

Course Name : Procedurë Penale II							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 412	N/A	Spring	3.00	1.00	0.00	3.50	6.00
Lecturer		Ermira Tafani, PhD					
Assistant							
Course language		Albanian					
Course level		Program i Integruar					
Description		The course program "Criminal Procedural Law" aims to: 1. To exercise continuous control of the theoretical preparation of students in the knowledge of doctrine and legislation in the field of criminal procedure; 2. Through the seminars, the practical application of the theoretical knowledge gained from this discipline should also be checked; 3. Through various legal cases and practical cases presented for discussion, to acquire practical skills in the correct application of the criminal procedural law, as well as for the recognition and interpretation of the criminal procedural provisions; 4. At the end of this course, the student must be able to know the basic principles of the Criminal Procedure and the procedures that are followed in a criminal process in the Republic of Albania.					
Objectives		he program of the subject "Criminal Procedural Law" aims to: • Acquaintance of the student with the basic theoretical concepts of criminal procedural law. • Solving practical cases by students • Discussion of problems in the practice of criminal procedure, as well as the decisions and solutions of these problems with the decisions of the Constitutional Court or the Supreme Court.					
Core Concepts		The program of the subject "Criminal Procedural Law" consists on the knowledges on: • The understanding of criminal procedural law, with the history of its development in the Republic of Albania and its compatibility with international acts and the applicable legal framework in relation to it. • Subjects of criminal proceedings, jurisdiction, powers, their role, their rights and obligations, as well as the way of functioning during this process. • Criminal procedural acts, notifications and their deadlines. • Evidence in a criminal process, the way of obtaining and gathering them for proving the guilt of the perpetrators of criminal offenses, their invalidity and unusability. • Personal security measures for perpetrators of criminal offenses, types and criteria for their placement. • The procedures that are followed in a criminal process in the investigation and trial phase until the final judicial decisions are made, as well as with their execution. • Jurisdictional relations with foreign authorities in the criminal process and the International Criminal Court.					
Course Outline							
Week	Topic						
1	Security measures 1. Personal insurance measures 1.1. Austerity measures 1.2. Preventive measures 1.3. Conditions and criteria for assigning personal insurance measures 2. Designation and implementation of security measures.						
2	1. Arrest in flagrante 2. Detention of a suspect for a crime 3. Evaluation of the arrest in flagrante and detention 4. Duration of insurance measures 5. Revocation, replacement and extinguishment of security measures 6. Compensation for wrongful imprisonment 7. Property insurance measures						
3	Preliminary investigation 1. Investigative activity of the prosecution and judicial police 2. Learning about the criminal offense 3. Procedure conditions 4. Activity initiated by the Judicial Police 5. Activity of the prosecutor during investigations 6. Deadlines for completion of investigations 7. Completion of investigations						

4	1. Termination of the criminal case 2. Suspension of investigations 3. Sending the criminal case to court
5	Criminal order The plea agreement Preliminary judgment
6	Judgment 1. Preparatory actions 2. Judicial review 2.1. Preliminary actions after the opening of the court session 2.2. Taking evidence 2.3. The new charges 2.4. Final discussion
7	Midterm
8	Decision of the Court 1. Decision of dismissal and innocence 2. Sentencing decision
9	Special judgments 1. Direct judgment 2. Shortened judgment 3 Judgment by agreement
10	Complaints 1. Object and subject of the appeal 2. Submission of appeal 3. Appeal
11	1. Judgment in the Supreme Court 2. Review of decisions 2.1. Reasons for review 2.2. Submission of the request for review of the decision 2.3. Examination of the request for review of the decision
12	Procedural expenses The judicial situation
13	Jurisdictional relations with foreign authorities 1. Development of international cooperation in the criminal field 2. Developments of Albanian legislation in this field
14	Forms of cooperation with foreign authorities 1. Extradition 2. Mutual legal assistance
15	Recognition and execution of foreign criminal decisions Transfer of proceedings
16	Final Exam
Prerequisites	The student must attend the course at a minimum rate of 75%.
Literature	• "Procedura Penale": autorë – Halim Islami, Artan Hoxha, Ilir Panda
References	• Ligj Nr. 8417, "Kushtetuta e Republikës së Shqipërisë" (i ndryshuar), Dt. Aktit: 21.10.1998 • Ligj Nr. 7905, "Kodi i Procedurës Penale i Republikës së Shqipërisë", Dt. Aktit: 21.03.1995, Dt. Miratimit: 05.04.1995, Fletore zyrtare nr. 5, fq. 159, Tiranë • Ligj Nr. 98/2016, "Për organizimin e pushtetit gjyqësor në Republikën e Shqipërisë", • Ligj Nr. 96/2016, "Për statusin e Gjyqtarëve dhe Prokurorëve në Republikën e Shqipërisë" (i ndryshuar), Dt. Aktit: 21.10.1998, Dt. Miratimit: 21.10.1998, Fletore zyrtare nr. 28, fq. 1073, Tiranë • Ligj Nr. 97/2016, "Për organizimin dhe funksionimin e prokurorisë në Republikën e Shqipërisë" • Ligj Nr. 95/2016, "PËR ORGANIZIMIN DHE FUNKSIONIMIN E INSTITUCIONEVE PËR TË LUFTUAR KORRUPSIONIN DHE KRIMIN E ORGANIZUAR" • Ligj Nr. 25/2019, "PËR ORGANIZIMIN DHE FUNKSIONIMIN E POLICISË GJYQËSORE" • Ligji nr.55/2018, "PËR PROFESIONIN E AVOKATIT NË REPUBLIKËN E SHQIPËRISË PËR PROFESIONIN E AVOKATIT NË REPUBLIKËN E SHQIPËRISË" • Ligj Nr. 10193, "Për marrëdhëniet juridiksionale me autoritetet e huaja në çështjet penale", Dt. Aktit: 03.12.2009, Dt. Miratimit: 03.12.2009, Fletore zyrtare nr. 181, fq. 8080, Tiranë
Course Outcome	
1	

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	20	
Total in-term evaluation percent			50
Final exam percent			50
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	2	2
Other	0	0	0
Total Work Load			151
Total Work Load / 25 (hours)			6.04
ECTS			6.00