

Course Name : E Drejtë Penale, Pjesa e Posaçme II							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 304	N/A	Spring	3.00	1.00	0.00	3.50	6.00
Lecturer Denard Veshi, Prof. Asoc. Dr.							
Assistant Erisa Datja, MSc							
Course language Albanian							
Course level Program i Integruar							
Description		Criminal Law, Special Part II, is a continuation of Criminal Law, Special Part I. It analyzes and interprets, below, the other provisions of the special part of the Criminal Code of the Republic of Albania. During the course, the student is familiarized in detail with criminal offenses against independence and constitutional order, state authority, crimes that harm relations with other states, offenses with terrorist purposes, criminal offenses against justice, free elections, as well as those committed by criminal organization. The main focus of the subject is the detailed analysis of the elements of the figures of the above criminal offenses. For each type of criminal offense, the object, the elements of the objective side and the subjective side, as well as the subject, are analyzed in detail. The analysis and interpretation of each criminal offense provided by the Code is done in close connection with examples and cases of daily judicial practice.					
Objectives		Criminal Law, Special Part II aims to acquaint the student with the actions and omissions provided by the legislator as criminal offenses. During the treatment of the subject, the student becomes familiar with the elements of the image of each criminal offense mentioned above, being able to correctly define the object, the elements of the objective and subjective side, as well as the subject of each criminal offense. At the end of the course, the student will be able to interpret and analyze the provisions of the special part of the Criminal Code, as well as be able to correctly define the nature of the relevant criminal offense in cases of illegal actions or omissions.					
Core Concepts		1. Crimes against independence and constitutional order 2. Acts with terrorist intent 3. Crimes against state authority 4. Criminal offense against public order and security 5. Criminal offense against justice 6. Criminal offenses that affect free elections and the democratic election system 7. Criminal offenses committed by armed gangs and criminal organizations					
Course Outline							
Week	Topic						
1	Crimes against the independence and integrity of the state The topic deals with and analyzes criminal offenses directed against the independence and integrity of the state, provided for in the first section of chapter five of the special part of the Criminal Code. The determination of the object, the objective side, the subject and the subjective side will be made for criminal offenses such as the surrender of territory, surrender of armed forces, agreement to surrender territory, provocation of war, agreement for armed intervention, provision of secret information, damage to defense facilities, provision of means for the destruction of military equipment, putting them at the service of foreign countries, etc. The topic also aims to identify the common and distinguishing elements between these criminal offenses with reference to the four criteria mentioned above (elements of the criminal offense). (Pg. 238-257)						

2	Criminal offenses against the constitutional order The topic focuses on the description and analysis of criminal offenses that are directed against the constitutional order. Assassination, conspiracy, insurrection, calls to arms or unlawful taking of command, public calls for violent actions, creation of anti-constitutional parties and associations, distribution of anti-constitutional writings will be specially examined. The analysis aims not only to highlight the four elements of each criminal offense, but also the differences between the criminal offenses that are within the same section of the Criminal Code. (Pg 258-270)
3	Crimes that affect relations with other countries The topic examines the criminal offenses provided for in the sixth chapter of the special part of the Criminal Code. The determination of the object, the objective side, the subject, the subjective side will be done for criminal acts such as: violent acts against internationally protected persons, violent actions against the workplaces of internationally protected persons. The topic also aims to identify the common and distinguishing elements between these criminal offenses referring to the four elements of the criminal offense. (Pg. 271-278)
4	Criminal offenses against secrecy and state borders The topic focuses on the description and analysis of criminal offenses directed against secrecy and state borders. The disclosure of state secrets by the person entrusted to them, disclosure of state secrets by citizens, disclosure of secret acts or data, loss of secret documents, illegal crossing of the state border, assistance for illegal crossing will be examined in a special way. of borders, violation of rules on flights, etc. The analysis aims not only to highlight the four elements of each criminal offense, but also the differences that criminal offenses have between them within the same section of the Criminal Code. (Pg. 279-289)
5	Criminal offenses against state activity committed by citizens The topic focuses on the provisions made by the Criminal Code in the eighth chapter of its special part, in the first section entitled "Criminal offenses against state activity committed by citizens". The object, the objective side, the subject and the subjective side of the criminal offenses of this section will be analyzed, which include opposition to an employee performing a state duty or a public service, opposition to a public order police officer, beatings due to duty, threats due to the duty, active corruption of persons exercising public functions, active corruption of foreign public servants, exercise of illegal influence on persons exercising public functions, embezzlement of title or state office, wearing uniform without right, etc. The topic also aims to identify the common and distinguishing elements between these criminal offenses with reference to the four criteria mentioned above (elements of the criminal offense). (Pg. 290-302)
6	Criminal offenses against state activity committed by state employees or in charge of public function The topic deals with the criminal offenses provided for in the second section of the eighth chapter of the special part of the Criminal Code. Criminal offenses will be dealt with such as: abuse of office, provision of pensions or other income from social security in violation of the law, performance of the function after its termination, performance of arbitrary actions, failure to take measures to terminate the illegal situation, detention without a decision, violation of the equality of citizens. The analysis aims not only to highlight the four elements of each criminal offense, but also the differences that criminal offenses have between them within the same section of the Criminal Code. (Pages 303-327)
7	Criminal offenses against state activity committed by state employees or in charge of public function (continued) The topic is a continuation of the criminal offenses provided for in the aforementioned chapter. The analysis continues with the criminal offenses that consist of the violation of the inviolability of the residence, the obstruction and violation of the secrecy of correspondence, the misuse of contributions given by the state, the illegal benefit of interests, the violation of the equality of participants in public tenders or auctions, the passive corruption of persons exercising public functions, passive corruption of high state officials or local elected officials. The analysis will also be expanded with the comparison between the criminal offenses that are part of the same section to highlight the common and differentiating elements between them, with the aim of their correct understanding by the student. (Pages 328-340)
8	Midterm

9	Criminal offenses against public order and safety The topic deals with criminal offenses that harm public order and security. Among the criminal offenses included for analysis are: obstructing the exercise of the right to express, gather or manifest, organizing and participating in illegal gatherings and demonstrations, forcing to participate or not in a strike, inciting hatred or quarrels , participation in hostilities in a foreign country, incitement to national hatred, false notification to law enforcement agencies, disruption of public peace, self-judgment, arms and ammunition trafficking, production and sale of narcotics, narcotics trafficking, adaptation of premises for drug use, cleaning of the products of the criminal offense or criminal activity, etc. The analysis focuses on the identification of the object, the objective side, the subject, the subjective side of each criminal offense, but also on comparing the criminal offenses with each other, within the same section to highlight the commonalities and differences between them. (Pages 341-366)
10	Criminal offense with terrorist intent The topic focuses on the treatment of the concept of terrorism, the social danger it presents and the identification of the characteristics of criminal offenses that are committed with terrorist intentions. The Criminal Code lists as such the acts with terrorist intent, naming their constituent elements, the financing of terrorism, listing the forms and methods of its execution, the concealment of funds and other assets that finance terrorism, the provision of information by persons who exercise public functions or exercising a duty or profession, performing services and actions with announced persons, etc. (pp. 366-280)
11	Criminal offense with terrorist intent (continued) This topic continues with the analysis of criminal offenses with terrorist intent, considering other criminal offenses, such as: recruitment of persons to commit acts with terrorist intent or financing of terrorism, training to commit acts with terrorist intent, incitement, public appeal and propaganda for the commission of acts with terrorist purposes, the creation of armed mobs, the production of weapons of war, terrorist organizations. The analysis will also be expanded with the comparison between the criminal offenses that are part of the same section to highlight the common and distinctive elements between them. (Pg. 281-292)
12	Criminal offense against the justice system The topic deals with and analyzes the different types of criminal offenses provided for in the ninth chapter of the Criminal Code. The criminal offenses that will be examined are: failure to report the crime, actions that prevent the discovery of the truth, supporting the perpetrator of the crime, false report, false statement before the prosecutor/judicial police officer, false testimony, false translation, expert examination false, active corruption of the witness, interpreter or expert, illegal initiation of criminal prosecution, disappearance or loss of the fascicle, use of violence during investigations, etc. The analysis focuses on the identification of the object, the objective side, the subject, the subjective side of each criminal offense, but also on comparing the criminal offenses with each other, within the same section to highlight the commonalities and differences between them. (Pg. 293-318)
13	Criminal offenses against the justice system (continued) This topic continues with the analysis started in the previous topic regarding criminal offenses against the justice system. In the future, criminal offenses such as opposing and hitting the judge, threatening the judge, insulting the judge, active corruption of the judge, prosecutor and other justice officials, obstacles to the execution of court decisions, destruction of seals and signs will be examined. , providing assistance to a prisoner to remove, introduce or keep prohibited items in the institution of execution of prison sentences, etc. Also, the criminal offenses will be compared to each other to make the correct interpretation of each of them. (Pages 318-335)
14	Criminal offenses that affect free elections and the democratic election system This topic examines the criminal offenses provided for in the tenth chapter of the special part of the Criminal Code. Obstruction of electoral subjects, falsification of election materials and election results, violation of voting secrecy, active corruption in elections, use of public office for political or electoral activity, voter obstruction, illegal receipt or use of election documents will be analyzed. identification and other criminal offenses that affect free elections and the democratic election system. The analysis focuses on the identification of the object, the objective side, the subject, the subjective side of each criminal offense, but also on comparing the criminal offenses with each other, within the same section to highlight the commonalities and differences between them. (Pages 336-347)

15	Criminal offenses committed by criminal organizations and organized criminal groups The topic examines the criminal offenses provided for in the last chapter of the Criminal Code, namely in its eleventh chapter. The criminal offenses that will be the subject of analysis are: criminal organization and the method of individualizing punishment depending on the actions committed, the structured criminal group and determining the sanction depending on the role of the subject, as well as the method of attributing criminal responsibility for the commission of criminal offenses by criminal organizations and structured criminal groups. The criminal organization and the structured criminal group represent special forms of cooperation and for this reason the way of individualizing punishment and attributing criminal responsibility is of particular importance due to the dangerousness they present, but also the high sanction that the law provides for each. The comparison between them during the development of the topic helps to understand the differences between them and the correct interpretation of the criminal law in relation to each of them. (Pages 348-355)
16	Final Exam
Prerequisites	The student must attend the course at a minimum rate of 75%.
Literature	• 1. Ismet Elezi, E drejta Penale, Pjesa e Posaçme (Tiranë: KUMI, 2014)
References	• 1. Gentian Trenova, Interpretime te Kodit Penal (Pjesa e posacme) (Tiranë: Dita, 2000).
Course Outcome	
1	At the end of the course, students will know all the actions or omissions that constitute a criminal offense.
2	Translation results Translation result The student will be able to analyze the elements of the figures through interpretation techniques specific criminal offenses.
3	The student will be able to correctly define the nature of the relevant criminal offense in cases of existence of illegal actions or omissions.
4	The student will be able to handle and solve practical cases in the field of criminal law.

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	30	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	1	10	
Total in-term evaluation percent		40	
Final exam percent		60	
Total		100	
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	6	84
Duties	0	0	0
Midterms	1	1	1
Final Exam	1	1	1
Other	0	0	0
Total Work Load			150
Total Work Load / 25 (hours)			6.00
ECTS			6.00