

COURSE DESCRIPTION

Academic year: 2026/2027	
University: Comenius University Bratislava	
Faculty: Faculty of Law	
Course ID: PraF.KTPKK/ ENbMP19-26/26	Course title: Comparative Criminal Law
Educational activities: Type of activities: lecture / seminar Number of hours: per week: 2 / 2 per level/semester: 26 / 26 Form of the course: on-site learning	
Number of credits: 4	
Recommended semester: 4.	
Educational level: I.	
Prerequisites:	
Course requirements: Interim evaluation: solving case studies, preparing legal analyses and their presenting, participation in discussions during exercises, interim tests (40%) Final evaluation: oral exam in the form of a combination of theoretical questions and solving model case studies using uncommented legal acts (60%) The evaluation is performed using uncommented legal acts. Classification scale: A/1 = 91–100%; B/1.5 = 81–90%; C/2 = 73–80%; D/2.5 = 66–72%; E: 60–65%, Fx: 0–59%. Scale of assessment (preliminary/final): 40/60	
Learning outcomes: A) Knowledge: The student has basic knowledge of selected substantive and procedural institutes in criminal law and of the principles that apply in the criminal law of the Slovak Republic, the Republic of Austria, Poland, Spain and Ukraine. The student is able to understand the differences in criminal law institutes in selected legal systems. In substantive law, he is able to understand in particular the principles of substantive criminal law, definitions of a crime and types of crimes, the foundations of criminal liability, circumstances excluding the illegality of an act, types of sanctions and criminal liability of legal entities. In procedural law, he is able to understand in particular the principles of criminal procedure, subjects participating in individual proceedings, means of evidence, securing institutes, decisions issued in criminal proceedings and individual stages of criminal proceedings. B) Skills: The student is able to identify the differences between selected legal systems and identify the positives and negatives of individual legal regulations based on comparisons and selected examples from the work, while being able to apply selected institutes of substantive and procedural criminal law in their basic features to the situation that has arisen within the framework of the legal system in question. C) Responsibility and independence: The student is qualified to provide advice and analytical outputs within the framework of comparative criminal law institutes. He is able to independently suggest the suitability of the selection of the relevant legal order for solving selected criminal law situations and recommend mechanisms applicable to given cases in practice.	

Class syllabus:

Comparative interpretation by comparing the legal systems of the Republic of Austria, Poland, Spain and Ukraine on relevant topics:

1. Basic principles of criminal law
2. Criminal offense and its definition, types of criminal offenses, comparison with misdemeanors and other administrative offenses
3. Fundamentals of criminal responsibility (age, sanity, fault)
4. Circumstances precluding the unlawfulness of an act
5. The system of sanctions in criminal law (emphasis on imprisonment - conditional and unconditional and alternative sentences)
6. Criminal liability of legal entities
7. Basic principles of criminal procedure (division, meaning, connection with international documents and constitutional dimension)
8. Subjects of criminal proceedings (accused, defense attorney, injured party, police officer, prosecutor, court)
9. Evidence in criminal proceedings (with emphasis on interrogations and expert witness work)
10. Detention institutes in criminal proceedings with an emphasis on the detention of persons (with an emphasis on custody and detention, in the case of the seizure of objects, also the seizure of objects, house searches, searches of other premises and land)
11. Decisions in criminal proceedings (resolution, judgment, criminal order, command and their analogous equivalents in the compared legal systems)
12. Preparatory proceedings (with emphasis on the form of preparatory proceedings and their differences - investigation and short investigation, entities conducting the investigation and short investigation, duration, types of decisions issued in the preparatory proceedings, course and termination of the preparatory proceedings)
13. Proceedings before the court (stages of the court proceedings, specifics of evidence before the court, special forms of proceedings before the court, e.g. plea bargaining proceedings, court decisions)

Recommended literature:

1. Baláž, P., Vráblová M., a kol.: Introduction to Slovak Substantive Criminal Law. Aleš Čenek : Praha, 2011
2. Penal Code, Praha : Wolters Kluwer, 2011
3. Penal Code, Bratislava : Iura Edition, 2012
4. Jalč, A. a kol.: Fundamentals of Procedural Criminal Law. Praha : Aleš Čenek, 2011
5. Code of Criminal Procedure, Praha : Wolters Kluwer, 2012
6. Schloenhardt, A., Höpfel, F. & Eder, J., Strafgesetzbuch: Austrian Criminal Code, 2. Aufl. Wien: Neuer Wissenschaftlicher Verlag (NWV), 2021
7. Schloenhardt/Eder (Hrsg): Strafprozessordnung: Austrian Code of Criminal Procedure, Wien: Neuer Wissenschaftlicher Verlag (NWV), 2024
8. Lorena Bachmaier Winter, Antonio del Moral Garcia: Criminal Law in Spain, Third edition, Wolters Kluwer, 2020
9. Wojciech Jasinski, Karolina Kremens: Criminal Law in Poland, Wolters Kluwer, 2019
10. Jarosław Zagrobnik and Kazimierz Zgryzek: Principles of Polish Criminal Procedure, HART PUBLISHING, London, 2023
11. Criminal Procedures (N 2341-III), Criminal Code of Ukraine, as consolidated in 2010

Languages necessary to complete the course:

english

Notes:						
Past grade distribution Total number of evaluated students: 0						
A	ABS	B	C	D	E	FX
0,0	0,0	0,0	0,0	0,0	0,0	0,0
Lecturers: prof. JUDr. Tomáš Strémy, PhD., doc. JUDr. Radovan Blažek, PhD.						
Last change: 30.03.2026						
Approved by:						