**List of exam question**

**Procedural part**

1. Sources of European criminal law
2. Treaty of Lisbon and criminal law (substantive and procedural)
3. Principle of conferral, proportionality and subsidiarity – criminal law aspects
4. Harmonisation of substantive criminal law in the EU – legal basis and current state of harmonisation
5. Human rights in the European Union
6. The relevance of the ECtHR jurisprudence to the EU criminal proceedings
7. The relevance of the CJEU jurisprudence in the criminal law
8. Right to a fair trial in the EU – criminal aspects
9. TREVI group – definition, scope of competences, methods of cooperation
10. Right to effective judicial protection in the EU
11. Fight against terrorism in the EU – substantive criminal law and procedural law
12. Data protection and right to privacy in the EU (including directive 2016/680)
13. Rules of data protection in the EU
14. Money laundering and protecting financial interests of the EU
15. European Public Prosecutor Office – definition, scope of competences
16. Combating racism, xenophobia and hate speech in the EU
17. Violence against women and domestic violence – combating and currents steps to safeguards women rights in the EU
18. Protection of children in the EU (victim aspect)
19. Human trafficking and states obligation to fight against this procedure
20. Serious crimes in the EU – definition, adequacy of the list of offences
21. Effective, proportionate and dissuasive penalties in the EU substantive criminal law
22. Effective investigative measures in the EU – definition, crimes when those measures are required
23. Victim’s rights in the European criminal procedure
24. Individual assessments of victim needs in the European criminal procedure
25. Protection of victims in the EU (directive 2012/29 and European Protection Order)
26. Victim right to compensation
27. Restorative justice – definition, basic principles
28. Rights of a suspect/accused in the EU (historical aspect and current status)
29. The Convention minimum standard for the procedural rights of the accused in a criminal process
30. Suspect’s/accused’s right to translation in criminal procedure (directive 2010/64)
31. Right to information about rights and obligations in criminal procedure (directive 2012/13)
32. Rights of an arrested person in the EU
33. Right to access to a case file in pre-trial and court trial criminal procedure (directive 2012/13)
34. Right to access to a lawyer (directive 2013/48, 2016/800) and possible restrictions
35. Right to legal aid (directive 2013/48, 2016/800 and 2016/1919)
36. Ex officio legal aid in the EU (directive 2016/1919)
37. Lawyer-client privilege in the EU and its exceptions (directive 2013/48)
38. Presumption of innocence in the EU criminal procedure (directive 2016/343) – definition, importance of this guarantee, scope of presumption of innocence in the EU
39. Right to not incriminate oneself in the EU criminal procedure (directive 2016/343) - definition, importance of this guarantee, scope of right to not incriminate oneself
40. Right to be present in the criminal trial (directive 2016/343)
41. Waiver of the rights of the suspect/accused – conditions of a waiver and scope of this decision
42. Vulnerable suspect/accused– definition, individual assessment of needs in criminal proceedings
43. Rights of a child in criminal procedure – suspect/accused aspect (directive 2016/800)
44. Remedies for violation of the rights of the accused in the directives 2013/48, 2016/343, 2016/1919
45. Evidentiary aspects of the EU criminal procedure

**Cooperation in criminal matters**

1. Principle of mutual recognition in the EU. Exceptions of mutual recognition of judgments
2. The role of the Court of Justice of the European Union (CJEU) in interpreting mutual recognition principles
3. Mutual trust in the European Union – definition, importance of the principle
4. Human rights and functioning of mutual recognition of judgments
5. The role of national courts in ensuring compliance with EU criminal law principles
6. Ne bis in idem principle in the EU
7. Double criminality principle in the EU
8. Speciality rule and its application in the European Union
9. The significance of the Charter of Fundamental Rights of the EU for criminal cooperation
10. The consequences of Brexit for judicial cooperation in criminal matters between the EU and the UK
11. Protection of victims’ rights in the context of EU judicial cooperation in criminal matters
12. Trans-border pursuit in the Schengen Convention
13. European Arrest Warrant (EAW) – definition and characterisation of the instrument
14. Procedural rights and guarantees of a transferred person
15. Human rights and flagrant denial of justice as the grounds for refusal of the European Arrest Warrant (EAW)
16. Issuance and execution of the European Arrest Warrant (EAW)
17. Main differences between extradition and the European Arrest Warrant (EAW)
18. EU agreement with UK about execution of the European Arrest Warrant (EAW)
19. European Investigation Order (EIO) – definition and characterisation of the instrument
20. Issuance and execution of the European Investigation Order (EIO)
21. Real-life collection of evidence and the European Investigation Order (EIO)
22. Main challenges in obtaining digital evidence in the framework of judicial cooperation in the EU
23. Encrochat case and transfer of digital evidence
24. Differences between the European Investigation Order (EIO) and traditional forms of legal assistance
25. European Protection Order (EPO) - definition and characterisation of the instrument
26. Execution of financial penalties in the EU
27. Grounds for refusal to recognize and execute a financial penalty under the framework decision
28. Traffic related offences and execution of financial penalties
29. Categories of traffic offenses covered under Directive (EU) 2015/413 and their legal implications
30. Mechanisms for identifying and notifying offenders under Directive (EU) 2015/41
31. Solving conflicts of jurisdiction in the EU
32. Challenges in implementing conflict-resolution mechanisms under Framework Decision 2009/948/JHA
33. Transfer of prisoners in the EU
34. The impact of the prisoner transfer mechanism in the EU on the rehabilitation of convicted persons
35. European Public Prosecutor Office – scope of jurisdiction and functioning of the EPPO
36. Main objectives and competences of the European Public Prosecutor’s Office (EPPO)
37. Scope of application and key objectives of Regulation (EU) 2018/1805 on freezing and confiscation orders
38. Procedural safeguards and legal remedies available to affected individuals under Regulation (EU) 2018/1805
39. Grounds for refusal to recognize and execute freezing and confiscation orders under Regulation (EU) 2018/1805
40. Criteria for determining EPPO’s jurisdiction over cross-border fraud and financial crimes
41. Cooperation mechanisms between EPPO, national authorities, and EU institutions in criminal investigations
42. The role of OLAF in protecting EU financial interests and its collaboration with Member States

**Legal acts**

1. Treaty on European Union and the Treaty on the Functioning of the European Union
2. Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings
3. Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings
4. Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty
5. Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings
6. Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings
7. Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings
8. Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA
9. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA
10. Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA
11. Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011on the European protection order (EPO)
12. Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims
13. Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law
14. Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA
15. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (Text with EEA relevance)
16. Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA
17. Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence
18. Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States - Statements made by certain Member States on the adoption of the Framework Decision
19. Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community
20. The Schengen acquis - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders – articles 41-47; 54 – 58
21. Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
22. Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order
23. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties
24. Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences Text with EEA relevance
25. Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings
26. Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union
27. Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders
28. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (‘the EPPO’)
29. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999