**Special Course of Criminal Procedure Law**

**Békés Ádám**

**The planned title of the course:** Case law of the European Court of Human Rights in relation with criminal law

**The aim of the course:**

Through its case law, the European Court of Human Rights laid down several milestones in the field of criminal law and criminal procedural law. The case law – developing over the decades – has contributed significantly to the continuous development of the principles of criminal law and the guarantee system of criminal procedural law. The results of these developments can be found in the new Act on Criminal Proceedings and in the Criminal Code of the Hungarian legislation too. The aim of this course is to present the content of these relevant articles that were developed through case law.

Given that the European Convention on Human Rights builds on precedents, it is essential to solve legal issues. Therefore, students occasionally will receive topic related cases for joint processing and finding their legal solution.

**Planned topics:**

Operations of the European Court of Human Rights; Rules of its procedure

Relationship among the European Court of Human Rights, the European Convention on Human Rights, the European Union and its Luxembourg-based Court

Article 2: Right to life

Article 3: Prohibition of torture

Article 5: Right to liberty and security

Article 6: Right to a fair trial

Article 7: No punishment without law

Article 10: Freedom of expression

**Requirements:**

Attendance and active participation in the lectures and holding an oral presentation.

**The language of the course:** English

**Planned hours:** one class per week

**Prerequisites:** Criminal law 1. and Criminal law 2.

**Literature: (Core and optional reading)**

Delmas-Marty, Mireille and Spencer, J.R.: [European Criminal Procedures. Cambridge University Press, 2006](http://pi.lib.uchicago.edu/1001/cat/bib/4762160)

Jeremy McBride, Human rights and criminal procedure, Council of Europe Publishing, 2009

Dovydas Vitkauskas, Grigoriy Dikov: Protecting the right to a fair trial under the European Convention on Human Rights, Council of Europe Publishing, 2012

Monica Macovei, A guide to the implementation of Article 5 of the European Convention on Human Rights, Human rights handbooks, No. 5

Three-scale grade: evaluation according to the three-scale grading scheme: excellent (5), satisfactory (3), fail (1)

Budapest, 10 May 2021

Dr. Ádám Békés