

Law No. 7895, dated 27 January 1995

**CRIMINAL CODE OF
THE REPUBLIC OF ALBANIA**

TABLE OF CONTENTS

GENERAL PART

CHAPTER I - CRIMINAL LAW AND ITS APPLICATION

- Article 1 - Criminal Law and classification of criminal acts
- Article 1/a - Basics of the criminal/penal legislation
- Article 1/b - Tasks of the criminal legislation
- Article 1/c - Principles of the Criminal Code
- Article 2 - Unlawful sentencing
- Article 3 - Operation in time of the criminal law
- Article 4 - Ignorance of law
- Article 5 - Territory of the Republic of Albania
- Article 6 - The applicable law on criminal acts committed by Albanian citizens
- Article 7 - The applicable law on criminal acts committed by foreign citizens
- Article 7/a – Universal jurisdiction
- Article 8 - Applicable law on criminal acts committed by a person without nationality
- Article 9 - Responsibility of a foreign citizen who enjoys immunity
- Article 10 - Validity of criminal sentences of foreign courts
- Article 11 - Extradition

CHAPTER II - CRIMINAL RESPONSIBILITY

- Article 12 - Age for criminal responsibility
- Article 13 - Causal connection
- Article 14 - Guilt
- Article 15 - Intention
- Article 16 - Negligence
- Article 17 - Irresponsibility because of the person's mental state
- Article 18 - Criminal act committed when inebriated
- Article 19 - Necessary defense
- Article 20 - Extreme necessity
- Article 21 - Exercising a right or fulfilling a duty

CHAPTER III - ATTEMPT

Article 22 - The meaning of attempt

Article 23 - Responsibility for the attempt

Article 24 - Giving up the commitment of a criminal act

CHAPTER IV - COLLABORATION

Article 25 - Meaning of collaboration

Article 26 - Collaborators

Article 27 - Responsibility of collaborators

Article 28 - Special forms of collaboration

CHAPTER V - PUNISHMENTS

Article 29 - Principal punishments

Article 30 - Supplementary punishments

Article 31 - Life imprisonment or capital punishment

Article 32 - Imprisonment

Article 33 - The manner of serving life imprisonment and ordinary imprisonment

Article 34 - Fines

Article 35 - The removal of the right to exercise public functions

Article 36 - Confiscation of means for committing the criminal crime and criminal crime proceeds

Article 37 - Ban on driving

Article 38 - Stripping decorations and honorary titles

Article 39 - Deprivation of the right to exercise an activity or skill

Article 40 - Deprivation of the right to undertake leading positions

Article 41 - Denial of the right to stay in one or more administrative units

Article 42 - Expulsion from the territory

Article 43 - Publication of court sentences

Article 44 - The manner of serving supplementary punishments

Article 45 - The Application of the criminal law on legal persons/entities

Article 46 - Medical and educational sanctions

CHAPTER VI - DETERMINATION OF PUNISHMENT

Article 47 - Determination of punishment

Article 48 - Mitigating circumstances

Article 49 - [No title in the original]

Article 50 - Aggravating circumstances

Article 51 - Imprisonment sentencing of minors

Article 52 - Excluding minors from punishment

Article 53 - Sentencing under the minimum provided for by law

Article 54 - Accepting to pay the fine

Article 55 - Sentencing for more than one criminal act

Article 56 - Concurrence of sentences

Article 57 - Detention

CHAPTER VII - ALTERNATIVES TO IMPRISONMENT

Article 58 - Fragmentation of imprisonment

Article 59 - Suspending the execution of a sentence

Article 60 - Sanctions against the convicted under probation

Article 61 - Convicted obligations during probation

Article 62 - Revoking the sentence on suspending through

Article 63 - Suspension of imprisonment and compulsion to perform labor in favor of public interest

Article 64 - Early release on parole

Article 65 - [No title in the original]

CHAPTER VIII - CESSATION OF CRIMINAL PROSECUTION, PUNISHMENTS, AND THEIR NON-EXECUTION

Article 66 - Statute of limitations for criminal prosecution

Article 67 - Non-operation of the statute of limitations on criminal prosecution

Article 68 - Statute of limitations on the execution of sentences

Article 69 - Nullification of sentencing

Article 70 - Pardon

Article 71 - Amnesty

Article 72 - Applicability of provisions of the General Part

CHAPTER I - CRIMES AGAINST HUMANITY

Article 73 - Genocide

Article 74 - Crimes against humanity

Article 75 - War crimes

CHAPTER II - CRIMES AGAINST THE PERSON CRIMES AGAINST LIFE

SECTION I - CRIMES AGAINST LIFE COMMITTED INTENTIONALLY

Article 76 - Murder

Article 77 - Murder connected to another crime

Article 78 - Premeditated homicide

Article 79 - Homicides committed in other specific circumstances

Article 80 - [No title in original]

Article 81 - Infanticide

Article 82 - Homicide committed in a state of profound psychiatric distress

Article 83 - Homicide committed through the use of excessive force for self-defense

Article 83/a

Article 83/b – Incitement for blood feud

Article 84 – Threat

SECTION II - CRIMES AGAINST THE PERSON COMMITTED BY NEGLIGENCE

Article 85 - Manslaughter

SECTION III - CRIMINAL ACTS INTENTIONALLY COMMITTED AGAINST HEALTH

Article 86 - Torture

Article 87 - Torture resulting into serious consequences

Article 88 - Serious intentional injury

Article 88/a - Serious wounding under the conditions of hard psychic distress

Article 88/b - Serious wounding by transcending the limits of necessary defense

Article 89 - Non-serious intentional injury

Article 89/a

Article 90 - Other intentional harm

SECTION IV - CRIMINAL ACTS AGAINST HEALTH DUE TO NEGLIGENCE

Article 91 - Serious injury due to negligence

Article 92 - Non-serious injury due to negligence

SECTION V - CRIMINAL ACTS ENDANGERING THE LIFE AND HEALTH BECAUSE OF INTERRUPTION OF PREGNANCY OR REFRAINING FROM PROVIDING HELP

Article 93 - Interruption of pregnancy without the woman's consent

Article 94 - Interruption of pregnancy conducted in unauthorized places by unlicensed persons

Article 95 - Providing the utensils for interruption of pregnancy

Article 96 - Incorrect medication

Article 97 - Refraining from providing help

Article 98 - Refraining from providing help by the captain of a ship

Article 99 - Causing suicide

SECTION VI - SEXUAL CRIMES

Article 100 - Sexual or homosexual relations/ intercourse with minors/children

Article 101 - Sexual or homosexual intercourse by violence with a minor who is 14-18 years old

Article 102 - Nonconsensual sexual intercourse with mature/ adult women

Article 102/a - Homosexual relations by violence with adults

Article 103 - Sexual or homosexual relations with persons who are unable to defend themselves

Article 104 - Sexual or homosexual relation by intimidation of using a weapon

Article 105 - Sexual or homosexual relations by job/position misappropriation

Article 106 - Sexual or homosexual intercourse with persons that are related (of the same blood) or persons under custody

Article 107 - Intercourse in public places

Article 108 - Serious immoral acts

SECTION VII - CRIMINAL ACTS AGAINST PERSON'S FREEDOM

Article 109 - Kidnapping or keeping hostage a person

Article 109/a- Kidnapping or keeping hostage a person in lenitive/alleviating circumstances

Article 109/b - Forcing through blackmail or violence for submission of the wealth
(Extortion)

Article 110 - Unlawful detention

Article 110/1 - Trafficking in Persons

Article 111 - Hijacking planes, ships and other means

Article 112 - Breaking and entering into someone's house

SECTION VIII - CRIMINAL ACTS AGAINST MORALITY AND DIGNITY

Article 113 - Prostitution

Article 114 - Exploitation of prostitution

Article 114/a - Exploitation of prostitution with aggravated circumstances

Article 114/b - Trafficking of Women

Article 115 - Use of premises for prostitution

Article 116 – Homosexuality (Repealed by law no. 8733 dated 24.01.2001)

Article 117 - Pornography

Article 118 - Desecration of graves

Article 119 - Insulting

Article 120 - Libel

Article 121 - Intruding into someone's privacy

Article 122 - Spreading personal secrets

Article 123 - Halting or violation of the privacy of correspondence

SECTION IX - CRIMINAL ACTS AGAINST CHILDREN, MARRIAGE AND FAMILY

Article 124 - Abandonment of minor children

Article 124/a - Asking or reception of remuneration for adoption procedures

Article 124/b – Maltreatment of minors

Article 125 - Denial of support

Article 126 - Failing to inform on the changing of domicile

Article 127 - Unlawfully taking the child

Article 128 - Replacement of children

Article 128/a - Deliberately hiding or swapping a child

Article 128/b - Trafficking of Minors

Article 129 - Inducing minors to criminality

Article 130 - Forcing or impeding to cohabit or divorce

SECTION X - CRIMINAL ACTS AGAINST FREEDOM OF RELIGION

Article 131 - Obstructing the activities of religious organizations

Article 132 - Ruining or damaging places of worship

Article 133 - Obstructing religious ceremonies

CHAPTER III - CRIMINAL ACTS RELATED TO PROPERTY OR IN THE ECONOMIC AREA

SECTION I - THEFT OF PROPERTY

Article 134 - Theft

Article 135 - Theft through abuse of office

Article 136 - Bank robbery and savings banks robbery
Article 137 - Stealing electrical power or telephone impulses
Article 138 - Stealing works of art or culture
Article 138/a - Art and culture works trafficking
Article 139 - Robbery
Article 140 - Robbery with the use of weapons
Article 141 - Theft resulting in death
Article 141/a - Trafficking of vehicles
Article 142 - Providing equipment for theft

SECTION II - FRAUD

Article 143 - Deception/ Fraud
Article 143/a - Fraudulent and pyramid schemes
Article 144 - Fraud on subsidies
Article 145 - Fraud on insurance
Article 146 - Fraud on credit
Article 147 - Fraud on works of art and culture
Article 148 - Publication of another person's work with own name
Article 149 - Unlawful reproduction of the work of another

SECTION III - DESTROYING PROPERTY

Article 150 - Destroying property
Article 151 - Destroying property by fire
Article 152 - Destroying property by explosives
Article 153 - Destroying property by flooding
Article 154 - Destroying property with other means
Article 155 - Destroying roads
Article 156 - Destroying power network
Article 157 - Destroying the watering system
Article 158 - [No title in original]
Article 159 - Destroying water-supply system
Article 160 - Destroying works of culture
Article 161 - Destruction of property due to negligence
Article 162 - Collision of means of public transportation

SECTION IV - CRIMINAL ACTS COMMITTED IN CORPORATIONS

Article 163 - Drafting false statements
Article 164 - Abuse of powers
Article 164/a - Active corruption in the private sector
Article 164/b - Passive corruption in the private sector
Article 165 - Falsifying signatures
Article 166 - Irregularly issuing shares
Article 167 - Unfairly holding two capacities at the same time
Article 168 - Giving false information
Article 169 - Revealing secrets of a company
Article 170 - Refusing to write mandatory notes

Article 170/a - Illegal employment

Article 170/b - Illegal competition through violence

SECTION V - CRIMES IN THE FIELD OF CUSTOMS

Article 171 - Smuggling unauthorized goods

Article 172 - Smuggling goods to which excise duty is applied

Article 173 - Smuggling goods requiring license

Article 174 - Smuggling other goods

Article 175 - Smuggling done by employees that are linked to customs activities

Article 176 - Smuggling [goods with] cultural value

Article 177 - Smuggling goods holding intermediate status

Article 178 - Trading and transport of smuggled goods

Article 179 - Storing smuggled goods

Article 179/a - The non-declaration of money and of valuable objects

SECTION VI - CRIMINAL ACTS RELATED TO TAXATION

Article 180 - Concealment of income

Article 181 - Non-payment of taxes

Article 181/a - Non completion of duties from tax authorities

Article 182 - Modification of measurement devices

SECTION VII - FALSIFYING CURRENCY OR MONEY ORDERS

Article 183 - Money counterfeiting

Article 184 - Forging the valued papers/ vouchers

Article 185 - Producing instruments for forgery

SECTION VIII - FALSIFYING DOCUMENTS

Article 186 - Falsification of Documents

Article 187 - Falsifying school documents

Article 188 - Falsifying health-related documents

Article 189 - Falsification of Identity Documents, Passports or Visas

Article 190 - Falsification of Seals, Stamps or Forms

Article 191 - Falsification of Civil Status Documents

Article 192 - Production of devices to falsify documents

Article 192/a - Documents disappearing and stealing

Article 192/b - Interference in the computer transmissions

SECTION IX - CRIMINAL ACTS IN THE AREA OF BANKRUPTCY

Article 193 - Provoked bankruptcy

Article 194 - Concealment of bankruptcy status

Article 195 - Concealment of assets after bankruptcy

Article 196 - Failure to comply with obligations

SECTION X - UNLAWFUL LOTTERIES AND GAMBLING

Article 197 - Organizing unlawful lotteries

Article 198 - Providing the premises for unlawful gambling

SECTION XI - CRIMINAL ACTS WHICH VIOLATE THE LEGAL STATUS OF LAND

Article 199 - Misuse of land

Article 200 - Unlawfully taking land

CHAPTER IV - CRIMINAL ACTS AGAINST ENVIRONMENT

Article 201 - Polluting the air

Article 202 - Transporting toxic waste

Article 203 - Polluting the water

Article 204 - Prohibited fishing

Article 205 - Unlawfully cutting forests

Article 206 - Cutting decoration and fruit trees

Article 207 - Breach of quarantine for plants and animals

CHAPTER V - CRIMES AGAINST INDEPENDENCE AND CONSTITUTIONAL ORDER

SECTION I - CRIMES AGAINST INDEPENDENCE AND INTEGRITY

Article 208 - Transferring territory

Article 209 - Surrendering the army

Article 210 - Agreement for transferring territory

Article 211 - Provocation of war

Article 212 - Agreement for armed intervention

Article 213 - Handing over classified information

Article 214 - Providing information

Article 215 - Damaging defense objects

Article 216 - Providing means for destroying military technique

Article 217 - Getting paid [from foreign states]

Article 218 - Placing oneself in the service of foreign states

SECTION II - CRIMES AGAINST CONSTITUTIONAL ORDER

Article 219 - Assassination

Article 220 - Conspiracy

Article 221 - Rioting

Article 222 - Calls for taking on the arms or unlawful taking -over of the command

Article 223 - Public calls for violence

Article 224 - Founding unconstitutional parties or associations

Article 225 - Distributing unconstitutional writings

CHAPTER VI-CRIMES ENCROACHING RELATIONS WITH OTHER STATES

Article 226 - Violent acts against representatives of foreign states

Article 227 - Insulting representatives of foreign countries

Article 228 - Violent acts against working -places of foreign representatives

Article 229 - Insulting acts against the anthem and flag

CHAPTER VII - TERRORIST ACTS

Article 230 – Acts with terrorist purposes

Article 230/a - Financing of terrorism

Article 230/b - The hiding/concealing of funds and other wealth/goods that finance terrorism

Article 230/c - Giving information from persons that carry public functions or persons on duty or in exercise of the profession

Article 230/ç - The performance of the services and actions with identified persons

Article 230/d – Collection of funds for financing of terrorism

Article 231 – Recruitment of persons for committing acts with terrorist purposes or financing of terrorism

Article 232 – Training for committing acts with terrorist purposes

Article 232/a – Incitement, public call and propaganda for committing crimes with terrorist purposes

Article 232/b – Threat for committing crimes with terrorist purposes

Article 233 - Creating armed gangs

Article 234 - Producing military weapons

Article 234/a - Terrorist organizations

Article 234/b - Armed gangs

CHAPTER VIII - CRIMES AGAINST THE STATE AUTHORITY

SECTION I - CRIMINAL ACTS AGAINST STATE ACTIVITY COMMITTED BY [ALBANIAN] CITIZENS

Article 235 - Opposing the public official

Article 236 - Opposing the official of the public order police

Article 237 - Assault [to an official] on duty

Article 238 - Threatening [a public official] on duty

Article 239 - Insulting [a public official] on duty

Article 240 - Defamation [toward a public official] on duty

Article 241 - Defamation toward the President of the Republic

Article 242 - Disobeying orders of the official of public order police

Article 243 - Assaulting family members of a person acting in exercise of his state duty

Article 244 - Active corruption of persons exercising public functions

Article 245 - Active corruption of the high state official and of the local elected/representatives

Article 245/1 - The exercising of unlawful influence on public officials

Article 245/2 - The exemption from suffering the sentence

Article 246 - Appropriating a public title or office

Article 247 - Unlawfully wearing a uniform

SECTION II - CRIMINAL ACTS AGAINST THE ACTIVITY OF THE STATE COMMITTED BY PUBLIC OFFICIALS

Article 248 - Abuse of duty

Article 249 - Acting in a capacity after its termination

Article 250 - Committing arbitrary acts

Article 251 - Refusing to take measures to stop unlawful situation

Article 252 - Illegal detention

Article 253 - Denying equality of the citizens
Article 254 - Infringing the inviolability of residence
Article 255 - Hindering and violating the secrecy of correspondence
Article 256 - Misusing state contributions
Article 257 - Illegal benefiting from interests
Article 257/a - Refusal for the declaration, non declaration, hiding or false declaration of elected persons and public employees
Article 258 - Breaching the equality of participants in public bids or auctions
Article 259 - Passive corruption by public officials
Article 260 - Passive corruption by High State Officials or local elected officials
SECTION III - CRIMINAL ACTS AGAINST PUBLIC ORDER AND SECURITY
Article 261 - Preventing the exercise of freedom of speech and assembly
Article 262 - Organizing or participating in illegal assembly
Article 263 - Organizing illegal assembly with participation by armed people
Article 264 - Forcing to strike or not to strike
Article 265 - Inciting national, racial or religious hatred or conflict
Article 266 - Calls for national hatred
Article 267 - Propagating false information for panic
Article 268 - Defamation of the Republic and her symbols
Article 269 - Forcible obstruction of the activity of political parties
Article 270 - Prisoner's rebellion
Article 271 - Providing false information to emergency units
Article 272 - False information
Article 273 - Leaving the scene of an accident
Article 274 - Breach of public peace
Article 275 - Wrongful intentional use of telephone calls
Article 276 - Unlawful use of the Red Cross emblem
Article 277 - Self-made justice
Article 278 - Illegal manufacturing and keeping military weapons and ammunition
Article 278/a - Trafficking of weapons and munitions
Article 279 - Illegally manufacturing and keeping weapons with blades
Article 280 - Illegally manufacturing and keeping hunting and sporting rifles
Article 281 - Breach of rules on poisonous substances
Article 282 - Breach of rules on explosive, flammable or radioactive substances
Article 282/a - Traffic of explosive, burning, poison and radioactive matters
Article 282/b – Coaching for producing and illegally using weapons and other dangerous substances
Article 283 - Manufacturing and selling narcotics
Article 283/a - Traffic of narcotics
Article 283/b - Facilitating the drugs intake and use
Article 284 - Cultivating narcotic plants
Article 284/a - Organizing and leading criminal organizations
Article 284/b - Supporting the disclosure of crimes

Article 284/c - Producing and manufacturing narcotic and psychotropic stuff
Article 284/ç - Illegal production, trade, and use of precursors
Article 285 - Holding, producing, and transporting chemical substances
Article 285/a - Fitting premises for drugs use
Article 285/b - Throwing away or getting rid of syringes
Article 286 - Inducing the use of drugs
Article 286/a - Illegal use of high technology
Article 287 - Laundering of crime proceeds
Article 287/a - Opening of the anonymous accounts
Article 287/b – Misappropriation of stolen money or goods
Article 288 - Producing and selling foods and other substances dangerous to the health
Article 288/a - Illegal production of industrial and food items/commodities
Article 289 - Breach of rules of work-related protection
Article 290 - Breach of traffic regulations
Article 291 - Driving while inebriated or without a license
Article 292 - Breach of working-standards in transportation
Article 293 - Blocking transportation

SECTION IV - CRIMINAL ACTS AGAINST STATE SECRETS AND STATE BORDERS

Article 294 - Divulging of state secrets by a person entrusted with them
Article 295 - Divulging of state secrets by citizens
Article 295/a – Divulging of secret documents or information
Article 296 - Loss of secret documents
Article 297 - Illegally crossing state border
Article 298 - Assistance for Illegal Crossing of the Border
Article 299 - Breach of flight rules

CHAPTER IX - CRIMINAL ACTS AGAINST JUSTICE

Article 300 - Failure to report a crime
Article 301 - Obstruction of justice
Article 302 - Harboring a fugitive
Article 303 - Hiding or disfiguring a corpse beyond recognition
Article 304 - Obligation to report the evidence
Article 305 - False report
Article 305/a – False declarations before the prosecutor
Article 305/b – False declarations before the judicial police officer
Article 306 - Perjury
Article 307 - Refusing to testify
Article 308 - False translation
Article 309 - False expertise
Article 310 - Refusing to appear as a witness, expert or translator
Article 311 - Threat to remain silent
Article 312 - Active corruption of the witness, expert or interpreter

Article 312/a - The threat to do false statements or testimonies, expertise of interpretation
Article 313 - Unlawful criminal prosecution
Article 313/a - File's disappearance or loss
Article 313/b - Prohibition on providing and publishing data contrary to the law
Article 314 - Use of violence during investigation
Article 315 - Unfair sentencing
Article 316 - Opposing and assaulting a judge
Article 317 - Threat to a judge
Article 318 - Insulting a judge
Article 319 - Active corruption of the judge, prosecutor and of other justice official
Article 319/a - The passive corruption of the judges, prosecutors and other officials of the justice bodies/system
Article 320 - Preventing the enforcement of court decisions
Article 320/a - The failure to execute the court decision without grounded reasons
Article 321 - Acts opposing court's decision
Article 322 - Destruction of seals
Article 323 - Escape of the convicted from the place of detention
Article 324 - Assisting a fugitive

CHAPTER X - CRIMINAL ACTS AFFECTING FREE ELECTIONS AND THE DEMOCRATIC SYSTEM OF ELECTIONS

Article 325 - Preventing [electoral] subjects from election to representative bodies
Article 326 - Falsifying documents and election results
Article 327 - Violating voting secrecy
Article 328 - Remuneration and promises
Article 329 - Threat to the voter
Article 330 - Threat to the candidate
Article 331 - Violation of election rights
Article 332 - Abuse of military authority

CHAPTER XI - CRIMINAL ACTS COMMITTED BY AN ARMED GANG OR CRIMINAL ORGANIZATION

Article 333 - Criminal organizations
Article 333/a - The structured criminal group
Article 334 - Commission of criminal crimes by the criminal organization and the structured criminal gang
Article 334/1 – No title
Article 335 – No Title

LAW

No. 7895, dated 27.1.1995

CRIMINAL CODE OF THE REPUBLIC OF ALBANIA

GENERAL PART

CHAPTER I

CRIMINAL LAW AND ITS APPLICATION

Article 1

Criminal Law and classification of criminal acts

Criminal law defines the criminal acts, the sentencing and other measures taken against the persons who committed them.

Criminal acts are classified into crimes and contraventions. The distinction between them is made in the provisions of the Special Part of the present Code.

Article 1/a

Basics of the criminal/penal legislation

The Criminal Code is based on the Constitution of the Republic of Albania, general principles of the international penal right, and international treaties ratified by the Albanian state.

The Criminal legislation is composed of this Code and other laws that provide criminal acts.

Article 1/b

Tasks of the criminal legislation

The criminal legislation of the Republic of Albania is in charge of protecting the state's dependence and its territorial integrity, human's dignity, human rights and freedoms, constitutional order, property, environment, Albanians' cohabitation and well-understanding of Albanians with national minorities, and religious co-habitation; also, the criminal code should prevent the criminal acts.

Article 1/c

Principles of the Criminal Code

The Criminal Code is based on the constitutional principles of rule of law, equality under law, fairness in deciding about the guilt and punishment, and the humanism.

It is not allowed to implement the penal law by analogy.

Article 2

Unlawful sentencing

No one may be sentenced for an act, which is not already explicitly provided for by law as a crime or a criminal contravention.

No one may be sentenced with a type and measure of punishment that is not provided for by law.

Article 3

Operation in time of the criminal law

No one may be sentenced for an act that, according to the law in effect at the time it was committed, did not constitute a criminal act.

A new law that does not incriminate a criminal act has retroactive effect. If the person has been sentenced, the enforcement of the sentence shall not commence and, if it has commenced, it shall cease.

If a law in force at the time when a criminal act has been committed differs from a subsequent law, the law whose provisions are more favorable to the person who has committed the criminal act shall apply.

Article 4

Ignorance of law

Ignorance of the law that punishes a criminal act does not constitute a cause for exclusion from criminal responsibility, unless the ignorance is objectively inevitable.

Article 5

Territory of the Republic of Albania

The Republic of Albania's territory in the sense of criminal law, is defined as the land space, the width of the territorial and internal maritime waters, the air space extending over the land space and over the territorial and internal maritime waters space, as well as over any other place under the sovereignty of the Albanian State, such as the residencies of the Albanian diplomatic and consular missions, the ships carrying the flag of the Republic of Albania, the ships belonging to the military navy, [the carriers] and civil and military aviation wherever they happen to be.

Article 6

The applicable law on criminal acts committed by Albanian citizens

As concerning criminal acts committed by Albanian citizens within the territory of the Republic of Albania, the criminal law of the Republic of Albania shall apply.

The criminal law of the Republic of Albania shall also be applicable to the Albanian citizen who commits a crime within the territory of another country, when that crime is concurrently punishable, unless a foreign court has given a final sentence.

In the sense of this article, Albanian citizens shall also be considered those persons who apart from the Albanian citizenship hold another one too.

Article 7

The applicable law on criminal acts committed by foreign citizens

The foreign citizen who commits a criminal act within the territory of the Republic of Albania is held responsible on the basis of the criminal law of the Republic of Albania.

The criminal law of the Republic of Albania is also applicable to a foreign citizen who, outside of the Republic of Albania, commits one of the following crimes against the interests of the Albanian State or an Albanian citizen:

- a) crimes against humanity;
- b) crimes against Albanian independence and its constitutional order;
- c) crimes with terrorist purposes;
- d) organizing the prostitution, illegal trafficking of human beings, children and women, manufacturing and illegally trafficking arms, drugs, other narcotic and psychotropic substances, nuclear substances, pornographic materials, and illegal traffic of art works, and objects that have historical, cultural, and archaeological values;
- e) hijacking airplanes or ships;
- f) falsifying the Albanian state seal, Albanian currency, or Albanian bonds or stocks;
- g) crimes which affect the life or health of Albanian citizens, to which the law provides for a punishment by imprisonment of five years or any other heavier punishment;
- h) laundering of proceeds of crime.
- i) The crimes of active and passive corruption committed by persons exercising public duties/functions, as well as in the private sector.
- j) criminal offences in the area of information technology.

Article 7/a

Universal jurisdiction

The criminal law of the Republic of Albania is also applicable to the foreign citizen, who is situated in the territory of the Republic of Albania and has not been extradited, and who has committed outside of the territory of the Republic of Albania one of the following crimes:

- a) crimes against humanity;
- b) war crimes;
- c) genocide;
- d) crimes with terrorist purposes;
- e) torture.

The criminal law of the Republic of Albania is also applicable to the foreign citizen, who commits outside of the territory of the Republic of Albania one of the criminal offenses for which specific laws or international agreements, in which Albania is party, provide the applicability of Albanian criminal law.

Article 8

Applicable law on criminal acts committed by a person without nationality

If a person who does not hold any nationality commits a criminal act within the territory of the Republic of Albania or a crime outside it, the provisions of Articles 7 and 7/a of this Code shall apply.

Article 9

Responsibility of a foreign citizen who enjoys immunity

Any case concerning the responsibility of a foreign citizen who commits a criminal act within the territory of the Republic of Albania and enjoys immunity according to international law is resolved diplomatically.

Article 10

Validity of criminal sentences of foreign courts

Unless otherwise provided for by bilateral or multilateral treaties, the criminal sentences of foreign courts on Albanian citizens who declare the committal of a criminal act are valid in Albania within the limits of the Albanian law, also on the following merits:

- a) for the effect of qualifying as recidivist the person who has committed the criminal act;
- b) for executing sentences comprising additional punishment;
- c) for implementing security measures;
- d) for compensation of damages or other civil law effects.

Article 11

Extradition

Extradition may be granted only when explicitly provided for by international treaties in which the Republic of Albania is a party.

Extradition shall be granted when both Albanian law and foreign law provide for the criminal act, which constitutes the object of the request for extradition, as such simultaneously.

Extradition shall not be granted:

- a) if the person to be extradited is an Albanian citizen, unless otherwise provided for by the treaty;
- b) if the criminal act constituting the object of the request for extradition is of a political or military nature;
- c) when there is reasonable ground to believe that the person requested to be extradited will be persecuted, punished or wanted because of his political, religious, national, racial or ethnic beliefs;
- d) if the person requested to be extradited has been tried by a competent Albanian court for the same criminal act for which extradition is requested.

CHAPTER II CRIMINAL RESPONSIBILITY

Article 12

Age for criminal responsibility

A person bears criminal responsibility if, at the time he or she commits a crime, he or she has reached the age of fourteen.

A person who commits a criminal contravention bears responsibility at the age of sixteen.

Article 13

Causal connection

No one bears criminal responsibility if there is no causal connection between his action or inaction and the actual consequences or their probability to be realized.

Article 14

Guilt

No one shall be sentenced for an action or inaction that is provided for by law as a criminal act if the latter is not guilty of committing the action or inaction.

A person is guilty if he commits the criminal act intentionally or because of negligence.

Article 15

Intention

A criminal act is committed intentionally when the person foresees the consequences of the criminal act and desires them to occur or, although he foresees but does not want them, consciously allows them to occur.

Article 16

Negligence

A criminal act is committed because of negligence when the person, although he does not want its consequences, foresees the possibility of their occurrence and with lack of consideration hopes to avoid them, or when he does not foresee the consequences, but according to the circumstances, he should and could have foreseen them.

Article 17

Irresponsibility because of the person's mental state

A person does not bear criminal responsibility if, at the time of the commitment of the act, he suffered from psychic or neuropsychic disorders ruining his mental balance entirely and, consequently, was unable either to control his actions or omissions, or to understand that he is committing a criminal act.

A person is responsible if, at the time of the committal of the criminal act, he suffered from psychic or neuropsychic disorders which lowered his mental balance [and

capacity] to understand and fully control his actions or inactions, but this circumstance will be considered by the court when deciding on the degree and the kind of punishment.

Article 18

Criminal act committed when inebriated

A person is not excluded from criminal responsibility if he commits the act while inebriated.

When the state of inebriation is accidental and brings about the lowering of mental balance, the court considers this circumstance for mitigating the sentence. When the person is intentionally inebriated in order to commit a criminal act, the court considers this circumstance for aggravating the sentence.

The above-mentioned rules are also applied when the criminal act is committed under the effect of narcotics or other stimulants.

Article 19

Necessary defense

A person bears no criminal responsibility if he commits the act while being compelled to protect his or somebody else's life, health, rights and interests from an unfair, real and accidental attack, provided that the defense is proportionate to the dangerousness of the attack.

Obvious disproportion between them constitutes excessiveness over the limits of necessary defense.

Article 20

Extreme necessity

A person does not bear criminal responsibility if he commits the criminal act because of the necessity to confront a real and instant danger which threatens him, another person or property from a serious damage which is not avoidable through other means, unless it has been instigated by him and the damage incurred is greater than the damage avoided.

Article 21

Exercising a right or fulfilling a duty

A person bears no criminal responsibility if he acts to exercise rights or fulfill duties determined by law or an order ruled by a competent authority, unless the order is obviously unlawful.

When the criminal act is committed as a result of an unlawful order, then the person who has given such an order shall be held responsible.

CHAPTER III ATTEMPT

Article 22 Meaning of attempt

A criminal act is considered an attempt when, although the person undertakes straightforward actions to commit such criminal act, it is discontinued or is not completed due to circumstances independent of his will.

Article 23 Responsibility for the attempt

The person attempting to commit a crime shall be held responsible.

Considering the stage until the realization of the consequence, as well as the causes due to which the crime remained an attempt, the court may mitigate the sentence, and may lower it under the minimum provided for by law, or may decide for a kind of punishment lower than the one provided for by law.

Article 24 Giving up the committal of a criminal act

A person bears no criminal responsibility if, on his own will and in a definite way, he declines to commit a criminal act, despite the opportunities he may have for committing the act.

In the case that the actions committed up to that time contain elements of another criminal act, the person shall be held responsible for the acts committed.

CHAPTER IV COLLABORATION OF PERSONS IN COMMITTING CRIMINAL ACTS

Article 25 Meaning of collaboration

Collaboration is the agreement of two or more persons to commit a criminal act.

Article 26 Collaborators

Collaborators in committing a criminal act are considered: the organizers, executors, instigators, and helpers.

Organizers are those persons who organize and manage the activity to commit the criminal act.

Executors are those persons who carry out direct actions to carry out the criminal act.

Instigators are those persons who instigate the other collaborators to commit a criminal act.

Helpers are those persons who, through advice, instructions, provision of means, abolition of obstacles, promises to hide collaborators, tracks or objects deriving from the criminal act, help to carry it out.

Article 27

Responsibility of collaborators

Organizers, instigators, and helpers bear the same responsibility as the executors for the criminal act committed.

In deciding the sentencing of collaborators, the court should consider the level of participation and the role played by everyone in committing the criminal act.

Article 28

Special forms of collaboration

1. Criminal organization is the highest form of cooperation that is composed of three or more persons and that can be distinguished by the special degree of organization, structure, stability, duration, as well as by the purpose of committing one or more criminal acts to gain material or non material benefits.

2. The terrorist organization is a special form of the criminal organization, composed of two or more persons that have a stable collaboration extended in time, with the purpose of committing acts with terrorist purposes.

3. The armed gang is a special form of cooperation that, by possessing arms, military armaments and other necessary means, aims at the commission of criminal acts provided in Chapter V, VI and VII of the Special Part of this Code.

4. The structured criminal group is a special form of cooperation, composed of three or more persons, which have the purpose of committing one or more criminal acts, and which aim at achieving material and non-material benefits.

The structured criminal group for the commission of a criminal act is not established spontaneously and it is not necessary to distinguish it for consistent membership, division of duties, elaborated structure and organization.

5. Creation and participation in a criminal organization, terrorist organization, armed gang, or structured criminal group constitute criminal acts and are punished according to the provisions of the special part of this code or other special criminal provisions.

6. Members of the criminal organization, of the terrorist organization, of the armed gang, or of the structured criminal group are liable for all the criminal acts committed by them in fulfilling the aims of their criminal activity.

7. The member of the criminal organization, of the terrorist organization, of the armed gang, or of the structured criminal group, benefits exemption from sentencing or a reduction of the sentence, when he provides a contribution that is deemed as decisive for receiving knowledge on their activity, of the other collaborators, on wealth owned directly or not by them, as well as on the investigative activities, conducted on the criminal organizations, on terrorist organizations, armed gangs and structured criminal groups.

CHAPTER V PUNISHMENTS

Article 29 Principal punishments

The following punishments shall apply to persons that have committed crimes:

1. Life imprisonment;
2. Imprisonment;
3. Fine.

A person who has committed a criminal contravention shall suffer the following principal punishments:

1. Imprisonment;
2. Fine.

Sentence with imprisonment or fine are given together, when provided in the respective provisions of this Code.

Article 30 Supplementary punishments

Besides the principal punishment, a person who has committed crimes or criminal contravention may also be punishable by one or some of the following supplemental punishments:

1. Denial of the right to exercise public functions;
2. Confiscation of criminal crime committal means and criminal crime proceeds;
3. Ban on driving;
4. Stripping off decorations, honorary titles.
5. Deprivation of the right to exercise a profession or skill;
6. Deprivation of the right to undertake leading positions related to juridical persons;
7. Denial of the right to stay in one or some administrative units;
8. Expulsion from the territory;
9. Compulsion to make the court sentence public.

In particular cases, when the principal punishment is deemed to be inappropriate and when the law provides for imprisonment up to three years or other lighter punishments, the court may decide to apply only the supplementary punishment.

Article 31 Life imprisonment

The court decides for life imprisonment when a serious crime has been committed.

Life imprisonment is not applied to persons younger than eighteen years old, at the time when the crime is committed, or to women.

Article 32

Imprisonment

The imprisonment sentence for crimes ranges from five days to twenty-five years.
The imprisonment sentences for criminal contravention ranges from five days to two years.

Article 33

The manner of serving life imprisonment and imprisonment

Life imprisonment and imprisonment are served at special institutions set up specifically for this purpose.

The rules concerning the manner of serving the sentence of imprisonment, and the prisoner's rights and duties are defined by law.

Juveniles serve imprisonment sentences in separate institutions from adults.

Women serve imprisonment sentences in separate institutions from men.

Article 34

Fines

Fine consists of paying to the state an amount of money within the range provided for by law.

Fines are imposed upon persons who commit crimes or criminal contraventions.

Persons who commit crimes are fined in the range of 100 000 up to ten million Lek.

Persons who commit contraventions are fined in the range of 50 000 up to three million Lek.

For the persons, who commit crimes motivated by wealth benefits or other material benefits, if the penal provisions include only imprisonment, the court could also punish them by fines ranging from 100 000 up to five million Lek.

The fine must be paid within the deadline fixed by the court.

The court, while considering the economic status of the defendant, may allow him to pay his fine by installments, fixing their amount and the terms of the payment.

When the fine is not paid in due time, the court decides on replacing the fine with imprisonment, calculating 5 000 Lek per one day of imprisonment.

When the fine is imposed for a crime committed, its replacement with imprisonment cannot exceed three years, whereas when is imposed for a criminal contravention, the replacement cannot exceed one year of imprisonment, but always without exceeding the maximum of imprisonment provided for by the relevant provision.

When the person convicted, as above, pays off his fine during the imprisonment term, the court revokes its sentence and makes the calculations according to paragraph 7 of this Article.

Article 35

The removal of the right to exercise public functions

The removal of the right to exercise public functions for a period of no less than five years is obligatorily given on a person, who has committed an office-related crime

by abusing with his public function, or has committed a crime, which the courts punishes with an imprisonment sentence of no less than ten years.

The removal of the right to exercise public functions can be applied for a period from three to five years for cases, on which the court has given a sentence of five to ten years of imprisonment, and from one to three years, when the sentence given is up to three years of imprisonment.

Article 36

Confiscation of means for committing the criminal crime and criminal crime proceeds

1. Confiscation is given necessarily by the court and has to do with reception and transfer in the state's favor:

a) of the objects that have served or are specified as means for committing the criminal act;

b) of criminal act proceeds, where it is included any kind of asset, as well as legal documents or instruments verifying other titles or interests in the asset waiting upon or gained directly or indirectly from the criminal act committal;

c) of the promised or given remuneration for committing the criminal act;

ç) of any other asset, whose value corresponds to the criminal act proceeds;

d) of objects, whose production, use, holding or their alienation make a criminal act crime, and when the sentence decision is not given;

2. If the criminal act's proceeds are transformed or partly or fully converted into other assets, the latter is subject to confiscation;

3. If criminal act's proceeds are merged with assets gained legally, the latter are confiscated up to the value of the criminal act proceeds;

4. Subject to confiscation are also other incomes or profits from the criminal act proceeds, from assets that are transformed or altered to criminal act proceeds, or from assets with which these proceeds are involved, in the same amount and manner as the criminal act proceeds.

Article 37

Ban on driving

Ban on driving is imposed by the court for a period within the range of one to five years, toward persons who have committed a criminal act, when it is deemed that it will have a preventive effect or is linked to the nature of the act committed.

Article 38

Stripping decorations and honorary titles

A person is stripped of decorations and honorary titles if he commits a criminal act punishable by imprisonment and it is deemed that maintaining them does not comply with the nature of the criminal act committed.

Stripping decorations and honorary titles shall be permanent if the person is sentenced for a crime for more than ten years of imprisonment, and shall last from one to five years, if he is sentenced up to ten years of imprisonment.

Article 39

Deprivation of the right to exercise an activity or skill

The deprivation of the right to exercise an activity or skill is the prohibition of the convicted to exercise the activity or skill for which a special permission, certificate, authorization, or license has been granted by the competent authority.

Deprivation of the right to exercise an activity or skill shall last from one month to five years and is a result of any punishment for criminal acts committed through abusing them.

Article 40

Deprivation of the right to hold leading positions

Deprivation of the right to hold leading positions within the context of legal persons denies the convicted the right to exercise the duty of director, administrator, manager, liquidator, or perform any other duty relevant to the qualification of the representative of a legal person.

Deprivation of the right to hold leading positions within the context of a legal person is a result of any punishment for criminal acts and is provided for a period of time ranging from one month to five years, when the convicted has abused his authority or has acted in violation of the rules and regulations related to his duty.

When the sentence given by the court is no less than five year imprisonment, this right could be removed for a period of five to ten years.

Article 41

Denial of the right to stay in one or more administrative units

The denial of the right to stay in one or more administrative units is decided by the court for a period of time ranging from one to five years, when it is deemed that the convicted stay in those areas constitutes a danger for the public security.

Article 42

Expulsion from the territory

Expulsion from the territory of the Republic of Albania is decided by the court toward a foreign citizen or person without nationality who commits a crime and it is deemed that his further stay in the territory of the Republic of Albania should no longer continue.

The court may revoke the decision through the request of the convicted, when the foreign citizen or the person without nationality gains Albanian citizenship.

Article 43

Publication of court sentences

The court decides the publication of the court sentence when it deems that the disclosure of the content of the sentence interests legal and physical persons.

The publication of the court sentence consists of compelling the convicted to publish the court decision, at his own expenses, in one or some newspapers or RTV stations, in its entirety or partially, according to the ruling of the court.

The court decides the publication date and the length of time.

The press and mass media are obliged to publish the court sentences sent by the court.

The publication of court sentences is not granted when the divulgence of a state secret is threatened, the private life of people is violated or public moral is afflicted.

Article 44

The manner of serving supplementary punishments

If the court, in addition to the imprisonment punishment, gives one or more supplementary punishments provided for in Article 30 of this Code, their implementation commences simultaneously.

As for the paragraphs 1, 3, 5, 6, 7 and 8 of Article 30 of this Code, their implementation commences after the completion of imprisonment. The rights of the convicted afflicted by the supplementary punishments may not be enjoyed during the period of imprisonment.

Article 45

The Application of the criminal law on legal persons/entities

The legal persons, with the exception of the state, are criminally responsible for criminal acts performed by their bodies or representatives on their behalf or for their benefit.

The local government entities are criminally responsible only for the actions performed during the exercise of their activity that may be exercised by the delegating public services.

The criminal responsibility of the legal persons does not exclude that of the physical persons that have committed criminal acts or are collaborators for the committal of the same criminal acts.

The criminal acts and the sanctioning measures taken against the legal entities, as well as the procedures for the approval and application of these measures are regulated by a special law.

Article 46

Medical and educational sanctions

The court may decide medical sanctions toward mentally incapable persons who have committed criminal acts, whereas educational sanctions may be decided toward

minors who are excluded from punishment or, because of their age, do not bear criminal responsibility.

Medical sanctions are the following:

1. Compulsory outpatient treatment medical treatment;
2. Compulsory medical treatment in a medical institution;

Educational sanction is the following:

1. Placement of a minor in an institution for education.

The court can revoke, at any time, the sentence of medical or educational sanctions if the circumstances under which they were taken cease to exist, but, in any case, the court is obliged to reconsider its decision after one year from the date of the court sentence.

The rules relevant to revoking the court sentence, which contain medical and educative sanctions, are provided for in the Code of Criminal Procedure.

CHAPTER VI DETERMINATION OF PUNISHMENT

Article 47

Determination of punishment

The court determines the punishment in compliance with the provisions of the general part of this code and the margins of punishment on criminal acts provided for by law.

In determining the range of punishment against a person, the court considers the dangerousness of the criminal act, the dangerousness of its perpetrator, the level of guilt, as well as both mitigating and aggravating circumstances.

Article 48

Mitigating circumstances

The following circumstances mitigate the punishment:

- a) When the act is committed due to motivations of positive moral and social values;
- b) When the act is committed under the effect of a psychiatric distress caused by provocation or the unfair acts of the victim or some other person;
- c) When the act is committed under the influence of wrong actions or instructions of a superior;
- ç) When the person who has committed the act shows deep repentance;
- d) When the person has compensated for the damage caused by the criminal act or has actively helped to eliminate or decrease its consequences;
- dh) When the person gives himself over to the competent authorities after committing the criminal act;
- e) When the relationship between the offender and the victim has improved to normalcy.

Article 49

[No title in the original]

Regardless of the circumstances mentioned in Article 48 of this Code, the court may also consider other circumstances as long as it deems them as such to justify the mitigation of the sentence.

Article 50

Aggravating circumstances

The following circumstances aggravate the punishment:

- a) When the act committed is based upon weak motives;
- b) When the act is committed for the purpose of making responsible or hiding the criminal responsibility of a third person, or for avoiding the conviction for another criminal act, or for gaining or providing wealth benefits for yourself or for third parties, or any other material benefit;
- c) When the criminal act is committed savagely and ruthlessly;
- ç) When a crime is committed after a conviction was decided for a previous crime;
- d) When actions that aggravate or increase the consequences of a criminal act are committed;
- dh) The commission of the criminal act by abusing the public office or the religious service.
- e) When the act is committed against children, pregnant women, or other people who, for different reasons, cannot protect themselves;
- f) When the act is directed against representatives of other states;
- g) When the act is committed by taking advantage of family, friendship, or hospitable relations;
- gj) When the act is committed in collaboration;
- h) Committing the penal act more than once;
- i) When the act is committed using weapons, military ammunitions, explosive, burning, poisonous, and radioactive substances;
- j) When the act is instigated by motivations related to gender, race, religion, nationality, language, political, religious or social beliefs.

Article 51

Imprisonment sentence for minors

For minors, who at the time they committed the criminal act were under eighteen years old, the imprisonment sentence may not exceed half of the term of punishment provided for by law for the criminal act committed.

Article 52

Excluding minors from punishment

The court, considering the low dangerousness of the criminal act, the specific circumstances under which it was committed, and the previous behavior of the minor, may exclude him from punishment.

In this case the court may decide to place the minor to an educational institution.

Article 53

Decrease of sentence under the minimum provided for by law

In special cases, when the court deems that both the act and the person who committed it are of small dangerousness and there are several mitigating circumstances, the court may sentence under the minimum or may decide a punishment lower than the one provided for in the respective provision.

Article 54

Accepting to pay the fine

As concerns criminal contraventions for which, besides the fine, an imprisonment sentence is also provided, the court, upon the request of the person who committed the criminal contravention, may decide to accept a lump sum payment in favor of the state budget, equal to half of the maximum fine provided for criminal contravention by the General Part of this Code.

The request may be presented at any stage of the trial proceeding before the final decision [at the court] of first instance.

When the court rejects such a request, it sentences [the defendant] for the act committed.

The request is not accepted for persons previously convicted also for criminal contraventions.

Article 55

Sentencing for more than one criminal act

When actions or non-actions contain elements of more than one criminal act, and when the person has committed more than one criminal act for which no sentence has been given, the court first sentences every criminal act separately, and, in the end, gives a single sentence, which consists of the heavier added sentence.

The heavier added sentence may exceed neither the total sum of the punishments determined separately nor the maximum provided for the type of the sentence given.

When the court deems that committing more than one crime does not demonstrate serious dangerousness of the defendant, it may give as a final sentence the heaviest punishment provided for one of the criminal acts.

In giving its final decision, the court sentences one or more of the supplementary punishments given separately for each particular crime.

Article 56

Unification of sentences

If before serving the full sentence, the convicted is sentenced for a criminal act committed prior to the sentencing, the rules of the previous article shall apply, and the already served portion will be calculated into the new sentence.

When the convicted commits a new criminal act after his sentencing, but before the full term of the sentence is served, the court unifies the new sentence with the remaining portion of the previous term, according to the rules provided for in Article 55 of this Code.

Article 57

Calculation of detention

Detention period is calculated in imprisonment, fine and as well as in work in the public interest as follows:

One day of detention equals to one day and a half of imprisonment.

One day of detention equals to five thousand Lek of fine.

One day of detention equals to eighteen working hours in public interest.

CHAPTER VII

ALTERNATIVES TO IMPRISONMENT

Article 58

Semi-freedom

For sentences up to one year of imprisonment, the court, due to the obligations of the punished person in relation to work, education, qualification or professional training, essential family responsibilities or the need for medical treatment or rehabilitation, may decide the execution of the sentence with imprisonment in semi-freedom.

The sentenced person that serves the sentence in semi-freedom is obliged to return to prison, after carrying out responsibilities outside of prison, within the deadline established by the court.

When the sentenced person does not fulfill the obligations according to this article, article 62 of this Code is implemented.

Article 59

Suspension of the execution of an imprisonment sentence and placing of the sentenced person under probationary

Due to the low dangerousness of the person, his/hers age, health and mental condition, life style, and the needs especially of those related to the family, education or work, the circumstances under which the criminal act was committed as well as the conduct of the person after the committal of the criminal act, the court, when rules for a sentence with imprisonment for up to five years, may order the convict to keep contacts with the probationary service and be placed in probationary, by suspending the sentence execution, with the condition that during the probationary period, he/she does not commit another criminal act.

The court orders that the defendant fulfills one or more obligations, provided for in the article 60 of this Code.

The probation period extends from eighteen months to five years. If the convict doesn't keep in touch with the probationary service or doesn't fulfill the obligations provided for in the article 60, as ordered by the court, the later decides the replacement of the first sentence with another sentence, prolongation of the deadline, within the probationary period, or revocation of the suspension of the decision execution.

Article 59/a

Home confinement (stay)

For sentences with imprisonment for up to two years or when this time is the remaining time left off of the sentence, according to a decision for a longer time of the imprisonment, the court may decide for the convict to suffer the punishment at home, in a private house or a center of social and health care, when the following circumstances exist:

- a) for pregnant women or mothers with children of under ten years of age, that live with her.
- b) for fathers, who have the parental responsibilities for the child of under ten years of age, who lives with him, when the mother is deceased or unable to take care of the child.
- c) for persons, in grave medical conditions, that require continuous medical care, outside of the prison.
- d) for persons of age over sixty years old, who are medically incapable
- e) for juveniles, under the age of twenty one, with documented medical, study, work or family responsibilities needs.

The court may allow the convicted persons with home stay to leave their residence, to fulfill their necessary family needs, to engage in work activities, education or rehabilitation programs, which the probationary services has agreed upon.

In such case, the court defines the measurements that need to be taken by the probationary service.

The court revokes the home stay and substitutes it with another punishment, when the foreseen conditions provided for in the first paragraph of this article cease to exist. If the convict leaves its residence without the prior authorization of the court or violates obligations assigned in the court decision, than article 62 of the code is applied.

Article 60

Obligations of the sentenced person in probationary

The sentenced person, who is placed under probation, may be obligated by the court to fulfill one or more of the following obligations:

1. To exercise a professional activity or to receive an education or a professional training.
2. To use its wage and its income, or other assets to pay for the family obligation fulfillment
3. To compensate for the civil damage that was caused
4. To be banned from driving specific vehicles

5. To not exercise professional activities when the criminal act is related to such activity
6. To not frequent specific places
7. To not frequent locations where alcoholic beverages are served
8. To remain in his residence during specified hours
9. To not associate with specific individuals, mainly other convicts or collaborators in the criminal act.
10. To not possess, carry or use weapons
11. To be medicated or rehabilitated in a medical institution or to be submitted in a treatment, medical or rehabilitation program
12. To stop the usage of alcohol and narcotics

In defining the obligations of the convict, the court takes in consideration the age of the convict, mental condition, life style and its needs, especially the ones related with family, education or work, the motives for conducting the criminal act, his attitude after the committal of the criminal act as well as other circumstances that influence in deciding the obligations according to this article and their application.

Article 61

The convict's obligations during probation

During probation the convicted is obliged:

- a. To present regularly and inform continuously the probationary services on the fulfillment of the conditions and obligations defined by the court.
- b. To obtain consent from the supervising authorities of probation for any changes of residence or job, or visits abroad.

Article 62

Violation of the conditions and obligations during the probationary period

If, during the term of probation, the convicted commits a criminal act of, the court may change the obligations set, replace the sentence issued with another one or shall revoke fully or partly the suspending decision.

If the convict, during the probation term, violates the conditions or obligations that were set, the probation services report immediately to the prosecutor

For minor violations of conditions and obligation decided by the court, which were committed for the first time, the prosecutor has the right to give a warning, which is registered in the personal file of the convict.

For severe and repeated violations, the prosecutor requests the court to change the decided sentence, add other obligations, replacement of them with other sanctions or the revocation of the decision for the suspension of the sentence and request for the remaining of the sentence to be served in jail.

Article 63

Suspension of imprisonment sentence and compulsion to perform work in public interest

The court may suspend the imprisonment sentence if the latter is less than one year, and replace it with the compulsion to perform work in public interest, if the person and the circumstances under which the criminal act was committed are of low danger.

Work in public interest extends from forty to two hundred and forty hours and consists in the performance of work with or without consent by the convicted and without him receiving a payment of it, in public interest or to the benefit of an organization as nominated in the court verdict.

This obligation may not be imposed if the convicted refuses the suspension during the court hearing.

Work in favor of public interest is performed within a six-month term. In its sentence the court determines the number of working hours and the obligation for the convict to keep contact with the probationary services. The probationary services decides on the kind of work it will be performed, the place and the week days when the work will be performed, keeping in mind his regular employment or his family obligations. The time of the work performed on the interest of the public should not exceed eight hours a day. If the convict does not perform work in the public interest, keep contacts with the probationary services, or violates the conditions or other obligations decided by the court, the prosecutor will inform the court. After the work is performed the sentence is considered non-existent.

The court in such case follows the rules provided in the article 62 of this Code.

Article 64

Early Release on parole

The prisoner could be released earlier on parole from serving the sentence only for specific reasons, if by his behavior and work he demonstrates that by the time served, the purpose of his education is fulfilled, and when he has spent:

- no less than half of punishment time given for criminal contraventions;
- no less than $\frac{2}{3}$ of the punishment given for committing crimes punishable by imprisonment up to five years;
- no less than $\frac{3}{4}$ of the punishment for crimes punishable by imprisonment from five to twenty five years;

In the time spent in prison, the time reduced by amnesty or pardon is not counted.

It is not allowed to release early on parole a recidivist for crime committed with intent.

Early release on parole is revoked by the court, when the convict sentenced for an intentionally committed crime, during parole period, commits another intentional criminal act; in this case, the provisions on unification of punishments shall be applied.

Article 65
[No title in the original]

A convicted serving life imprisonment is deprived of the right to release on parole.

Only in extraordinary circumstances may the convicted serving life imprisonment be released on parole, [and precisely when]:

He has served no less than twenty-five years of imprisonment and, during the period serving his sentence, has had excellent behavior and it is deemed that the educational aim has been achieved.

CHAPTER VIII
CESSATION OF CRIMINAL PROSECUTION, PUNISHMENTS, AND THEIR
NONEXECUTION

Article 66

Prescription Statute of limitations for criminal prosecution

Criminal prosecution shall not be conducted if; from the moment the act was committed until the moment that the person is held defendant, have elapsed:

- a) twenty years on crimes for which the law provides sentences of no lower than ten years of imprisonment or other heavier punishment.
- b) ten years on crimes for which the law provides sentences between five and ten years of imprisonment;
- c) five years on crimes for which the law provides sentences up to five years of imprisonment or fine;
- ç) three years for criminal contraventions for which the law provides sentences up to two years of imprisonment;
- d) two years for criminal contraventions for which the law provides fines.

Article 67

Non-prescription Non-operation of the statute of limitations on criminal prosecution

There is no statute of limitation operative for the criminal prosecution against war crimes and crimes against humanity.

Article 68

Prescription of the sentence's execution

The sentence is not executed if from the day it became final have elapsed:

- a) twenty years for imprisonment sentences between fifteen to twenty-five years;
- b) ten years for imprisonment sentences between five to fifteen years;
- c) five years for imprisonment sentences of up to five years or other lower sentences.

Article 69
[Legal] Rehabilitation

The sentencing of the following is considered null and void the sentencing of:

a) those who are convicted with imprisonment sentences less than six months or with any other lower sentence, who have not committed any other criminal act for two years since the [last] day of their served sentence.

b) those who are convicted of imprisonment sentences ranging from six months up to five years and who have not committed other criminal act for five years since the [last] day of their served sentence

c) those who are convicted of imprisonment sentences ranging from five to ten years and who have not committed any other criminal act for seven years since the [last] day of their served sentence.

ç) those who are convicted of imprisonment sentences ranging from ten to twenty five years and who have not committed any other criminal act for ten years since the [last] day of their served sentence.

Article 70
Pardon

Through the act of pardoning the competent authority either excludes the person completely or partially from serving the court sentence or substitutes the sentence with a lower one.

Article 71
Amnesty

Through the act of amnesty the competent authority excludes a person from criminal prosecution, from serving the sentence completely or partially, or substitutes the sentence with a lower one.

Amnesty includes all those criminal acts committed up to one day prior to its announcement unless otherwise provided for by the respective act.

Article 72
Applicability of provisions of the General Part

The provisions of the General Part of this Code shall also apply to other criminal acts provided for as such by special laws.

SPECIAL PART

CHAPTER I
CRIMES AGAINST HUMANITY

**Article 73
Genocide**

The execution of a premeditated plan aiming at the total or partial destruction of a national, ethnic, racial or religious group directed towards its members, and combined with the following acts, such as: intentionally killing a group's members, serious physical and psychological harm, placement in difficult living conditions which cause physical destruction, applying birth preventing measures, as well as the obligatory transfer of children from one group to another, is sentenced with no less than ten years of imprisonment, or with life imprisonment.

**Article 74
Crimes against humanity**

Homicides, exterminations, using as slaves, deportations and exiles, and any kind of torture or other human violence that are committed by a pre-meditated concrete plan, against a group of civil population for political, ideological, racial, ethnic and religious motives; all are punishable by non less than fifteen years in jail or by life imprisonment.

**Article 74/a
Computer dissemination of materials in favor of genocide or crimes against humanity**

Offering in public or deliberately disseminating to the public through computer systems materials that deny, minimize significantly, approve of or justify acts that are genocide or crimes against humanity are punishable by three to six years of imprisonment.

**Article 75
War crimes**

Acts committed by different people in war time such as murder, maltreatment or deportation for slave labor, as well as any other inhuman exploitation to the detriment of civil population or in occupied territory, the killing or maltreatment of war prisoners, the killing of hostages, destruction of private or public property, destruction of towns, commons or villages, which are not ordained from military necessity, are sentenced with no less than fifteen years of imprisonment, or life imprisonment.

**CHAPTER II
CRIMINAL ACTS AGAINST THE PERSON**

CRIMES AGAINST LIFE

**SECTION I
CRIMES AGAINST LIFE COMMITTED INTENTIONALLY**

Article 76

Murder with intent

Murder committed with intent shall be punishable by a term of ten to twenty years of imprisonment.

Article 77

Murder with intent connected to another crime

The act of murder, which leads, comes along, hides or follows another crime, shall be punishable by imprisonment for not less than twenty years.

Article 78

Premeditated homicide

Pre-meditated homicide is punished by imprisonment from fifteen-twenty five years.

Homicides committed for interest, revenge or blood feud, are punished by imprisonment of not less than twenty years or by life in prison, and by fine from 500,000 up to three million Lek.

Article 79

Homicides committed in other specific circumstances

Deliberate homicide committed:

- a) against minors;
- b) against physical or psychic handicap persons, very ill persons or pregnant women, when the victim's attributes are evident or known;
- c) against the MP (deputy), judge, prosecutor, lawyer, policeman, military officer, other public officials, when they are carrying out their duty or because of their duty, when the victim's attributes are evident or known;
- ç) against the denouncer, witnesses, victims or other judicial elements/parties;
- d) more than once;
- dh) against two or more persons;
- e) in such a manner that causes particular suffers to the victim;
- ë) in a dangerous way regarding the life of many persons is punished by imprisonment of not less than twenty years or by life in prison.

Article 80

[No title in original]

Providing the [necessary] conditions and material means for committing the murder shall be punishable by an imprisonment term of up to five years.

Article 81

Infanticide

The infanticide voluntarily committed by a mother right after birth is considered criminal contravention and shall be punishable by a fine or up to two years of imprisonment.

Article 82

Homicide committed in a state of profound psychiatric distress

Homicide committed intentionally in a sudden state of profound psychiatric distress caused by violence or serious insult by the victim is sentenced up to eight years of imprisonment.

Article 83

Homicide committed through transcending the use of excessive force for self-defense

Homicide committed through the use of excessive force for self-defense is sentenced up to seven years of imprisonment.

Article 83/a

[No title in original]

Serious intimidation for revenge or blood feud, against a person in order to have him immobilized within the house is punishable by imprisonment up to three years and with fine from 100,000 up to one million Lek.

Article 83/b

Incitement for blood feud

Inciting other persons for revenge or blood feud, when it does not constitute other criminal act, is punishable by imprisonment up to three years and by fine from 100,000 up to one million Lek.

Article 84

Threat

Serious threat to cause death or grave personal harm to someone constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 84/a

Threat due to racist and xenophobic motives through the computer system

Serious threat to cause death or serious injury to someone, through computer systems, because of their ethnicity, nationality, race or religion is punishable with fine or up to three years of imprisonment.

SECTION II

CRIMES AGAINST THE PERSON COMMITTED BY NEGLIGENCE

Article 85

Manslaughter

Homicide because of negligence is punishable by a fine or up to five years of imprisonment.

SECTION III
CRIMINAL ACTS INTENTIONALLY COMMITTED AGAINST HEALTH

Article 86

Torture

Intentional committal of actions, as a result of which a person was subjected to severe physical or mental suffering, by a person who exercises a public function or incited or approved by him, openly or in silence, with the purpose:

- a) of obtaining from him or from another person information or confessions;
- b) of punishing him for an action committed or suspected to have been committed by him or another person;
- c) of intimidating or pressuring him or another person;
- ç) of any other purpose based in any form of discrimination;
- d) of any other inhuman or degrading action;

constitutes criminal act and is punishable by imprisonment from four up to ten years.

Article 87

Torture resulting into serious consequences

Torture, like any other degrading or inhuman treatment, when it has inflicted handicap, mutilation or any permanent harm to the well-being of a person, or death, is punishable by ten to twenty years of imprisonment.

Article 88

Serious intentional injury

Serious intentional injury inflicting handicap, mutilation or any other permanent detriment to the health, or inflicting interruption of pregnancy, or which has been dangerous to the life at the moment of its inducement, is punishable by three to ten years of imprisonment.

When the same act is committed against a group of people, or causes death, it is punishable by five to fifteen years of imprisonment.

Article 88/a

Serious wounding under the conditions of strong psychic distress

Serious wounding, committed under the conditions of momentary strong psychic distress, caused by the victim's violence or serious insult, is punishable by imprisonment up to five years.

Article 88/b

Serious wounding by transcending the limits of necessary defense

Serious wounding, transcending the limits of necessary defense, is punishable by imprisonment up to three years.

Article 89

Non-serious intentional injury

Intentional injury, inflicting temporary work incapacity of no longer than nine days, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 89/a

The trade of human organs, as well as every action that relates to illegal removal or implantation of the organs is sentenced with imprisonment from three up to ten years.

These very acts, when committed for profit reasons, are punishable by imprisonment from ten up to twenty years.

Article 90

Other intentional harm

Beating, as well as any other violent act constitutes criminal contravention and is punishable by a fine.

The same act, when causing temporary work incapacity of up to nine days, constitutes criminal contravention and it is punishable by a fine or up to six months of imprisonment.

SECTION IV

CRIMINAL ACTS AGAINST HEALTH DUE TO NEGLIGENCE

Article 91

Serious injury due to negligence

Serious injury due to negligence constitutes criminal contravention and is punishable by a fine or to up to one year of imprisonment.

Article 92

Non-serious injury due to negligence

Non-serious injury due to negligence constitutes criminal contravention and is punishable by a fine.

SECTION V

CRIMINAL ACTS ENDANGERING THE LIFE AND HEALTH BECAUSE OF INTERRUPTION OF PREGNANCY OR REFRAINING FROM PROVIDING HELP

Article 93

Interruption of pregnancy without the woman's consent

Interruption of pregnancy without the woman's consent, except those cases when interruption is imposed because of a justified health-related cause, is punishable by a fine or up to five years of imprisonment.

Article 94

Interruption of pregnancy conducted in unauthorized places by unlicensed persons

Interruption of pregnancy which is not conducted in public hospitals or specifically licensed private clinics, or by a person who is not doctor, or after the time allowed for the interruption except in the case when this is imposed because of a justified health-related cause, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

If the act has caused [serious] danger to the life or resulted to death, it is punishable by a fine or to up to five years of imprisonment.

Article 95

Providing the utensils for interruption of pregnancy

Providing the utensils which serve for interruption of pregnancy of a woman in order to have either her or somebody else interrupt the pregnancy, constitutes criminal contravention and is punishable by a fine or to up to one year of imprisonment.

Article 96

Incorrect medication

Incorrect medication of patients from the doctor or other medical staff, as well as non implementation of the therapy or the orders of the doctor from the medical staff or pharmacist, when it has caused serious harm to the health, has endangered the life of the person or has caused his death, is punishable by a fine or up to five years of imprisonment.

This very act, when it has caused the patients' infection by HIV/AIDS, is punishable by imprisonment from three to seven years.

Article 97

Refraining from providing help

Refraining from providing help without reasonable cause by the person who either legally or because of his capacity was obliged to provide, is considered criminal contravention and is punishable by a fine or to up to two years of imprisonment when, as its consequence, serious harm to the health, endangerment to life or death resulted.

Article 98

Refraining from providing help by the captain of a ship

Refraining from providing help by the captain of a ship to the people who are drowning in the sea or in other waters, when this help could have been provided without causing serious danger to the ship, crew and passengers, is punishable by a fine or up to four years of imprisonment.

Article 99
Causing suicide

Causing suicide or a suicide attempt by a person because of the systematic maltreatment or other systematic misbehaviors which seriously affect the dignity [of the person], committed by another person under whose material dependence or any other dependence the former person is subject, is punishable by a fine or up to five years of imprisonment.

SECTION VI
SEXUAL CRIMES

Article 100
Sexual or homosexual relations/intercourse with minors/children

Having sexual or homosexual relations with children that are less than 14 years old, or with a female child, who is not sexually matured, is punished by imprisonment from seven to fifteen years.

When the sexual or homosexual intercourse was committed with accomplices, more than once or by violence, or when the child victim had serious health consequences; this is punished by imprisonment from fifteen to twenty five years.

When that act brought as a consequence the minor's death or suicide, this is punished by imprisonment not less than twenty years.

Article 101
Sexual or homosexual intercourse by violence with a minor who is fourteen-eighteen years old

Having sexual or homosexual relations by violence with children that are fourteen to eighteen years old, or with a female child, who is sexually matured, is punished by imprisonment from five to fifteen years.

When the sexual or homosexual intercourse by violence was done with accomplices, more than once, or when the child victim had serious health consequences; this is punishable by imprisonment from ten to twenty years.

When that act brought as a consequence the minor's death or suicide, this is sentenced by imprisonment not less than twenty years.

Article 102
Nonconsensual sexual intercourse with mature/adult women

Nonconsensual sexual intercourse with mature women is punishable by three to ten years of imprisonment.

When the sexual intercourse by violence is done with accomplices, more than once, or when the victim had serious health consequences; this is punishable by imprisonment from five to fifteen years.

When the act has caused the death or suicide of the aggrieved person, it is punished with imprisonment for a term of from ten to twenty years.

Article 102/a

Homosexual intercourse by violence with adults

Having homosexual relations by violence with adults is punished by imprisonment from two to seven years. When the homosexual intercourse by violence is done with accomplices, or more than once, or when the victim had serious health consequences; this is punishable by imprisonment from five to ten years.

When that act resulted in the death or suicide of the damaged one, this is punished by imprisonment from ten to twenty years.

Article 103

Sexual or homosexual intercourse with persons who are unable to defend themselves

Having sexual or homosexual intercourse, by taking advantage of physical or mental inability of the person, or, from placing the person under unconscious condition, is punished by imprisonment from five to ten years.

When the sexual or homosexual intercourse is done with accomplices, or more than once, or when the victim had serious health consequences; this is sentenced by imprisonment from seven to fifteen years.

When that act resulted in the person's death or suicide, this is punishable by imprisonment from ten to twenty years

Article 104

Sexual or homosexual intercourse by intimidation of using a weapon

Sexual or homosexual intercourse by intimidating the person with the immediate/instant use of a weapon is punishable by imprisonment from five to fifteen years.

Article 105

Sexual or homosexual relations by abuse of power job/position misappropriation

Sexual or homosexual relations by misappropriating the relations of dependence and job position, is punishable by imprisonment up to three years.

Article 106

Sexual or homosexual intercourse with persons that are related (of the same blood) or persons under custody

Having sexual or homosexual intercourse between parents and children, brother and sister, between brothers, sisters, between persons that are related in a straight line or with persons that are under custody or adoption, is sentenced by imprisonment up to seven years

Article 107

Sexual or homosexual intercourse in public places

Sexual or homosexual intercourse in public places or in places exposed to the sight of people constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 108

Serious immoral acts

Serious immoral acts conducted with minors under the age of fourteen are punishable by up to five years of imprisonment.

SECTION VII

CRIMINAL ACTS AGAINST PERSON'S FREEDOM

Article 109

Kidnapping or holding a person hostage

Kidnapping or holding a person hostage in order to gain wealth or any other benefit, preparation/facilitation of conditions for committing a crime, helping in hiding or departure of perpetrators or collaborators of a crime, avoiding the punishment, blackmailing, for political or other reasons, is punishable/sentenced by imprisonment from ten to twenty years and with a fine from two million to five million Lek.

This very act, committed against a minor under fourteen years old, is punished by imprisonment of not less than fifteen years and with a fine of three million to seven million Lek.

Kidnapping or keeping hostage a person or a minor under fourteen years old, leading or accompanied with physical or psychic tortures, when it is committed against some persons or more than once, is punishable/sentenced by imprisonment not less than twenty years, and when it resulted in death, by life in prison as well as with a fine of five million to ten million Lek.

Article 109/a

Kidnapping or keeping hostage a person in lenitive/alleviating circumstances

When the kidnapped or hostage person is voluntarily released, less than seven days from the day he was kidnapped or kept hostage, without fulfilling the crime's purpose and, when against the person is not wielded any torture or there are no health damages, is sentenced by imprisonment from three to five years.

Article 109/b

Forcing through blackmail or violence to give out the wealth (Extortion)

Forcing through blackmail or violence in order to perform or to fail to perform a certain action, in order to unjustly gain wealth or any other benefit, for themselves or for third persons, is sentenced with imprisonment from two to eight years and with a fine from 600 000 Lek to three million Lek.

The same crime, when committed by using or by threatening to use the gun, the torture, inhuman and humiliating acts which have caused damages of the health, are sentenced with prison from seven to fifteen years and with a fine of two million up to five million lek.

When the crime has brought as a consequence the death of the person, it is sentenced with life imprisonment and with a fine of five to ten million Lek.

Article 110 **Unlawful detention**

Unlawful detention of a person constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

When this act is accompanied by severe physical suffering, committed with accomplices against some persons or more than once, is punished by imprisonment from three to seven years.

Article 110/a **Trafficking in Persons**

The recruitment, transport, transfer, hiding or reception of persons through threat or the use of force or other forms of compulsion, kidnapping, fraud, abuse of office or taking advantage of social, physical or psychological condition or the giving or receipt of payments or benefits in order to get the consent of a person who controls another person, with the purpose of exploitation of prostitution of others or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation, are punished with imprisonment of from five to fifteen years and with a fine of from two million to five million Lek.

The organization, management and financing of the trafficking of persons is punished with imprisonment of from seven to fifteen years and with a fine of from four million to six million Lek.

When this crime is committed in collaboration or more than once, or is accompanied by mistreatment and making the victim commit various actions through the use of physical or psychological force, or brings serious consequences to health, is punished with imprisonment of no less than fifteen years and with a fine of from six million to eight million Lek.

When the crime has brought about the death of the victim as a consequence, it is punished with imprisonment of no less than twenty years or with life imprisonment, as well as with a fine of from seven million to ten million Lek.

When the criminal crime is committed through the utilization of a state function or public service, the punishment of imprisonment and the fines are increased by one fourth of the punishment given.

Article 111

Hijacking planes, ships and other means

Hijacking planes, ships and other means of transportation that carry people through violence or by threatening with arms or other means is punishable by ten to twenty years of imprisonment.

Article 112

Breaking and entering into someone's house

Breaking and entering into someone's house without his consent constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Committing the act forcefully or by threat of gunpoint constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

SECTION VIII

CRIMINAL ACTS AGAINST MORALITY AND DIGNITY

Article 113

Prostitution

Prostitution is punishable by a fine or up to three years of imprisonment.

Article 114

Exploitation of prostitution

Inducing prostitution, mediating or gaining from it is punishable by a fine or up to five years of imprisonment.

Article 114/a

Exploitation of prostitution with aggravated circumstances

When exploitation of prostitution is committed:

1. with minors;
2. against some persons;
3. with persons within close consanguinity, in-laws or custodial relations or by taking advantage of an official rapport;
4. with deception, coercion, violence or by taking advantage of the physical or mental incapability of the person;
5. against a person that has been forced or coerced to exercise prostitution out of the territory of the Republic of Albania;
6. It is committed with accomplices or more than once or by persons who have state and public functions/duties; is punished from seven up to fifteen years of imprisonment.

Article 114/b
Trafficking of Women

The recruitment, transport, transfer, hiding or reception of women through threat or use of force or other forms of coercion, kidnapping, fraud, abuse of office or taking advantage of social, physical or psychological condition or the giving or receipt of payments or benefits, in order to get the consent of a person who controls another person, with the purpose of exploitation of prostitution of others or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation, are punished with imprisonment of from seven to fifteen years and with a fine of from three to six million Lek.

The organization, management and financing of the trafficking of woman is punished with imprisonment of from ten to fifteen years and with a fine of from five to seven million Lek.

When this crime is committed in collaboration or more than once, or is accompanied by mistreatment and making the victim commit various actions through the use of physical or psychological force, or brings serious consequences to health, it is punished with imprisonment of no less than fifteen years and with a fine of from six to eight million Lek.

When the crime has brought about the death of the victim as a consequence, it is punished with imprisonment of no less than twenty years or with life imprisonment, as well as with a fine of from seven to ten million Lek.

When the criminal crime is committed through the utilization of a state function or public service, the punishment of imprisonment and the fines are increased by one fourth of the punishment given.

Article 115
Use of premises for prostitution

Managing, utilizing, financing, renting the premises for purposes of prostitution, is punishable by a fine or up to ten years of imprisonment.

Article 116
Homosexuality
(Repealed by law no. 8733 dated 24.01.2001)

Article 117
Pornography

Producing, delivery, advertising, import, selling and publication of pornographic materials in minors' premises constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Making use of children for producing pornographic materials, and their distribution or publication through internet or in other ways is punishable by

imprisonment from one up to five years and by fine from one million up to five million Lek.

Article 118

Desecration of graves

Desecration of cemeteries, graves, exhumations, as well as theft of items found there in, as well as every other act of disrespect towards the dead, is punishable by a fine or up to five years of imprisonment.

Article 119

Insulting

Intentionally insulting a person constitutes criminal contravention and is punishable by a fine or to up to six months of imprisonment.

This very act, when committed in public, harming some persons, or more than once constitutes a penal contravention and is punishable by a fine, or imprisonment up to one year.

Article 119/a

Dissemination of racist or xenophobic materials through the computer system

Offering in public or deliberately disseminating to the public through computer systems materials with racist or xenophobic content constitutes a criminal contravention and is punishable by a fine or imprisonment up to two years.

Article 119/b

Insulting due to racist or xenophobic motives through the computer system

Intentionally insulting a person in public, through a computer system, because of ethnicity, nationality, race or religion constitutes a criminal contravention and is punishable by fine or imprisonment up to two years.

Article 120

Libel

Intentionally spreading rumors [or hearsay], and any other knowingly false information, which harm the honor and dignity of the person, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

This same act, when committed publicly, harming some persons, or more than once, constitutes a penal contravention and is punishable by a fine or imprisonment up to two years.

Article 121

Intruding into someone's privacy

Installing appliances which serve for hearing or recording words or images, the hearing, recording or airing words, fixing, taping or transmitting images, as well as their

preserving for publication or the publication of the data which exposes an aspect of the private life of the person without his consent, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 122

Spreading personal secrets

Spreading a secret that belongs to someone's private life, by the person who obtains that [secret] because of his duty or profession, when he is compelled not to spread it without prior authorization, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

The same act committed with the intent of embezzlement or of damaging another person, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 123

Halting or violation of the privacy of correspondence

The carrying out intentionally of acts such as destruction, non-delivery, opening and reading letters or any other correspondence, as well as the interruption, placement under control or tapping of telephones, telegraph, or any other means of communication, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment

SECTION IX

CRIMINAL ACTS AGAINST CHILDREN, MARRIAGE AND FAMILY

Article 124

Abandonment of minor children

Abandonment of a child under the age of sixteen by a parent or by a person compelled to guard over him, is punishable by a fine or up to three years of imprisonment.

When serious harm to the health or death of the child has resulted, it is punishable by three up to ten years of imprisonment.

Article 124/a

Asking or reception of remuneration for adoption procedures

Asking, proposal, giving or acceptance of remunerations and other benefits, to commit or not to commit an action, related to the adoption process of an minor, are punished with imprisonment up to seven years and fine from 300 thousand up to three million Lek.

Article 124/b

Maltreatment of minors

Physical or psychological maltreatment of a minor by the person obliged to take care of him is punishable by imprisonment from three months up to two years.

Coercing the minor to work, to obtain income, to beg or to perform actions that damage his development are punishable by imprisonment up to four years and by fine from 50 000 up to one million Lek.

When severe health damage or death of the minor has resulted, it is punishable of ten to twenty years of imprisonment.

Article 125

Denial of support

Denial of necessary support for the living of children, parents or spouse, from the person who is obliged, through a court order, to provide the support, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 126

Failing to inform on the changing of domicile

Failure to inform within one month on the changing of domicile to the interested party or to the law-enforcement agency, by the person who, according to the court order, is compelled to provide the necessary living support means to children, parents or his/her spouse, or by the person who is taking care of children after divorce, constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Article 127

Unlawfully taking the child

Unlawfully taking the child by taking him/her away from the person exercising parental authority or entrusted to raise and educate him, as well as not giving the child to the other parent in breach of the court order, constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

Article 128

Replacement of children

Replacement (change) of children negligently committed by the staff at the place where they are raised, cured, or at the maternity hospital, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 128/a

Deliberately hiding or swapping a child

Deliberately hiding or swapping a child with another one, committed by the medical personnel, is punishable by imprisonment from three to eight years.

Article 128/b
Trafficking of Minors

The recruitment, sale, transport, transfer, hiding or reception of minors with the purpose of exploitation for prostitution or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation, are punished with imprisonment of from seven to fifteen years and with a fine of from four million to six million Lek.

The organization, management and financing of the trafficking of minors is punished with imprisonment of from ten to twenty years and with a fine of from six to eight million Lek.

When this crime is committed in collaboration or more than once, or is accompanied by maltreatment and making (coercing) the victim to commit various actions through physical or psychological force, or brings serious consequences to health, it is punished with imprisonment of no less than fifteen years and with a fine of from six to eight million Lek.

When the crime has brought about the death of the victim as a consequence it is punished with imprisonment of no less than twenty years or with life imprisonment, as well as with a fine of from eight to ten million Lek.

When the criminal crime is committed through the utilization of a state function or public service, the punishment of imprisonment and the fines are increased by one fourth of the punishment given.

Article 129
Inducing minors to criminality

Inducing or encouraging minors under the age of fourteen to criminality is sentenced up to five years of imprisonment.

Article 130
Forcing or impeding to cohabit or divorce

Forcing or impeding to commence or continue cohabitation or forcing to divorce constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

SECTION X
CRIMINAL ACTS AGAINST FREEDOM OF RELIGION

Article 131
Obstructing the activities of religious organizations

Ban on the activity of religious organizations, or creating obstacles for the free exercise of their activities, is punishable by a fine or to up to three years of imprisonment.

Article 132

Destructing or damaging places of worship

Voluntarily destructing or damaging places of worship, when it has inflicted the partial or total loss of their values, is punishable by a fine or up to three years of imprisonment.

Article 133

Obstructing religious ceremonies

Ban or creating obstacles for participating in religious ceremonies, as well as for freely expressing religious beliefs, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

CHAPTER III

CRIMINAL ACTS RELATED TO PROPERTY OR IN THE ECONOMIC AREA

SECTION I

THEFT OF PROPERTY

Article 134

Theft

Property theft is punished with imprisonment of three months up to three years.

The same crime, when committed in collaboration or more than once, is punished with an imprisonment term of six months to five years.

The same crime, when it has brought about serious consequences, is punished with imprisonment of four to ten years.

Article 135

Theft through abuse of office

Theft of property, committed by the person whose duty is to protect and administer it, or through abuse of office, is sentenced up to ten years of imprisonment.

Article 136

Bank robbery and savings bank registries robbery

Bank robbery and savings bank robbery is punishable by five up to fifteen years of imprisonment.

This very act, when committed by accomplices, or more than once, or when it brought about serious consequences, is sentenced by imprisonment from ten to twenty years.

Article 137

Stealing electrical power or telephone impulses

Illegal connection to the electrical grid constitutes a penal contravention and is sentenced by a fine or imprisonment up to two years.

Stealing electrical power or telephone lines impulses is punishable by up to three years of imprisonment.

Article 138
Stealing works of art or culture

Stealing works of art or culture is punishable by a fine or up to five years of imprisonment.

Stealing works of art or culture that have national importance is punishable by five to ten years of imprisonment.

Article 138/a
Trafficking of art and culture works

The illegal import, export, transit, and trade of art and culture works, in order to have material or any other benefits, is sentenced by imprisonment from three to ten years.

This very act, when committed with accomplices, or more than once, or when it brings about serious consequences, is sentenced by imprisonment from five to fifteen years.

Article 139
Robbery

Stealing property through the use of force is punishable by five to fifteen years of imprisonment.

Article 140
Armed Robbery

Wealth stealing, accompanied by bearing military weapons or ammunitions, or by their use, is punished by imprisonment from ten to twenty years.

Article 141
Theft resulting in death

Theft of property, when accompanied with such actions as resulting in the death of the person, is punishable by fifteen to twenty years of imprisonment or to life imprisonment.

Article 141/a
Trafficking of vehicles

The illegal import, export, transit, and trade of stolen motor vehicles, in order to have material or other benefits, is punishable by imprisonment from three to seven years.

This very act, when committed with accomplices, or more than once, or when it brings about serious consequences, is punishable by imprisonment from five to fifteen years.

Article 142
Providing equipment for theft

Providing the conditions and material equipment for theft is punishable by a fine or up to three years of imprisonment.

SECTION II
FRAUD

Article 143
Deception/Fraud

Stealing property through lies or abuse of trust is punishable by a fine or up to five years of imprisonment.

This very act, when committed with accomplices and harming some persons, or more than once, is punished by imprisonment from three to ten years and, when it brings about serious consequences, is sentenced by imprisonment from ten to twenty years.

Article 143/a
Fraudulent and pyramid schemes

Organizing and putting in function fraudulent and pyramid schemes by borrowing money, in order to have material benefits, is punished by imprisonment from three to ten years.

This very act, when it brings about serious consequences, is sentenced by imprisonment from ten to twenty years.

Article 143/b
Computer fraud

Entering, modifying, deleting or omitting computer data or interfering in the operation of a computer system, in order to ensure for oneself or for their parties, through fraud, an unfair economic benefit or to cause to a third party asset reduction, are punishable by imprisonment from six months up to six years and fine from 60 000 Lek to 600 000 Lek.

This very act, when committed with accomplices, or more than once, or when it brought about serious material consequences, is punished by imprisonment from five to fifteen years and by fine from 500 000 Lek up to 5 000 000 Lek.

Article 144
Fraud on subsidies

Fraud on documents presented, thus fraudulently obtaining subsidies from the state, is punishable by a fine or up to four years of imprisonment.

Article 145
Fraud on insurance

Presenting false circumstances [or false information] related to the object to be insured, or fabricating false circumstances and presenting them into documents thus

fraudulently obtaining insurance, is punishable by a fine or up to five years of imprisonment.

Article 146

Fraud on credit (loans)

Fraud on presented documents, thus fraudulently obtaining credit through fictitious registration in property registration offices of objects which do not exist, or [which are] over estimated, or which belong to somebody else's property, committed with the intent of not paying back the credit, is punishable by a fine or up to seven years of imprisonment.

Article 147

Fraud on works of art and culture

Steal of property through fraud by presenting a work of art or culture as being original or by an author other than the real one, is punishable by a fine or up to four years of imprisonment.

Article 148

Publication of another person's work with own name

Publication or the partial or total use with his own name, of a work of literature, music, art or science which belongs to another, constitutes criminal contravention and is punishable by a fine or up to two year of imprisonment.

Article 149

Unlawful reproduction of someone's work

Total or partial reproduction of a work of literature, music, art or science which belongs to another, or if their use is conducted without the author's consent, when his personal and property rights are violated, constitutes criminal contravention and is punishable by a fine or by imprisonment up to two years.

SECTION III

DESTROYING PROPERTY

Article 150

Destroying property

Intentionally destroying or damaging the property, when material consequences are serious, is punishable by a fine or up to three years of imprisonment.

Article 151

Destroying property by fire

Intentionally destroying or damaging property by fire is punishable by a fine or up to five years of imprisonment.

When the criminal act has led to serious material consequences, it is sentenced up to ten years of imprisonment.

When serious consequences to the health of people have resulted, it is punishable by five to fifteen years of imprisonment.

Article 152

Destroying property by explosives

Intentionally destroying or damaging property by explosives is punishable by a fine or up to five years of imprisonment.

When the criminal act has led to serious material consequences, it is punishable by five to ten years of imprisonment.

When serious consequences to the health of people have resulted, it is punishable by ten to twenty years of imprisonment.

Article 153

Destroying property by flooding

Intentionally destroying or damaging property by flooding is punishable by a fine or up to five years of imprisonment.

When the criminal act has led to serious material consequences, it is punishable by five to ten years of imprisonment.

When serious consequences to the health of people have resulted, it is punishable by five to fifteen years of imprisonment.

Article 154

Destroying property with other means

Intentionally destroying or damaging property with other means, which constitute danger to the environment and the health of people, is punishable by a fine or to up to five years of imprisonment.

When the criminal act has led to serious material consequences, it is punishable by five to ten years of imprisonment.

When serious consequences to the health of people have resulted, it is punishable by five to fifteen years of imprisonment.

Article 155

Destroying roads

Intentionally destroying or damaging automobile roads, railways and works related to them, is punishable by a fine or up to seven years of imprisonment.

When the criminal act has led to serious material consequences, it is punishable by three to ten years of imprisonment.

When serious consequences to the health of people have resulted, it is punishable by five to fifteen years of imprisonment.

Article 156

Destroying power grid (network)

Intentionally destroying or damaging power, telegraphic, telephonic, radio television network or any other communication network, is punishable by a fine or up to three years of imprisonment.

This very act, when committed with accomplices, more than once, or when it brought about serious consequences, is punished by imprisonment up to three years.

Article 157

Destroying the watering system

Intentionally destroying or damaging the watering or draining systems or the works related to them, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 158

[No title in original]

Unfair management of water, by turning or changing the waterlines, by opening the dams, by constructing or closing draining or watering channels, waterlines or other works, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 159

Destroying water-supply system

Connecting, or any other intervention into the water supply system conducted without prior permission, in order to get drinking water, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Intentionally destroying the water-supply system is punishable by up to five years of imprisonment.

Article 160

Destroying works of culture

Intentionally destroying or damaging works of culture is punishable by a fine or up to three years of imprisonment.

When the criminal act has resulted into the destruction or damaging of works of culture of national importance, it is punishable by a fine or up to eight years of imprisonment.

Article 161

Destruction of property due to negligence

Destruction or damaging of property due to negligence, when serious material consequences have resulted, is punishable by a fine or up to three years of imprisonment.

Article 162

Collision of public transportation means

Colliding of trains, ships, airplanes, due to negligence, when crashing, burning, sinking, overturning, derailment, or serious material consequences accompanying the event have resulted, is punishable by a fine or up to five years of imprisonment.

SECTION IV

CRIMINAL ACTS COMMITTED IN CORPORATIONS

Article 163

Drafting false statements

Drafting false statements, about the increase of capital of a company, related to the distribution of shares of initial capital to the shareholders [or] its repayment or the deposit of funds, constitutes criminal contravention and is punishable by a fine.

Article 164

Abuse of powers

Abuse of powers by members of the executive board or by managers of the company with the intent of embezzlement or favoritism of another company where they have interests, is punishable by a fine or up to five years of imprisonment.

Article 164/a

Active corruption in the private sector

The direct or indirect promise, offer, or giving to a person, who exercises a management function in a commercial company or who works in any other position in the private sector, of any irregular benefit for himself or a third person, in order to act or in order to fail to act, contrary to his duty, is a criminal contravention and is punished with a prison term of three months up to two years and a fine from 200,000 to one million Lek.

Article 164/b

Passive corruption in the private sector

Direct or indirect soliciting or taking of any irregular benefit or of any such promise, for himself or a third person, or accepting an offer or a promise that follows from the irregular benefit, of the person that exercises a management function or works in whatever position in the private sector, with the purpose to act or not to act contrary to his duty or function, is sentenced with imprisonment term of six months up to three years and a fine from 300,000 to three million Lek.

Article 165

Falsifying signatures

Falsifying signatures and deposits, or false statement of deposits of the company's funds, or publication of signatures and deposits of fictitious people, or assessing the contribution in kind to a bigger value than the factual one, is punishable by a fine or up to five years of imprisonment.

Article 166

Irregularly issuing shares

Irregularly issuing shares before registration of the company, or when registration is made illegally, or when the documents of the company have not yet been [formally] completed, or when the statute of the company after its increase of capital has not been changed or has not been registered or has been drafted unlawfully, constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Article 167

Unfairly holding two capacities at the same time

Simultaneously holding the capacities of shareholder and certified accountant constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

Article 168

Giving false information

Giving false information on the situation of a company by the certified accountant of a corporation, or non-reporting to the competent agency on an offence committed, when cases of exclusion from criminal responsibility provided in Article 300 of this Code do not exist, is punishable by a fine or up to five years of imprisonment.

Article 169

Revealing secrets of a company

Revealing the secrets of a company by its certified accountant, except in the case when he is compelled to do so by law, criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 170

Refusing to write mandatory notes

Refusing to write mandatory notes by the manager or the liquidator of the company constitutes criminal contravention and is punishable by a fine.

Article 170/a

Illegal employment

Employment without registration with the competent authorities or without guaranteeing employee's insurance according the regulations, when an administrative

measure has been rendered first, is sentenced with a fine up to 10 000 Lek for any case, or with imprisonment of up to one year.

Deliberate omission or camouflage of the infringements connected with the employment or the social security from people tasked with the application and the control of the relevant dispositions, constitutes a criminal contravention and is punished with a fine of up to 100 000. Lek, or imprisonment of up to two years.

Article 170/b

Illegal competition through violence

The performance, during the exercise of commercial activity, of actions of competition through threat or violence, is punished with imprisonment from one to four years.

When the acts of competition are directed towards activities fully or partly, and in any way financed from the state or from the public entities, the sentence with imprisonment is added with one third.

SECTION V CRIMES IN THE FIELD OF CUSTOMS

Article 171

Smuggling unauthorized goods

Unlawful importing, exporting or transiting unauthorized goods entering or leaving the Republic of Albania, committed through any means or ways, is sentenced up to ten years of imprisonment.

Article 172

Smuggling goods to which excise duty is applied

Importing, exporting or transiting goods to which excise duty is applied, by passing them through places out of the custom stations, their partial or total concealment, inaccurate declaration to customs, false declaration of the kind, sort, quality, price, destination of goods or other forms aimed at avoiding custom duties, are punishable by a fine or up to seven years of imprisonment.

Article 173

Smuggling goods requiring license

Importing, exporting or transiting goods which require a license from the competent authority by passing them through places out of the custom stations, their partial or total concealment, inaccurate declaration to the customs, false declaration of the kind, sort, quality, price, destination of goods or other forms aimed at avoiding custom duties, are punishable by a fine or up to five years of imprisonment.

Article 174

Smuggling other goods

Importing, exporting or transiting goods by passing them through places out of the custom stations, their partial or total concealment, inaccurate declaration to the customs, false declaration of the kind, sort, quality, price, destination of goods or other forms aimed at avoiding custom duties, are punishable by a fine or up to five years of imprisonment.

Article 175

Smuggling carried out by custom officials

Smuggling carried out by custom officials, or by other employees having a working relationship with the activity of customs, even when in collaboration with other persons, is punishable by three to ten years of imprisonment.

Article 176

Smuggling [goods with] cultural value

Importing, exporting or transiting [goods with] national cultural value carried out against the legal provisions related to them is sentenced up to ten years of imprisonment.

Article 177

Smuggling goods holding intermediate status

Importing, exporting or transiting goods which are declared as having an intermediate status with the intent of avoiding the custom duties is punishable by a fine or up to five years of imprisonment.

Article 178

Trading and transportation of smuggled goods

Trading, alienation or transportation of goods, which are known to be smuggled, as well as any help given to persons engaged in those activities, is punishable by a fine or up to three years of imprisonment.

Article 179

Storing smuggled goods

Storing, accumulating, keeping or processing goods, which are known to be smuggled, is punishable by a fine or up to three years of imprisonment.

Article 179/a

The non-declaration of money and of valuable objects

The non- declaration, in entrance or exit of the territory of the Republic of Albania of amounts of money, of any type of bank check, of metals or precious stones, as well as of other valuable objects, beyond the value provided by law, constitutes penal contravention and is punished by fine or imprisonment up to two years.

SECTION VI
CRIMINAL ACTS RELATED TO TAXATION AND TARIFFS

Article 180
Concealment of income

Concealment or false statement of income or other objects which are subject to taxation, in cases when other administrative sanctions have been previously taken, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 181
Non payment of taxes

Non payment of taxes [and tariffs] within the time required by law by the person against whom administrative sanctions were previously taken for the same reason, is punishable by a fine or up to three years of imprisonment.

Article 181/a
Non completion of duties from tax authorities

Non completion of the duties related with collecting of the taxes and tariffs within the defined legal term by the employees of the tax organs and other official persons assigned with these duties, when it is done because of their fault and has brought a damage to the state with a value of less than one million Lek, is punished by fine of up to two million Lek; when the value is higher than one million Lek it is punished by three to up to ten years imprisonment.

Article 182
Modification of measurement devices

Modification or any other intervention in measurement devices and counters, or utilizing altered measurement devices and counters, or allowing the use by others of irregular measurement devices and counters, with the intent of avoiding the full payment of taxes [and tariffs], constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

SECTION VII
FALSIFYING CURRENCY OR MONEY ORDERS (BOND PAPER)

Article 183
Money counterfeiting

Forging or putting in circulation counterfeit money is punishable by imprisonment up to five years.

This very act, when committed with accomplices, or more than once, or when it brought about serious consequences, is punished by imprisonment from five to fifteen years.

Article 184

Forging valued papers/vouchers

Forging and putting in use checks, bills of exchange, credit cards, traveler's checks, or other valued papers, is punished by imprisonment up to five years.

This very act, when committed with accomplices, or more than once, or when it brought about serious consequences, is punished by imprisonment from three to ten years.

Article 185

Producing instruments for forgery

Manufacturing or keeping equipment for falsifying currency, checks, bills of exchange, credit cards, traveler's checks or other financial documents, is punishable by a fine or from one to three years of imprisonment.

This very act, when committed with accomplices, or more than once, or when it brought about serious consequences, is punished by imprisonment from three to ten years.

SECTION VIII

FALSIFICATION OF DOCUMENTS

Article 186

Falsification of Documents

The falsification or use of falsified documents is punished with imprisonment of up to three years and with a fine of from 200 000 to 600 000 Lek.

When this crime is committed in collaboration or more than once or when it has brought serious consequences, it is punished with imprisonment of from six months to four years and with a fine of from 300 000 to one million Lek.

When the falsification is done by a person who has the duty of issuing the document, it is punished with imprisonment of from one year to seven years and with a fine of from 500 000 to two million Lek.

Article 186/a

Computer falsification

Entering, modifying, deleting or omitting computer data, unlawfully, in order to create false data aiming to submit and use them as authentic, despite of whether the created data are directly readable or understandable are punishable by imprisonment from six months to six years.

When this very act is committed by the person whose task is to safeguard and administrate computer data, with accomplices, more than once, or has brought about serious consequence to the public interest, is punishable by imprisonment from three up to ten years.

Article 187

Falsification of school documents

Falsifying or use of falsified school documents is punishable by a fine or up to three years of imprisonment.

When the person having the capacity to issue the document makes the falsification, it is punishable by a fine or up to five years of imprisonment.

Article 188

Falsification of health-related documents

Falsifying or use of falsified health-related documents is punishable by a fine or up to three years of imprisonment.

When the person having the capacity to issue the document makes the falsification, it is punishable by a fine or up to five years of imprisonment.

Article 189

Falsification of Identity Documents, Passports or Visas

The falsification or use of falsified identity documents, passports or visas is punished with imprisonment of from six months to four years and with a fine of from 400,000 to one million Lek.

When this crime is committed in collaboration or more than once or has brought serious consequences, it is punished with imprisonment of from six months to five years and with a fine of from 600,000 to two million Lek.

When the falsification is done by a person who has the duty of issuing the identity document, passport or visa, it is punished with imprisonment of from three to seven years and with a fine of from one million to three million Lek.

Article 190

Falsification of Seals, Stamps or Forms

The falsification or use of falsified seals, stamps or forms, or the presentation of false circumstances in the latter that are directed to state organs, is punished with imprisonment of from six months to four years and with a fine of from 400,000 to one million Lek.

When this crime is committed in collaboration or more than once or has brought serious consequences, it is punished with imprisonment of from six months to five years and with a fine of from 600,000 to two million Lek.

When the falsification is done by a person who has the duty of compiling them, it is punished with imprisonment of from three to seven years and with a fine of from one million to three million Lek.

Article 191

Falsification of Civil Status Documents

The falsification or use of falsified civil status documents is punished with

imprisonment of from three months to two years and with a fine of from 300,000 to 600,000 Lek.

When this crime is committed in collaboration or more than once or has brought serious consequences, it is punished with imprisonment of from six months to four years and with a fine of from 500,000 to one million Lek.

When the falsification is done by a person who has the duty of issuing the document, it is punished with imprisonment of from one to five years and with a fine of from one million to three million Lek.

Article 192

Production of devices to falsify documents

Production of, or conserving, devices to falsify documents constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 192/a

Documents disappearing and stealing

Illegal eliminating, in any way, of archive or library documents, and, disappearing and stealing documents of a particular importance, is punished by a fine or imprisonment up to three years.

Stealing archive or library documents that are particularly important or their illegal exportation is punished by a fine or imprisonment up to five years.

Article 192/b

Unauthorized computer access

Unauthorized access or access in excess of the authorization to access a computer system or in a part thereof, through violation of the security measures, is punishable by fine or imprisonment up to three years.

When this very act is committed in military, national security, public order, civil protection, health computer systems or any other computer system of public importance, it is punishable by imprisonment from three up to ten years.

SECTION IX

CRIMINAL ACTS IN THE AREA OF BANKRUPTCY

Article 193

Provoked bankruptcy

Intentionally provoking bankruptcy by a juridical person is punishable by a fine or up to three years of imprisonment.

Article 194

Concealment of bankruptcy status

Entering into an economic commercial relationship with a third party by a juridical person with the intent of concealing bankruptcy status is punishable by a fine or up to five years of imprisonment.

Article 195

Concealment of assets after bankruptcy

Concealment of assets by a juridical person upon the act of bankruptcy with the intent of avoiding its consequences is punishable by a fine or up to seven years of imprisonment.

Article 196

Failure to comply with obligations

Failure by a juridical person to comply with its obligations arising under bankruptcy constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

SECTION X

UNLAWFUL LOTTERIES AND GAMBLING

Article 197

Organizing unlawful lotteries

Organizing lotteries or gambling in breach of legal provisions constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Article 197/a

Predetermining results in sports contests

Actions or omissions for predetermining results in national and international sports contests, contrary to fair play principles, constitute criminal contravention and are punishable by fine from 500 000 Lek up to three million Lek or by imprisonment from three months up to two years.

This very offence, when committed for property gains, is punishable by imprisonment from two to seven years and by fine from two up to ten million Lek.

Article 197/b

Distortion of competition in sports contests

Distortion of competition in sports contests by participants, through use of prohibited substances constitutes criminal contravention and is punishable by fine or imprisonment up to two years.

Article 198

Providing the premises for unlawful gambling

Providing the premises for organizing or playing a lottery or gambling in breach of the legal provisions constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

SECTION XI

CRIMINAL ACTS WHICH VIOLATE THE LEGAL STATUS OF LAND

Article 199

Misuse of land

Misuse of land in violation of its designated purpose constitutes criminal contravention and is punishable by a fine or to up six months of imprisonment.

Article 199/a

Unlawful construction

Unlawful construction of an building in one s land is punishable by fine or imprisonment of up to one year.

This very offence, committed in public or state owned land or in another person's land is punishable with imprisonment from one to five years.

Article 200

Unlawfully taking land

Unlawfully taking land constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

CHAPTER IV

CRIMINAL ACTS AGAINST ENVIRONMENT

Article 201

Polluting the air

Polluting the air through the emission of smoke, gasses and other toxic radioactive substances, when it increases the normal limit allowed, and when the act does not constitute administrative contravention, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

The same act, when it has caused serious consequences to the life and health of people, is sentenced up to ten years of imprisonment.

Article 202

Transporting toxic waste

Transporting toxic and radioactive waste transit into the Albanian territory or their depositing therein is punishable by one to five years of imprisonment.

The same act, when it has caused serious consequences to the life and health of people, is punishable by five to fifteen years of imprisonment.

Article 203

Polluting the water

Polluting the waters of the seas, rivers, lakes or the springs of the water supply system with waste either toxic or radioactive or other substances, which break the ecological balance, is sentenced up to five years of imprisonment.

The same act, when has caused serious consequences to the life and health of people, is punishable by five to ten years of imprisonment.

Article 204

Prohibited fishing

Fishing undertaken at a prohibited time, place or method constitutes criminal contravention and is punishable by a fine or to up three months of imprisonment.

Fishing undertaken through means of public danger like explosives, poisonous substances, etc, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 205

Unlawfully cutting forests

Cutting or damaging forests without authorization or when it is undertaken at a prohibited time or place, when the act does not constitute administrative contravention, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 206

Cutting decoration and fruit trees

Cutting decoration trees and damaging gardens and parks in the cities constitutes criminal contravention and is punishable by a fine.

Cutting trees in fruit or olive plantations and vineyards, after [the application] for cutting permit has been previously refused by the competent authority, constitutes criminal contravention and is sentenced up to three months of imprisonment.

Article 206/a

Destruction by fire of forests and forest environment

Intentionally destroying or damaging, causing serious material consequence, the forest stock, nursery – plot, forest reserve or any other unit similar to them, through fire,

is punishable by imprisonment from three up to five years and by fine from 500 000 up to one million Lek.

This very same act, committed aiming to change the category and destination of land is punishable by imprisonment from three up to ten years and by fine from 500 000 to one million Lek.

The same act, when it has caused serious consequence to the property, health or life of people or causes serious damage over an extended period of time on the environment or protected areas, is punishable by imprisonment from five to fifteen years and by penalty from one to two million Lek.

Article 206/b

Destruction from negligence by fire of forests and forest environment

Destroying or damaging from negligence, with serious material consequence, of the forest stock, nursery – plot, forest reserve or any other unit similar to them, by fire, is punishable by imprisonment from one to three years.

This very act, when it brought about serious consequence to the property, health or life of people or when it causes serious damage over an extended period of time on the environment or protected areas, is punishable by imprisonment from two to five years.

Article 207

Breach of quarantine for plants and animals

Breach of rules of quarantine for plants or animals, when it has led to serious consequences which are either material or which bring serious danger to the life and health of people, constitutes criminal contravention and is punishable by a fine.

CHAPTER V

CRIMES AGAINST INDEPENDENCE AND CONSTITUTIONAL ORDER

SECTION I

CRIMES AGAINST INDEPENDENCE AND INTEGRITY

Article 208

Transferring territory

The total or partial transfer of territory to foreign state or power, with the intent of violating the independence and integrity of the country, is punishable by no less than fifteen years of imprisonment or to life imprisonment.

Article 209

Surrendering the army

[The act of] total or partial surrendering of the army or handing over defense materials or supplying weapons and ammunition to a foreign state or power, with the intent of violating the independence and integrity of the country, is punishable by no less than fifteen years of imprisonment or to life imprisonment.

Article 210

Agreement for transferring territory

Agreement with foreign powers or states for the total or partial transferring of territory or handing over of the army and defense materials, with the intent of violating the integrity of the country, is punishable by five to ten years of imprisonment.

Article 211

Provocation of war

Committing acts with the intent to provoke a war or make the Republic of Albania face the danger of an [military] intervention by foreign powers, is punishable by no less than fifteen years of imprisonment.

Article 212

Agreement for armed intervention

Agreements entered into with foreign powers or states to cause armed intervention against the territory of the Republic of Albania, is punishable by ten to fifteen years of imprisonment.

Article 213

Handing over classified information

Handing over classified information of military or other character to a foreign power with the intent of encroaching the independence of the country, is punishable by ten to twenty years of imprisonment.

Article 214

Providing information

Providing classified information of military or other character, with the intention to hand over to foreign power in order to encroach the independence of the country, is punishable by three to ten years of imprisonment.

Article 215

Damaging defense objects

Destroying or damaging means, equipment, appliances, weapons, military technique or objects for military defense, with the intent of reducing the country's defensive capacity, is punishable by five to fifteen years of imprisonment.

Article 216

Providing means for destroying military technique

Production or keeping means for destroying or damaging equipment, appliances, weapons, means of military technique or objects for military defense, with the intent of reducing the country's defense capacity, is sentenced up to ten years of imprisonment.

Article 217

Getting paid [from foreign states]

Getting paid or the agreement to get paid or to receive other material benefits, in order to commit in favor of foreign states or powers one of the crimes provided for in this section, is punishable by five to ten years of imprisonment.

Article 218

Placing oneself in the service of foreign states

Placing an Albanian citizen in the service of a foreign state or power, with the intent of committing acts against the independence and integrity of the Republic of Albania, is punishable by three to ten years of imprisonment.

SECTION II

CRIMES AGAINST CONSTITUTIONAL ORDER

Article 219

Assassination

Assassination, kidnapping, torturing or other acts of violence [committed] against the highest representatives of the state, with the intent of overturning constitutional order, is punishable by no less than fifteen years of imprisonment or to life imprisonment.

Article 220

Conspiracy

Decision-making and creating material conditions by a group of people to commit an assassination is punishable by five to fifteen years of imprisonment.

Article 221

Rioting

Participating in violent massive actions such as placing obstacles and barricades to stop the police, resisting them with arms or disarming them, forcibly occupying buildings, looting, gathering or placing under [one's] disposal weapons, ammunition and people, facilitating the rioters, committed with the intent of overturning constitutional order, is punishable by fifteen to twenty five years of imprisonment.

Participation in the above-mentioned activities with the capacity of a leader or an organizer is punishable by life imprisonment.

Article 222

Calls for taking on the arms or unlawful taking-over of the command

Calls for taking up arms against constitutional order, creating or organizing the armed forces in violation to the law, unlawful taking-over of the command of the armed forces in order to conduct military actions with the intent of opposing constitutional order, are punishable by five to ten years of imprisonment.

Article 223

Public calls for violence

Public calls to commit violent acts against the constitutional order, are punishable by a fine or up to three years of imprisonment.

Article 224

Founding unconstitutional parties or associations

Founding of or participating in parties, organizations or associations which intend to violently overturn the constitutional order is punishable by a fine or up to three years of imprisonment.

Re-founding a party, organization or association that was previously banned as unconstitutional or the continuation of their activity in an open or covert way is punishable by one to five years of imprisonment.

Article 225

Distributing unconstitutional writings

Distribution of writings or use of symbols belonging to an unconstitutional party, organization or associations or to one previously banned on the same grounds, is punishable by a fine or up to three years of imprisonment.

Distributing or infiltrating materials, writings or symbols into the Republic of Albania from abroad, with the intent to overturn the constitutional order or affect the territorial integrity of the country, is punishable by a fine or up to three years of imprisonment.

CHAPTER VI

CRIMES ENCROACHING RELATIONS WITH OTHER STATES

Article 226

Violent acts against representatives of foreign states

Committing violent acts against prime ministers, cabinet members, parliamentarians of foreign states, diplomatic representatives, or [representatives] of recognized international bodies who are officially in the Republic of Albania, is sentenced up to ten years of imprisonment.

Article 227

Insulting representatives of foreign countries

Insulting prime ministers, cabinet members, parliamentarians of foreign states, diplomatic representatives, or [representatives] of recognized international bodies who are officially in the Republic of Albania, is sentenced up to a fine or up to three years of imprisonment.

Article 228

Violent acts against working-places of foreign representatives

Committing violent acts against work-places, residences, means of transportation of representatives of foreign states and recognized international bodies constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment. When the act has resulted in serious material consequences or in complications in the bilateral relations, it is sentenced up to ten years of imprisonment.

Article 229

Insulting acts against the anthem and flag

Using words or committing acts which publicly insult the flag, emblem, anthem of foreign states and recognized international bodies, as well as taking away, breaking, irreparably damaging the flag, [or] emblem, which are displayed in official institutions, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

CHAPTER VII

ACTS WITH TERRORIST PURPOSES

Article 230

Acts with terrorist purposes

Committing the following acts, with the purpose of instilling panic in the public or with the purpose of forcing state institutions, Albanian or foreign, to perform specific actions or omissions or with the purpose of destroying or seriously perturbing essential political, constitutional, economic or social structures of Albanian state, another country or an international organization or institution, are punishable by no less than fifteen years of imprisonment or life imprisonment.

Acts with terrorist purposes include, but are not limited to:

- a) acts against persons that can cause death or serious injury;
- b) taking hostage or kidnapping persons;
- c) serious destruction of public property, public infrastructure, transportation system, information system, fixed continental platforms, private property in large size, endangering life of the others;
- ç) hijacking planes, ships or other transportation means;
- d) producing, keeping, purchasing, transporting or trading of explosive substances, military weapons, biologic, chemical, nuclear weapons, as well as scientific research for producing weapons for mass destruction, mentioned above;
- dh) distribution in the environment of hazardous substances, as well as setting fires, floods, explosions, with the purpose of endangering the life of persons or causing large financial damages;
- e) causing interruption of water supply, power or any other important source.

Article 230/a

Financing of terrorism

Financing of terrorism or its support of any kind is punished by imprisonment of not less than fifteen years or with life imprisonment and with fine from five up to ten million Lek.

Article 230/b

The hiding/concealing of funds and other wealth/goods that finance terrorism

The transfer the conversion, the concealing, the movement or the change of property of the funds and of other goods, which are put under measures against terrorism financing, in order to avoid the discovery and their location, is sentenced with imprisonment from four to twelve years and with a fine from 600,000 to six million Lek.

When this crime is committed during the exercise of a professional activity in cooperation or more than one time, it is sentenced to imprisonment from seven to fifteen years and with a fine from one to eight million Lek, whereas when it causes serious consequences, it is sentenced with imprisonment for no less than fifteen years and with a fine of five to ten million Lek.

Article 230/c

Giving information from persons who perform public functions or persons on duty or exercising a profession

Getting acquainted identified persons or of other persons with data regarding the verification or the investigation of funds and other goods towards which are applied measures against terrorism financing, from persons exercising public functions or in exercise of their duty or profession, is sentenced with imprisonment from five to ten years and with a fine from one million to five million Lek.

Article 230/ç

The performance of the services and actions with identified persons

Issuing of funds and of other assets, the performance of financial services as well as of other transactions with identified persons towards whom are applied measures against terrorism financing is sentenced with imprisonment from four to ten years and with a fine from 400,000 to five Million Lek.

Article 230/d

The collection of funds for financing terrorism

The collection of financial means of any kind, directly or indirectly, to finance organizations or committal of acts of terrorist purposes, is sentenced with imprisonment from four to twelve years and with a fine from 600,000 to six million Lek.

Article 231

Recruitment of persons for committing acts with terrorist purposes or financing of terrorism

Recruitment of one or more persons for committing acts with terrorist purposes or financing of terrorism, even when these acts are aimed at another country, international organization or institution, if it does not constitute another criminal act, is punishable by no less than ten years of imprisonment.

Article 232

Training for committing acts with terrorist purposes

Preparation, training and giving any form of instruction even in anonymous manner or in electronic form, for producing or using explosive substances, military weapons and ammunition, other weapons and chemical, bacteriologic, nuclear or any other substance, dangerous and hazardous to people and property, as well as techniques and methodologies for committing acts with terrorist purposes and participation in such activities, even when these acts aim at another country, international organizations or institutions, if they don't constitute another criminal act, are punishable with no less than seven years of imprisonment.

Article 232/a

Incitement, public call and propaganda for committing acts with terrorist purposes

Incitement, public call, distribution of pieces of writing or propaganda in other forms, with the aim of supporting or committing one or more acts for terrorist purposes and financing of terrorism, if they do not constitute other criminal act, are punishable by imprisonment from four up to ten years.

Article 232/b

Threat for committing acts with terrorist purposes

Serious threat for committing acts with terrorist purposes to a public authority, even of another country, international organization or institution, is punishable by imprisonment from eight up to fifteen years.

Article 233

Creating armed crowds

Creating armed crowds to oppose public order through violent acts against the life, health, personal freedom of the individual, property, with the intent of instilling fear and uncertainty in the public, is sentenced up to ten years of imprisonment.

Article 234

Producing (manufacturing) military weapons

Producing (manufacturing), storing, transporting of military, chemical, biological, nuclear weapons which have a poisonous or explosive base, with the intent of committing acts of terrorism, is punishable by five to fifteen years of imprisonment.

Article 234/a

Terrorist organizations

The establishment, the organization, the leading and the financing of the terrorist organizations is sentenced with imprisonment of no less than fifteen years.

The participation in terrorist organizations is sentenced to imprisonment from seven to fifteen years.

Article 234/b

Armed gangs

The establishment, the organization, the leading and the financing of the armed gangs is sentenced with imprisonment from ten to fifteen years.

The participation in armed gangs is sentenced to imprisonment from five to ten years.

CHAPTER VIII

CRIMES AGAINST THE STATE AUTHORITY

SECTION I

CRIMINAL ACTS AGAINST STATE ACTIVITY COMMITTED BY [ALBANIAN] CITIZENS

Article 235

Opposing the public official that carries out a state duty or provides a public service

Opposing an official on state duty or public service, with the intent of hindering his fulfillment of his duty or service in compliance with law, constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

This very act, when committed by accomplices, or by wielding physical violence, or more than once, is punished by a fine or imprisonment up to five years.

Article 236

Opposing the official of the public order police

Opposing the official of the public order police with the intent of hindering his fulfillment of duty in compliance with law, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

When the same act is committed through physical violence, it is punishable up to seven years of imprisonment.

Article 237

Assault [to an official] on duty

Assault or other violent acts committed toward an official acting in the execution of a state duty or public service, because of his state activity or service, are punishable by a fine or up to three years of imprisonment.

Article 238

Threatening [a public official] on duty

Serious threat of assassination or critical injury toward an official acting in the execution of a state duty or public service, because of his state activity or service, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 239

Insulting [a public official] on duty

Insulting intentionally an official acting in the execution of a state duty or public service, because of his state activity or service, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

This very act, when committed in public, or harming some persons, or more than once, constitutes a penal contravention and is punished by a fine or imprisonment up to two years.

Article 240

Defamation [toward a public official] on duty

Intentional defamation committed toward an official acting in the execution of a state duty or public service, because of his state activity or service, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

This very act, when committed in public, or harming some persons, or more than once, is punished by a fine or imprisonment up to two years.

Article 241

Defamation toward the President of the Republic

Intentional defamation committed toward the President of the Republic is punishable by a fine or up to three years of imprisonment.

Article 242

Disobeying orders of the official of public order police

Disobeying the lawful orders of the official of public order police constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Article 243

Assaulting family members of a person acting in exercise of his state duty

Assault or other violent acts committed toward the family member of a person acting in the exercise of his state duty or public service, with the intent of preventing the fulfillment of the duty or service, or which is related to this activity, is punishable by a fine or up to five years of imprisonment.

Article 244

Active corruption of persons exercising public functions

The direct or indirect proposal, offer, or giving, to a person, who exercises public functions, of any irregular benefit for himself or a third person in order to act or not act in relation to his duty, is punished by imprisonment from six months up to three years, and a fine from 300 000 to one million Lek.

Article 245

Active corruption of the high state officials and local elected representatives

The direct or indirect proposal, offer, or giving, to high state officials or to a locally elected person, of any irregular benefit for himself or a third person in order to act or not act in relation to his duty, is punished by imprisonment from one up to five years, and a fine from 500 000 to two million Lek.

Article 245/1

The exercising of unlawful influence on public officials

The direct or indirect proposal, offer, or giving an irregular benefit, for himself or a third person, to the person who promises and guarantees that he is able to exercise illegal influence on the accomplishment of the duties and on taking of decisions by the Albanian or foreign public functionaries, no matter whether the influence has been actually exercised or not and no matter whether the desirable consequences have occurred or not, is punished with a prison term from six months up to two years and a fine from 300 000 to one million Lek.

The direct or indirect soliciting, receiving, or accepting whatever irregular benefit for oneself or a third person, by promising and confirming the ability to exercise illegal influence on the accomplishment of the duties and on adoption of decisions by the Albanian or foreign public functionaries, no matter whether the influence has been actually exercised or not and no matter whether the desirable consequences have occurred or not, is punished with a prison term from six months up to four years and a fine from 500 000 to two million Lek.

Article 245/2

The exemption from suffering the sentence

The person, who has promised or given reward or other benefits, in accordance with Articles 164/1, 244, 245, 312, 319 and 328 of this Code, may benefit from exemption from the sentence or the reduction of it in compliance provision of Article 28 of this Code, if they do denunciation and give a contribution in the criminal proceeding of these crimes.

In giving this decision the court considers the time when the denunciation is done, the occurrence or not of the consequences of the crime.

Article 246

Appropriating a public title or office

Appropriating a public title or office accompanied with the actions pertinent to the holder of the title or office, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

If the act is committed for embezzlement purposes or has encroached the freedom, dignity or other fundamental rights of the citizen, it is punishable by a fine or up to five years of imprisonment.

Article 247

Unlawfully wearing a uniform

Unlawfully wearing a uniform, holding a document or a distinctive sign, which shows the capacity of an official working in a state duty or public service, accompanied with illegal acts, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

If the act is committed for embezzlement purposes or it has encroached the freedom, dignity or other fundamental rights of the citizen, it is punishable by a fine or up to five years of imprisonment.

SECTION II

CRIMINAL ACTS AGAINST THE ACTIVITY OF THE STATE COMMITTED BY PUBLIC OFFICIALS

Article 248

Abuse of office

Deliberate accomplishment or non-accomplishment of actions or failures to act, in violation to the law and constituting the failure of a person, who carries out public functions, to do his duties regularly, in cases when it has led to bringing him or other persons unjust material or non-material benefits or when it has brought damages to the legitimate interests of the state, citizens, and other legal entities, when it does not constitute another criminal offence, is punished with imprisonment up to seven years, and with a fine of 300 000 up to one million Lek.

Article 249

Acting in a capacity after its termination

Continuing to act in a capacity in either the state administration or public service by a person who has been informed of a decision or circumstance terminating its exercise constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 250

Committing arbitrary acts

Committing acts or giving orders that are arbitrary, by an official acting in a state function or public service while exercising his duty, which affect the freedom of citizens, is punishable by a fine or up to seven years of imprisonment.

Article 251

Refusing to take measures to stop unlawful situation

Refusing to take measures, or refusing to a request from a competent person to stop an unlawful situation resulting from an arbitrary act, which has affected the freedom of citizens, by the person in charge of a state function or public service, who learns of the situation because of the function or service, is punishable by a fine or up to three years of imprisonment.

Article 252

Illegal detention

Detaining in prison without a decision of the competent body or beyond the term determined in the decision or by law, committed by a person holding the office of prison administrator, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 253

Violating equality of the citizens

Discrimination by a worker holding a state function or public service conducted because of his capacity or during its exercise, when the discrimination is based upon origin, sex, health situation, religious or political beliefs, trade-union activity or because of belonging to a particular ethnic group, nation, race or religion, which consists in creating unfair privileges or in refusing a right or benefit deriving from law, is punishable by a fine or up to five years of imprisonment.

Article 254

Infringing the inviolability of residence

Entering into premises without the consent of a person living therein, committed by a person holding a state function or public service during the exercise of his duty, except the cases when it is permitted by law, is punishable by a fine or up to five years of imprisonment.

Article 255

Hindering and violating the secrecy of correspondence

Giving orders or committing actions for destroying, reading and disseminating postal correspondence, or which breaks, makes it more difficult, puts under control or eavesdrops phone correspondence or any other means of communication, committed by a person holding a state function or public service during the exercise of his duty, except

the cases when it is permitted by law, is punishable by a fine or up to three years of imprisonment.

Article 256

Misusing state contributions

Misusing contributions, subsidies or financing given by the state or state institutions to be used in works and activities of public interest, is punishable by a fine or up to three years of imprisonment.

Article 257

Illegal benefiting from interests

Direct or indirect holding, retaining or benefiting from any sort of interest by a person holding state functions or public service in an enterprise or operation in which, at the time of conducting the act, he was holding the capacity of supervisor, administrator or liquidator, is punishable by a fine or up to four years of imprisonment.

Article 257/a

Refusal for the declaration, non-declaration, hiding or false declaration of elected persons and public employees

Refusal for declaration or non-declaration of assets of the elected persons or of the public employees in accordance with the law, when previously administrative measures have been taken, constitutes a penal contravention and is punished by fine or imprisonment up to six months.

Hiding or false declaration of assets of the elected persons or of the public employees is punished by fine or imprisonment up to three years.

Article 258

Breaching the equality of participants in public bids or auctions

Committing actions in breach of the laws which regulate the freedom of participants and the equality of citizens in bids and public auctions, by a person holding state functions or public service in order to create illegal advantage or benefits for third parties, is punishable by a fine or up to three years of imprisonment.

Article 259

Passive corruption by public officials

Soliciting or taking, directly or indirectly, by a person who exercises public functions, of any irregular benefit or of any such promise for himself or for a third person, or accepting an offer or promise deriving from an irregular benefit, in order to act or not act in the exercise of his duty, is punished with a prison term from two up to eight years and with a fine from 500 000 up to three million Lek.

Article 260

Passive corruption by high state officials or local elected officials

Soliciting or taking, directly or indirectly, by a high state official or a local elected official, of any irregular benefit or of any such promise for himself or for a third person, or accepting an offer or promise deriving from an irregular benefit, in order to act or not act in the exercise of his duty, is punished with a prison term from four up to twelve years and with a fine from one up to five million Lek.

SECTION III

CRIMINAL ACTS AGAINST PUBLIC ORDER AND SECURITY

Article 261

Preventing the exercise of freedom of speech and assembly

Committing acts that prevent citizens from exercising the right of freedom of speech, assembly or manifestation constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

When those acts are accompanied with use of physical violence, they are punishable by a fine or up to three years of imprisonment.

Article 262

Organizing or participating in illegal assembly

Organizing the assembly of people in squares and places of public passage, without prior permission by the competent authority according to the specific provisions or when organizers breach the conditions provided in the request for permission, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Participating in an unlawful assembly after a warning has been made to disperse [it], constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

This very act, when committed more than once, or when it brought about serious consequences, does constitute a penal contravention and is punished by a fine or imprisonment up to two years.

Article 263

Organizing illegal assembly with participation by armed people

Organizing illegal assembly with participation by armed people is punishable by a fine or up to three years of imprisonment.

Participation in illegal assembly of armed people constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 264
Forcing to attend or not a strike

Forcing an employee to strike or not to strike against his will or creating obstacles and problems for continuing his job when the employee wishes to work, constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Article 265
Inciting national, racial or religious hatred or conflict

Inciting national, racial or religious hatred or conflict as well as preparing, propagating, or keeping with the intent of propagating, of writings with that content, is punishable by a fine or up to ten years of imprisonment.

Article 266
Calls for national hatred

Endangering public peace by calling for national hatred against other parts of the population, by insulting or defaming them, or by requesting the use of force or arbitrary actions against them, is punishable by a fine or up to five years of imprisonment.

Article 267
Propagating false information for panic

Propagating false information or news, in words, in writing, or in any other way, in order to incite a state of insecurity or panic in people, is punishable by a fine or up to five years of imprisonment.

Article 268
Defamation of the Republic and her symbols

Defamation, made publicly or through publications or distribution of writings, of the Republic of Albania and [her] constitutional order, flag, emblem, anthem, martyrs of the nation or abolishing, damaging, destroying, making indistinct or unusable the flag or emblem of the Republic of Albania exposed by official institutions, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 269
Forcible obstruction of the activity of political parties

Forcible obstruction of the lawful activity of political parties, organizations or associations constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 270

Prisoner's rebellion

Use of force by prisoners against an official holding a state duty or public service, which is made in order to prevent the exercise of the duty or service or because of the activity, is punishable by a fine or up to five years of imprisonment.

When use of force is conducted by a group of persons or is accompanied with riots and disorders or threats and intimidation, it is punishable by a fine or up to ten years of imprisonment.

Article 271

Providing false information to emergency units

Intentionally providing false information to emergency units [with intent to] hinder their effectiveness, committed by means of any information or communication, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 272

False information to the police

Providing false information to the police about the commission of a criminal act, with the intent of placing them into a state of readiness or alarm, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 273

Leaving the scene of an accident

Leaving the scene of an accident by a driver of a vehicle or of any other motorized transport, in order to avoid criminal, civil or administrative responsibility, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 274

Disturbance of public peace

Throwing stones or other items into the premises of a citizen, creating disturbing noises such as gunshots or other blasts, using sirens on vehicles irregularly, or doing any other indecent behavior in streets, squares and public places, which clearly affect peace and morality or show a clear indifference for the environment, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 275

Malevolence use of phone calls

Malevolence use of telephone calls made to disturb a third party's peace and quiet enjoyment constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 276

Unlawful use of the Red Cross emblem

Unlawful use of the emblem of the Red Cross or the Red Crescent, when it has caused serious material consequences, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

When the criminal act has led to death or serious harm to the health of an individual, it is punishable by a fine or up to ten years of imprisonment.

Article 277

Self-made justice

The exercise of a purported right by a person who retains it or who thinks he does but it is not recognized by another person, without addressing the appropriate state competent body, constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment.

Article 278

Illegal manufacturing and keeping military weapons and ammunition

Manufacturing military weapons or ammunition, bombs, mines, or explosive materials without the permission of competent state bodies, is punishable by three to ten years of imprisonment.

Carry, weapons, bombs, mines or explosive materials without the authorization of state competent bodies, is punishable by a fine or up to seven years of imprisonment.

Carrying military ammunitions without the permission of the state competent agencies constitutes a penal contravention and is punished by a fine or imprisonment up to two years.

The same act, when performed in big quantities in cooperation, more than once, or when it has caused serious consequences, is sentenced with imprisonment from five to fifteen years.

Article 278/a

Trafficking of weapons and munitions

Importing, exporting, transiting and trading of the weapons and munitions in opposition with the law, resulting in other or material benefits, is sentenced by imprisonment from seven to fifteen years.

This very act, when committed by accomplices, more than once, or when it brought about serious consequences, is punishable by imprisonment from ten to twenty years.

Article 279

Illegally manufacturing and keeping weapons with bladed weapons

Manufacturing, keeping, buying or selling weapons with blades, such as swords, bayonets, knives and other means prepared and intended specifically for assaulting

people or for self-defense, without the authorization of state competent bodies, are punishable by a fine or up to five years of imprisonment.

Article 280

Illegally manufacturing and keeping hunting and sporting rifles

Manufacturing, keeping, buying or selling hunting or sporting rifles, as well as their ammunition, without the authorization of state competent bodies, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 281

Violation of rules on poisonous substances

Violating of outlined rules for keeping, manufacturing, usage, storing, transporting or selling poisonous substances with strong effect, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

When the criminal act has led to death, serious harm to the health of people or other serious material consequences, it is punishable by a fine or up to ten years of imprisonment.

Article 282

Violation of rules on explosive, flammable or radioactive substances

Violating of outlined rules for keeping, manufacturing, use, storing, transporting and sale of explosive, firing or radioactive substances, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

When the criminal act has led to death or has caused serious harm to the health of people or other serious material consequences have resulted, is punishable by a fine or up to ten years of imprisonment.

Article 282/a

Traffic of explosive, burning, poison and radioactive matters

The illegal import, export, transit, and trade of explosive, burning, poison and radioactive substances, in order to have material or other benefits, is punishable by imprisonment from seven to fifteen years.

This very act, when committed by accomplices, or more than once, or when it brought about serious consequences, is sentenced by imprisonment from ten to twenty years.

Article 282/b

Training on unlawful manufacturing of weapons and other dangerous substances

Preparation, training, providing instructions in any form, anonymously or electronically, in opposition with the law, to manufacture or use explosives, firearms, munitions, other weapons, biologic, bacteriologic, nuclear materials or of any other kind, hazardous or

dangerous to the people and property, if it doesn't constitute a criminal act, is punishable by imprisonment of from two to seven years.

Article 283

Manufacturing and selling narcotics

Selling, offers to sell, giving or taking in any form, distribution, trading, transport, sending, delivering, and keeping (besides cases when it is for personal use and in small doses) of narcotic and psychotropic substances and seeds of narcotic plants, when it is illegal, is punished by imprisonment from five to ten years.

This very act, when committed by accomplices, or more than once, is punished by imprisonment from seven to fifteen years.

Organizing, managing or financing this activity is punishable by ten to twenty years of imprisonment.

Article 283/a

Traffic of narcotics

The illegal import, export, transit, and trade of narcotic and psychotropic substances and narcotic plant seeds is punished by imprisonment from seven to fifteen years.

This very act, when committed by accomplices, or more than once, is punished by imprisonment from ten to twenty years.

Organizing, running, or financing this activity is punished by imprisonment not less than fifteen years.

Article 283/b

Facilitating the drugs intake and use

Illegal facilitation of narcotic or psychotropic substances, by the persons, who because of their duty administer such substances, in opposition with the respective legal provisions, is punished by imprisonment from three to seven years.

Article 284

Cultivating narcotic plants

Planting plants that serve or are known to serve in producing and obtaining the narcotic and psychotropic substances, when, based on law, they are without permission and authorization is punished by imprisonment from three to seven years.

The same act, when committed in cooperation, or more than once, is punished by imprisonment from five to ten years.

Organizing, managing or financing this activity is punishable from seven to fifteen years of imprisonment.

Article 284/a

Organizing and leading criminal organizations

Organizing, leading and financing criminal organizations with the goal of cultivating, producing, fabricating or illegal trafficking of the narcotics is punishable by imprisonment of ten up to twenty years.

Creation of conditions or facilities for such activities by persons with state functions is punishable by imprisonment from five to fifteen years.

Article 284/b

Supporting the disclosure of crimes

The arrested or sentenced person for one of the criminal crimes related to trafficking in the narcotics, weapons, clandestine, prostitution or with criminal crimes committed from criminal organizations, that cooperates and assists the criminal proceeding entities in the struggle against them, or as the case might be, in the finding of other persons that commit such crimes, cannot be sentenced more than half of the punishment provided for the offense committed by him. In specific cases, when there are concurring mitigating circumstances in his favor, this person can be excluded from the punishment.

Article 284/c

Producing and manufacturing narcotic and psychotropic substances

Producing, manufacturing, extracting, refining, preparing without license or by surpassing the limits of narcotic and psychotropic substances, is punished by imprisonment from five to ten years.

This very act, when committed by accomplices, or more than once, is punished by imprisonment from seven to fifteen years.

Organizing, running, or financing this activity is punished by imprisonment from ten to twenty years.

Article 284/ç

Illegal production, trade, and use of precursors

Illegal production, import, export, transit, trade and holding of precursors (that are included, based on the law, in the pertinent charts/tables) is punished by imprisonment up to five years.

This very act, when committed by accomplices, or more than once, is punished by imprisonment from three to seven years.

Organizing, running, or financing this activity is punished by imprisonment from five to fifteen years.

Article 285

Holding, producing, and transporting chemical substances

Production, holding, transportation or distribution of basic or other kind of chemicals, equipment, materials, if it is known that they are used or will be used to

illegally produce or traffic narcotic or psychotropic substances, is punished by imprisonment from three to ten years.

Article 285/a

Adjusting of premises for drugs use

Adjusting or allowing the adaptation of premises, buildings, vehicles and any other public or private means in order to gather people; so that, they may use narcotic or psychotropic substance, is punished by imprisonment up to five years.

Article 285/b

Throwing away or getting rid of syringes

Throwing away or leaving behind syringes used for narcotic and psychotropic substances, in public places or sites that are considered open for the public and in private premises, does constitute a criminal contravention and is punished by a fine or imprisonment up to one year.

Article 286

Inducing the use of drugs

Urging/ other people to use narcotic and psychotropic substances or giving them for use or injecting them to other people without their cognition/knowledge or consent, is punished by imprisonment from five to ten years.

When the inducing or forced injection is conducted upon children or in penitentiary, educational, sport or any other institutions providing social activity, it is punishable not less than fifteen years of imprisonment.

Article 286/a

Illegal use of high technology

Production and running of systems, equipment, and means of high technology, in cases of criminal acts provided for in the articles 283 until 286/a of this Code, or when this technology is used to facilitate or enable the consumption of narcotic or psychotropic substances, or broadcasting advertisements to promote their use, is punished by imprisonment up to five years.

Article 287

Laundering of crime proceeds

1. Laundering of proceeds of crime committed through:
 - a) exchange or transfer of an asset that is known to be a proceed of crime, for hiding or concealing the origin of the asset or for providing help to evade the legal consequences related with the committal of the crime;
 - b) concealment or disguise of the nature, source, location, position, shift of ownership or other rights related to the asset that is proceed of crime;
 - c) performance of financial activities and fragmented/structured transactions to avoid reporting according to the money laundering law;

ç) abrogated
d) counseling, incitement or public call to commit any of the offences specified above;

dh) use and investment in economic or financial activities of the money or objects that are proceeds of crimes is punishable by three to ten years of imprisonment and by 500 000 to five million Lek fine.

2. When this offence is committed during the exercise of a professional activity, in collaboration or more than once, it is punishable by five to fifteen years of imprisonment and by 800 000 to eight million Lek of fine, while when the offence caused grave consequences, it is punishable by not less than fifteen years of imprisonment and by three to ten million Leke of fine.

3. Provisions of this article shall also apply in the cases when the person that has committed the offence from which the crime proceeds derive, cannot be taken as defendant, cannot be punished, there exists a cause which obliterates the criminal offence or one of the conditions for criminally prosecuting such a criminal offence is missing.

Article 287/a

Opening of the anonymous accounts

Opening of deposits or bank accounts, anonymously or with fictions names, is punished by imprisonment of up to three years, and with fine from 200 000 up to two million Lek.

Article 287/b

Misappropriation of stolen cash or goods

Whoever buys, takes, conceals or, in any other way, misappropriates for him or a third party or helps in the purchase, taking, concealment or use of cash or other goods, knowing that another person benefited the cash or goods as a result of committing a criminal act, is punished with imprisonment from six months up to three years and with fine up to 100 000 Lek.

According to this article, the lack of the mental ability or the obstacle to criminally prosecute the individual for such act, does not exclude the person who committed the criminal act of appropriating the money or the stolen goods, from the responsibility.

Article 288

Producing and selling foods and other substances dangerous to the health

Producing, importing, storing or selling foods, drinks and other substances, or drugs which are dangerous or harmful to life or health, as well as introducing chemicals, materials or additive substances into the production and processing of food and drinks, when those acts led to death or serious harm to the health of an individual, is sentenced up to ten years of imprisonment.

When the act has caused death or serious harm to the health of more than one person, it is punishable by no less than five years of imprisonment.

Article 288/a

Illegal production of industrial and food items/commodities

Illegal production of industrial and food items/commodities constitutes a criminal contravention and is punished by a fine or imprisonment up to two years.

This very act, when committed by accomplices, or more than once, or when it brings about serious consequences, is punished by imprisonment from three to ten years.

Article 289

Violation of safety rules at work

Causing death or serious harm to the health of an individual because of intentional disregard of rules related to work, production, service, provided for by laws, acts of the Council of the Ministers or in the pertinent regulations of technical safety, technical discipline, work-related protection, hygiene and fire safety by an individual designated to respect those rules and to implement them, is punishable by a fine or up to ten years of imprisonment.

When the criminal act has caused death or serious harm to the health of more than one person, it is punishable by no less than five years of imprisonment.

Article 290

Violation of traffic regulations

Violation of traffic regulations, when it has caused the death, serious injury to a person or minor injuries to more than one person, is punishable by a fine or up to ten years of imprisonment.

When the criminal act has caused the death or serious injury to more than one person, it is punishable by no less than five years of imprisonment.

Article 291

Driving while inebriated or without a license

Driving vehicles or other motorized transportation means while inebriated or without a license, constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

Article 292

Violation of working-standards in transportation

Violation of working-standards in railway, water, or air transportation by transport employees, which has caused death or serious harm to the health of an individual, is punishable by a fine or up to ten years of imprisonment.

When the criminal act has caused death or serious injury to more than one person, it is punishable by no less than five years of imprisonment.

Article 293

Blocking transport circulation

Placing obstacles in the way of, or blocking by any means, the movement of any means of transportation, whether automobile, railway, water or air is punishable by a fine or up to three years of imprisonment.

Article 293/a

Unlawful wiring of computer data

Unlawful wiring through technical equipment of non public transmissions of the computer data from/or within a computer system including electromagnetic emissions from one computer system that contains such computer data is punishable by imprisonment from three to seven years.

When this very act is committed from/or within military, national security, public order, civil protection computer systems or in any other computer system of public importance, it is punishable by imprisonment from seven to fifteen years.

Article 293/b

Interference in computer data

Unauthorized damaging, distorting, modifying, deleting or suppressing of computer data is punishable with imprisonment from six months to three years.

When this very act is committed on military, national security, public order, civil protection, health computer data or on any other computer data of public importance, it is punishable by imprisonment from three to ten years.

Article 293/c

Interference in computer systems

Creating serious and unauthorized obstacles in order to harm the operation of a computer system, through entering, damaging, distorting, modifying, deleting or suppressing the data is punishable by imprisonment from three to seven years.

When this very act is carried out in military, national security, public order, civil protection, health computer systems or in any other computer system of public importance it is punishable by imprisonment from five to fifteen years.

Article 293/ç

Misuse of equipment

Manufacturing, keeping, giving for use, disseminating or any other action to place at disposal an equipment including a computer software, computer password, access code or another similar data that have been created or adjusted to access a computer system or a part thereof, aiming to commit a criminal offence envisaged by articles 192/b, 293/a, 293/b and 293/c of this Code is punishable by imprisonment from six months to five years.

SECTION IV
CRIMINAL ACTS AGAINST STATE SECRETS AND STATE BORDERS

Article 294

Exchanging of state secrets by a person entrusted with the information

Exchanging, divulging, or informing facts, figures, contents of documents or materials which, according to a publicly known law, constitute state secrets, by the person entrusted with it or who became aware of such information because of his capacity, is punishable by a fine or up to five years of imprisonment.

When the same act is committed publicly, it is punishable by a fine or up to ten years of imprisonment.

Article 295

Exchange of state secrets by citizens

Exchanging, divulging, or informing facts, figures, contents of documents or materials that, according to a publicly known law, constitute state secrets, by any person who becomes informed of them, is punishable by a fine or up to three years of imprisonment.

When the same act is committed publicly, it is punishable by a fine or up to five years of imprisonment.

Article 295/a

Divulging of secret documents or data

Divulging to third parties or assistance in discovering data that the law provides for as secret, by a public official or a person in charge of a public service, contrary to the regular exercise of duties or abusing with official capacities, constitutes criminal act and is punishable by fine or imprisonment up to five years.

Divulging to third parties of data, that constitute industrial or professional commercial secret, by public persons that have the duty to preserve them, is criminal act and is punishable by fine or imprisonment up to three years.

Divulging of secret document or data contained in secret documents by the prosecutor of the judicial police officer, as well as the failure to comply with the obligations defined in article 103 of the Criminal Procedure Code, constitutes criminal act and is punishable by imprisonment from one up to five years.

Divulging of secret documents or data contained in secret documents by other persons that have information about a criminal proceeding and are warned by the prosecutor or the judicial police officer on the obligation not to divulge information, is punishable by imprisonment up to three years.

Divulging of secret data related to the identity, collaboration or protection process, or location of witnesses and justice collaborators, who benefit special protection according to legislation in force, constitutes criminal act and is punishable by imprisonment from two to six years.

Divulging of a secret that resulted in death, serious injury or serious danger to life and health of witnesses or justice collaborators, their family members or police officers in

charge of their protection, constitutes criminal act and is punishable by imprisonment from three up to eight years.

Article 296

Loss of secret documents

Loss of documents or other materials, which, according to a publicly known law, constitute state secrets, by the person in charge of their protection and use, is punishable by a fine or up to three years of imprisonment.

Article 297

Illegally crossing state border

Illegally crossing the state borders constitutes a criminal contravention and is punishable by a fine or up to two years of imprisonment and.

Article 298

Assistance for illegal crossing of borders

Sheltering, accompanying, putting at the disposition or use of means of sea transport, air transport or other means of transport, with the purpose of assisting in the illegal crossing of the border of the Republic of Albania or in the illegal entrance of a person in another country without being its citizen or without residence permit for that country, constitutes criminal act and is punished with imprisonment of from one to four years and with a fine of from three to six million Lek.

When the assistance is given for purposes of profit, it is punished with imprisonment of from three to seven years and with a fine of from four to eight million Lek.

When this crime is committed in collaboration or more than once or has brought serious consequences, it is punished with imprisonment of from five to ten years and with a fine of from six to eight million Lek.

When the crime has brought the death of the victim as a consequence, it is punished with imprisonment of no less than fifteen years or with life imprisonment, as well as with a fine of from eight to ten million Lek.

When the criminal crime is committed through the utilization of a state function or public service, the punishment of imprisonment and the fines are increased by one fourth of the punishment given.

Article 299

Breach of flight rules

Breach of international flight rules such as entering or leaving the territory of the Republic of Albania without a flight permit, ignoring flight lanes, landing places, flight corridors or designated flying altitude, is punishable by a fine or up to five years of imprisonment.

**CHAPTER IX
CRIMINAL ACTS AGAINST JUSTICE**

Article 300

Failure to report a crime

Failure to report a crime that is in the process of being committed or which has been committed, to the organs of criminal prosecution, to the court, to the organs of public order, [or to the appropriate] authorities or administration, is punishable by a fine or up to three years of imprisonment.

Linear ascendants and offspring, brothers and sisters, spouses, adoptive parents and adopted children, as well as persons obliged to keep secrecy because of their capacity or profession, are excluded from the obligation to report.

Article 301

Obstruction of justice

Committing actions to change the scene where a criminal act was committed by spoiling, changing or removing traces or by moving, hiding, annihilating, stealing, falsifying an item or document with the intent of increasing the difficulty on preventing the discovery of a criminal act and its perpetrator, is punishable by a fine or up to three years of imprisonment.

Article 302

Harboring a fugitive

Supplying the perpetrator of a crime with food, other means of living, or providing him housing, lodging or with any other assistance with the intent of preventing his discovery from search, apprehension or arrest, is punishable by a fine or up to five years of imprisonment.

The same crime when committed in association to criminal crimes provided in articles 73, 74, 75, 79, 219, 220, 221, 230, 230/a, 230/b, 231, 232, 232/a, 234/a, 234/b, 284/a, 333, 333/a, of this Code, it is punished with imprisonment for a term of from two to seven years.

Linear ascendants and offspring, brothers and sisters, spouses, adoptive parents and adopted children are excluded from criminal responsibility.

Article 303

Hiding or disposure a corpse

Hiding or disposing the corpse of a murder victim, or other violent act, committed with the intent of assisting the executor of the crime to evade from a search, apprehension and arrest, is punishable by a fine or up to five years of imprisonment.

Article 304

Obligation to report the evidence

Failing to appear promptly to report or testify before the prosecutor, court or organs of public order about evidence that a person knows which exculpates an accused or convicted person from a criminal act, is punishable by a fine or up to five years of imprisonment.

The perpetrator of the criminal act, as well as the individuals who become aware of the evidence because of their capacity and profession and due to this reason are compelled not to report or testify, are excluded from the obligation to report.

Article 305

False report

Falsely reporting a crime that has not been committed, or falsely reporting a person who is known that has not committed a crime, as well as fabricating false evidence with the intent of commencing criminal prosecution, is punishable by a fine or up to five years of imprisonment.

Article 305/a

False declarations before the prosecutor

Whoever that, during investigations or criminal proceedings, is interrogated by a prosecutor to give appropriate information on the investigation, gives oral or written information knowing that this information is, completely or partially, false or hides facts or evidence is punished by fine or imprisonment up to one year.

The provisions of this article are not applicable if the fact was committed at any stage of the criminal proceeding by a suspect or defendant for the criminal act or by a person that should have been exempted by the requirement to give information or testimony for any legal ground, or by a person that was not warned for the right not to testify or answer questions.

Article 305/b

False declarations before the judicial police officer

Whoever that, during an investigation is interrogated by a judicial police officer to provide appropriate information, gives verbal or written information knowing that this information is completely or partially false, or hides facts or evidence, commits a criminal contravention and is punished by fine or imprisonment of up to six months.

The provisions of this article are not applicable if the fact was committed at any stage of the criminal proceeding by a suspect or defendant for the criminal act or by a person that should have been exempted by the requirement to give information or testimony for any legal ground, or who was not warned for the right not to testify or to answer questions.

Article 306

Perjury

Perjury in front of the court constitutes a penal contravention and is punished by a fine or imprisonment up to two years.

When false testimony is given for purposes of profit or any other interest given or promised, it is punishable by a fine or up to three years of imprisonment.

When this crime is committed in relation to criminal crimes provided by articles 234/a, 234/b, 284/a, 333, 333/a, of this Code, it is punished with imprisonment for a term of two to six years.

Article 307

Refusing to testify

Refusing to answer questions concerning knowledge of a criminal act or its executor, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

When false testimony is made for embezzlement or any other interest given or promised, it is punishable by imprisonment from one up to four years.

The provisions of this article are not applicable if the fact was committed at any stage of the criminal proceeding by a suspect or defendant for the criminal act or by a person that should have been exempted by the requirement to give information or testimony for any legal ground, or by a person that was not warned for the right not to testify or to answer questions.

Article 308

False translation

Intentional distortion of the content of a document or writing offered for translation by the organs of criminal prosecution or by the court, or false translation committed in front of them constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

When refusal to testify is made for embezzlement or any other interest given or promised, it is punishable by a fine or up to three years of imprisonment.

Article 309

False expertise

Intentional provision of false results of reports conducted by an expert, in writing or verbally before organs of criminal prosecution or before the court is punishable by a fine or up to three years of imprisonment.

When false expertise is provided for embezzlement or any other interest given or promised, it is punishable by a fine or up to five years of imprisonment.

Article 310

Refusing to appear as a witness, expert or translator

Refusing to appear as a witness, expert or translator, without reasonable cause, or refusal to carry out duties assigned by the organ of criminal prosecution or the court, constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

Article 311

Intimidation not to refer

Intimidation made to the aggrieved from the criminal act, in order for him not to report the act or not to complain or to withdraw the report or complaint made, constitutes criminal act and is punishable by imprisonment from one up to four years.

Article 312

Active corruption of the witness, expert or interpreter

Direct or indirect proposal, offer, or giving to a witness, expert or translator any irregular benefit for himself or a third party in order to secure false declarations or testimony, expertise or translation or to reject carrying out their obligation to the criminal prosecution bodies and the court is punished with a prison term of up to four years and a fine from 500 000 to two million Lek.

Article 312/a

Intimidation to issue false statements, testimonies, expertise or interpretation

Intimidation or other violent acts to a person to secure false declarations or testimony, expertise or translation or to reject carrying out their obligation to the criminal prosecution bodies and the court is punished with a prison term of one up to four years.

Article 313

Unlawful criminal prosecution commencing

Unlawfully commencing criminal prosecution by the prosecutor against a person who is known to be innocent is punishable by a fine or up to five years of imprisonment.

Article 313/a

File's disappearance or loss

Any disappearance or loss of a file dealing with the investigation or judgment, or removing part of documents, or other data attached to them, when they brought about serious consequences harming residents' or state's interests, is punished by a fine or imprisonment up to five years.

Article 313/b

Prohibition on providing and publishing data contrary to the law

1. Making public, in media as well, information of a classified and confidential nature, contrary to law, endangering the life, physical integration or the liberty of persons protected by law no. 9205 dated 15.03.2004 "On Protection of witnesses and justice

collaborators” constitutes a crime, and is punished with a fine or with imprisonment of up to two years of time, and when serious consequences to their health have come about, with an imprisonment term of six months up to three years.

2. When this crime is committed by one of the persons who are under the liability to maintain the classified and confidential nature of the information, is punished with fine or imprisonment for a term of up to three years and, when serious consequences to their health have come about, with an imprisonment term of two to five years.

3. When the crime has caused the death as a consequence, it is punished with imprisonment from three to ten years.

Article 314

Use of violence during investigation

Use of violence by the person in charge of an investigation to force a citizen to make a statement, give testimony or confess his guilt or someone else’s, is punishable by three to ten years of imprisonment.

Article 315

Unfair sentencing

Giving a conclusive court sentence that is known to be unfair is punishable by three to ten years of imprisonment.

Article 316

Opposing and assaulting a judge

Violently opposing, assaulting or committing other violent acts against a judge or other members of the trial panel, a prosecutor, defense lawyer, experts, any arbitrator assigned to a case, with the intent to prevent him from carrying out his duty or because of it, is punishable by a fine or up to seven years of imprisonment.

Article 317

Threat to a judge

A threat to a judge, other members of trial panel, prosecutor, defense lawyer, experts, or every arbitrator assigned to a case because of their activity, is punishable by a fine or up to three years of imprisonment.

Article 318

Insulting a judge

Insulting a judge or other members of a trial panel, the prosecutor, the defense lawyer, the experts, or any arbitrator assigned to a case, because of their activity, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 319

Active corruption of judges, prosecutors and other officials of the justice bodies/system

Direct or indirect promising, proposition or issuing of any irregular profit, for himself or a third party, to a judge, prosecutor or any other employee of the judicial bodies in order to act or not act, regarding their duty, is punished with a prison term of one to four years and a fine from 400,000 up to two million Lek.

Article 319/a

The passive corruption of the judges, prosecutors and other officials of the justice bodies/system

Direct or indirect soliciting or taking, by a judge, prosecutor, or other employees of the judicial bodies, of any irregular benefit or any such offer for himself or a third person, or accepting an offer or promise deriving from an irregular benefit in order to act or not act, regarding their duty, is punished with a prison term of three up to ten years and a fine from 800 000 to four million Lek.

Article 320

Preventing the enforcement of court decisions

Hiding, altering, using, damaging or destroying the possessions which have been the subject of a court decision, or carrying out other acts with the intent to not execute or impede the enforcement of the court's decision, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 320/a

The failure to execute the court decision without grounded reasons

The failure to execute the criminal or civil decision of the court, with no ground reasons, by the employee charged with the execution of the decisions, constitutes a criminal contravention and is punished by a fine or imprisonment up to two years.

When this act is committed in order to obtain/solicit benefits or any other interests, given or promised, and when it favors persons that are interested not to see the decision being executed, is punished by a fine or imprisonment up to three years.

Article 321

Acts opposing court's decision

Committing acts that oppose a court's decision about obligations arising from additional punishment ordered by it, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 322

Destruction of seals and signs

Intentional destruction of seals and other signs placed on different objects by the organs of criminal prosecution and judiciary constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

Article 323

Escape of the convicted from the place of detention

Escape of a person under arrest, custody, or of a person sentenced to imprisonment from the place of (mandatory) detention or during his transportation from one place to the other, is sentenced up to five years of imprisonment.

When the criminal act is committed violently or through the use of firearms, inflammable materials, explosives or poisonous materials, it is punishable by five to fifteen years of imprisonment.

Article 324

Assisting a fugitive

Providing advice, information, [or] assistance to a person who is under arrest, held in custody, or convicted to imprisonment, with the intention of assisting him to escape from the place of mandatory detention, is punishable by a fine or up to three years of imprisonment.

When the assistance is given by a person in charge of guarding, supervising or transporting, or who, because of his capacity has the right to enter in penitentiary institutions or to make contact with persons, who are under arrest, held in custody, or convicted to imprisonment, it is punishable by five to ten years of imprisonment.

CHAPTER X

CRIMINAL ACTS AFFECTING FREE ELECTIONS AND THE DEMOCRATIC SYSTEM OF ELECTIONS

Article 325

Impeding [electoral] subjects from election to representative bodies

The impediment, either violently or through any other means of electoral entities to conduct regularly their activity in conformity with the law during an election campaign, is punishable by a fine or up to three years of imprisonment.

Article 326

Falsifying documents and election results

Showing in the election documents of data, circumstances, figures, which are known to be incorrect, drafting false documents and replacement of the originals with false copies, committed by persons in charge of drafting, assessing, providing the results or storing the documents, is punishable by a fine or up to five years of imprisonment.

Article 327

Violating voting secrecy

Violating voting secrecy by persons in charge of elections constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 328

Remuneration and promises

Offering or giving money, making promises for jobs or other favors in any form, with the intent of getting signatures for presenting a candidate, for voting in favor of or against a candidate or for taking part in or abstaining from taking part in elections, constitutes criminal contravention and is punishable by a fine or up to six months of imprisonment.

Accepting money, promises or other favors in order to conduct the above-mentioned actions, constitutes criminal contravention and is punishable by a fine.

Article 329

Threat to the voter

Threat to a voter to vote in favor of or against a candidate or to take part or to avoid taking part in an election constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 330

Threat to the candidate

Threat or any other unlawful act toward the candidate with the intent of [forcing him to] withdraw his candidacy or to prevent him from exercising any activity legally permitted during an election campaign, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

Article 331

Violation of the election rights

Intentional failure to register in the election lists people who enjoy election rights or intentional registration thereon of persons, who do not enjoy these rights, constitutes criminal contravention and is punishable by a fine or up to one year of imprisonment.

Article 332

Abuse of military authority

Abuse of military authority by a military official of any rank in order to influence the voting of the other military members under his command, through orders, advice or any other propaganda, constitutes criminal contravention and is punishable by a fine or up to two years of imprisonment.

CHAPTER XI
CRIMINAL ACTS COMMITTED BY AN ARMED GANG OR CRIMINAL ORGANIZATION

Article 333

Criminal organizations

The establishment, organization or leading of the criminal organizations is sentenced with imprisonment of five to fifteen years.

Participation [only] in a criminal organization is punished with imprisonment for a term of from four to eight years

If the criminal organization is armed and its members possess weapons, explosive materials for the purpose of fulfilling its criminal activity, even if they are hidden or kept in special places, the imprisonment sentence is added with one third.

If the economic activity which the members of the criminal organization aim to undertake or to keep under control, is financed in whole or part with proceeds of criminal crimes, the measure of sentence according to the above-mentioned paragraphs in this article is increased by one third to one half.

Article 333/a

The structured criminal group

The establishment, the organization or the leading of a structured criminal group with the purpose of committing crimes, is sentenced with imprisonment for a term of from three to eight years.

Participation in the structured criminal group is punished with imprisonment for a term of from two to five years.

Article 334

Committal of criminal crimes by criminal organization and structured criminal group

I. Committal of criminal crimes by the members of the criminal organization and structured criminal group is sentenced according to the respective criminal provisions by augmenting the sentence for the crime committed with five years of imprisonment, as well as the fine in the measure of one third but without exceeding the maximum limit of the imprisonment sentence.

II. When the respective criminal provision contains imprisonment or life imprisonment, it is punishable by twenty-five years of imprisonment or to life imprisonment.

III. When the respective referring criminal provision contains life imprisonment, it is punishable by life imprisonment.

Article 334/1

Regardless of article 278, from the criminal prosecution for illegal weapon and munitions carrying, are excluded the persons who, in accordance with the legislation in power, will voluntarily hand over the weapons till 5.31.2005.

In any case, are not excluded from the criminal prosecution for arm bearing without permission, the persons that have committed a criminal crime, using military weapons and munitions as a tool for this purpose.

There are not excluded from the criminal prosecution the persons who, after this law comes into force, declare that they do not bear military weapons or munitions and from controls exercised in accordance with the respective provisions of the Criminal Procedure Code, were found hidden weapons and munitions.

Article 335

The code enters into force on June 1, 1995. Any abrogated legal acts as well as the effects of this code and the way it will enter into force, shall be designated by a separate law.

SPEAKER OF THE PARLIAMENT

Pjetër Arbënor