lisbon*, Hart Publishing, Oxford and Portland, Oregon, 2 ed. 2022  
*Mitsilegas V./ di Martino A. / Mancano L.* (ed.), *The Court of Justice and European Criminal Law*, Hart Publishing, 2019  
*Nicolaidis/Schaffer*, *Transnational mutual recognition regimes: Governance without global government, Law and Contemporary problems*, 2005, σελ. 264 επ  
*Rafaraci T./Belfiore R.* (ed.), *EU Criminal Justice*, Springer, 2019  
*Ruggeri St.*, *Human Rights in European Criminal Law*, Springer, 2014  
*Xanthopoulou E.*, *Fundamental Rights and Mutual Trust in the Area of Freedom, Security and Justice*, Hart Publishing, 2020  
*Willems A.*, *The Principle of Mutual Trust in EU Criminal Law*, Hart Publishing, 2021

- Related academic journals:

Greek:

Dikaiomata tou Anthropou  
Hellenic Review of European Law  
Nomiko Vima  
Poiniki Dikaiosyni  
Poinika Chronika

Foreign:

European Constitutional Law Review (EuCost)  
European Criminal Law Review (EuCLR)  
Maastricht Journal of European and Comparative Law (MJ)  
New Journal of European Criminal Law (NJECL)  
Zeitschrift für europarechtliche Studien (ZEuS)  
Zeitschrift für Internationales Strafrecht (ZIS)