

LAW
No. 7895, dated 27/01/1995
CRIMINAL CODE OF THE REPUBLIC OF ALBANIA

(Amended by:

Law no. 8175, dated 23/12/1996; no. 8204, dated 10/04/1997; no. 8279, dated 15/01/1998; no. 8733, dated 24/01/2001; no. 9017, dated 06/03/2003; no. 9030, dated 13/03/2003; no. 9086, dated 19/06/2003; no. 9188, dated 12/02/2004; no. 9275, dated 16/09/2004; no. 9686, dated 26/02/2007; no. 9859, dated 21/01/2008; no. 10 023, dated 27/11/2008; no. 23/2012, dated 01/03/2012; no. 144, dated 02/05/2013; no. 98, dated 31/07/2014; no. 176/2014, dated 18/12/2014; no. 135/2015, dated 05/12/2015; no. 82/2016, dated 25/07/2016; no. 36/2017, dated 30/03/2017; no. 89/2017, dated 22/05/2017; no. 44/2019, dated 18/07/2019, no. 35/2020, dated 16/04/2020, no. 146/2020, dated 17/12/2020; no. 43/2021, dated 23/03/2021;

Decision of the Constitutional Court: no. 13, dated 29/05/1997; no. 46, dated 28/08/1997; no. 58, dated 05/12/1997; no. 65, dated 10/12/1999; no. 11, dated 02/04/2008; no. 19, dated 01/6/2011; no. 47, dated 26/07/2012; no. 9, dated 26/02/2016; no. 24, dated 04/05/2021; no. 20, date 03/04/2024)

(updated)

Pursuant to Article 16, Law no. 7491, dated 29/04/1991 “On the main constitutional provisions”, upon the proposal of the Council of Ministers

THE ASSEMBLY
OF THE REPUBLIC OF ALBANIA
DECIDED:

I
GENERAL PART
CHAPTER I
CRIMINAL LAW AND ITS IMPLEMENTATION

Article 1

Criminal law and the division of criminal offenses

The criminal law defines the criminal offenses, sentencing and other measures taken against their perpetrators.

The criminal offenses are divided into crimes and criminal contraventions. Their distinction is made in each case in the provisions of the special part of this Code.

Article 1/a

Basis of the criminal legislation

(Added up by Law no. 8733, dated 24/01/2001)

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

The criminal legislation is composed of this Code and other laws providing for criminal offences.

Article 1/b

Tasks of the criminal legislation*(Added up by Law no 8733, dated 24/01/2001)*

The criminal legislation of the Republic of Albania has the duty to protect the independence of the state and the entirety of its territory, human dignity, human rights and freedoms, the constitutional order, property, the environment, the coexistence and understanding of Albanians with national minorities, as well as religious coexistence against criminal offences, as well as their prevention.

Article 1/c

Principles of the Criminal Code*(Added up by Law no 8733, dated 24/01/2001, words added up by Law no. 144, dated 02/05/2013)*

The Criminal Code is based on the constitutional principles of the rule of law, equality under the law, fairness in determining the guilt and sentence, protecting the highest interest of children, and the humanism.

The implementation of the criminal law by analogy shall not be allowed.

Article 2

No penalty without law

No one shall be criminally punished for an offence, which is not already explicitly provided for by law as a crime or a criminal contravention.

No one shall be sentenced to a type and extent of penalty that is not provided for by law.

Article 3

Operation of the criminal law in time

No one shall be sentenced for an offence, which, according to the law at the time it was committed, did not constitute a criminal offence.

A new law not incriminating an offence 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 the law in force at the time when the criminal offence was committed and the subsequent law are different, the law, the provisions of which are more favourable to the person having committed the criminal offence shall apply.

Article 4

Ignorance of the law

Ignorance of the law that punishes a criminal offence does not constitute a cause for exclusion from criminal liability, unless the ignorance is objectively unavoidable.

Article 5

Territory of the Republic of Albania

The territory of the Republic of Albania shall, in the sense of the criminal law, be 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 seats of the Albanian diplomatic and consular missions, the ships flying the flag of the Republic of Albania, the ships belonging to the military navy and military and civil aviation wherever they are.

Article 6

Application of the criminal law to criminal offences committed by Albanian citizens (Sentences added up by Law no. 23, dated 01/03/2012)

For criminal offences 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 committing a crime within the territory of another country, as long as that crime is concurrently punishable, unless a foreign court has rendered a final decision. The condition of concurrent punishment in the territory of the other state shall not apply in the cases of corruption-related crimes in public or private sectors and the exercising of unlawful influence.

As per the meaning of this article, Albanian citizens shall also be considered those persons holding another citizenship apart from the Albanian one.

Article 7

Application of the criminal law to criminal offences committed by foreign citizens (Letter "d" amended by Law no 8733, dated 24/01/2001; letter "b" added up by Law no 9086, dated 19/06/2003; letter "i" added up by Law no 9275, dated 16/09/2004; letter "c" amended by Law no 9686, dated 26/02/2007; letter "j" added up by Law no 10023, dated 27/11/2008; letter "e" added, and letter "h" and "i" amended by Law no. 23/2012, dated 01/03/2012)

The foreign citizen, committing a criminal offence within the territory of the Republic of Albania, shall be held liable under the criminal law of the Republic of Albania.

The criminal law of the Republic of Albania shall also be applicable to a foreign citizen committing one of the following crimes against the interests of the Albanian state or citizens outside the territory of the Republic of Albania:

- a) crimes against humanity;
- b) crimes against the independence and constitutional order;
- c) crimes with terrorist purposes;
- d) organization of prostitution, illegal trafficking of human beings, children and women, illegal manufacturing and trafficking of weapons, drugs, other narcotic and psychotropic substances, nuclear substances, pornographic materials, and illegal traffic of art works, and items of historic, cultural, and archaeological value;
- e) counterfeiting the Albanian state seal, Albanian currency, or Albanian securities;
- f) crimes affecting the life and health of Albanian citizens, whereof the law provides for a punishment by imprisonment of five years or any other more severe punishment;
- g) laundering the proceeds of a criminal offence or criminal activity;

- h) corruption-related crimes in public or private sectors, and the exercising of unlawful influence;
- i) criminal offences in the area of information technology.

Article 7/a

Universal jurisdiction

(Added up by Law no 9686, dated 26/02/2007; letter 'dh' added up by Law no 23/2012, dated 01/03/2012)

The criminal law of the Republic of Albania shall also be applicable to the foreign citizen, being in the territory of the Republic of Albania and not being extradited, and having committed one of the following offences outside of the territory of the Republic of Albania:

- a) crimes against humanity;
- b) war crimes;
- c) genocide;
- ç) offences for terrorist purposes;
- d) torture;
- dh) financing of terrorism.

The criminal law of the Republic of Albania shall also be applicable to the foreign citizen committing one of the criminal offenses outside of the territory of the Republic of Albania, for which specific laws or international agreements, where the Republic of Albania is a party, provide for the applicability of the Albanian criminal law.

Article 8

Application of the criminal law to criminal offences committed by a stateless person

(Amended by Law no 9686, dated 26/02/2007)

In connection with a stateless person committing a criminal offence within the territory of the Republic of Albania or a crime abroad, the provisions of Articles 7 and 7/a of this Code shall apply.

Article 9

Internationally protected persons

(Added up by Law no 23/2012, dated 01/03/2012)

The provisions of this Code shall also apply to criminal offences committed against internationally protected persons.

An internationally protected person, unless international agreements ratified by the Albanian state provide otherwise, is:

- a) the head of a state, including a member of the collegial body performing the functions of the head of state under the constitution of that state, the head of the government or the minister of foreign affairs, where the latter are in another state, and the family members accompanying them;
- b) a representative or official of a state, or an official or agent of an international organisation having an intergovernmental character, who, at the time and venue of the commission of the offence against him/her, his/her office, private residence or means of transport, enjoys, in accordance with the international law, special

protection against any assault on his/her person, freedom and dignity, as well as on the members of his/her family.

Article 9/a

Liability of foreign citizens enjoying immunity

(Numbering of the article amended by Law no. 23/2012, dated 01/03/2012)

The issue of liability of a foreign citizen committing a criminal offence within the territory of the Republic of Albania and enjoying immunity under the international law shall be resolved through diplomatic channels.

Article 10

Validity of the criminal decisions of foreign courts

The criminal decisions issued by foreign courts against the Albanian citizens establishing the commission of a criminal offence shall, unless provided for differently by bilateral or multilateral agreements, be valid in Albania within the scope of the Albanian law, even with regard to the following:

- a) to the effect of qualifying the person having committed the criminal offence as recidivist;
- b) to enforce decisions containing ancillary sanctions;
- c) to implement security measures;
- d) to recover damages or other civil law effects.

Article 11

Extradition

Extradition may be granted only when explicitly provided for by international agreements where the Republic of Albania is a party.

Extradition shall be granted when Albanian law and foreign law concurrently provide for the criminal offence constituting the subject matter of the extradition request.

Extradition shall not be granted:

- a) if the person to be extradited is an Albanian citizen, unless otherwise provided for by the agreement;
- b) if the criminal offence constituting the subject matter of the extradition request 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/her 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 criminal offence whereof extradition is requested.

CHAPTER II

CRIMINAL LIABILITY

Article 12

Age for criminal liability

A person shall be held criminally liable if, at the time of committing the crime, he/she has reached the age of fourteen.

A person committing a criminal contravention shall be held liable if he/she has reached the age of sixteen.

Article 13

Causal connection

No one shall be held criminally liable if there is no causal connection between his/her action or omission and the consequences or probability of their emergence.

Article 14

Guilt

No one shall be sentenced for an action or omission that is provided for by law as a criminal offence, as long as the offence has not been committed due to guilt.

A person shall be guilty if he/she commits the criminal offence intentionally or negligently.

Article 15

Intention

A criminal offence is committed intentionally when the person foresees the consequences of the criminal offence and wishes their occurrence or, although the person foresees and does not wish them, consciously allows them to occur.

Article 16

Negligence

A criminal offence is committed negligently when the person, although he/she does not wish the consequences, foresees the probability of their occurrence and recklessly hopes to avoid them, or does not foresee them, although referring to the circumstances, he/she should and could have foreseen them.

Article 17

Irresponsibility due to mental state

A person shall not be held criminally liable, if at the time of committing the offence suffered from psychic or neuropsychiatric disorders ruining his/her mental balance entirely and, consequently, was unable either to control his/her actions or omissions, or to be aware of committing a criminal offence.

A person, at the time of committing the criminal offence, suffering from psychic or neuropsychiatric disorders having lowered his/her mental capacity to be aware and fully control his/her actions or omissions, shall be liable; however, this circumstance shall be considered by the court in determining the extent and the kind of punishment.

Article 18

Criminal offence committed while drunk

A person shall not be excluded from criminal liability if he/she commits the offence while drunk.

Where inebriation was caused due to accidental circumstances and it has lowered the mental capacity, this circumstance shall be taken into account for mitigating the sentence.

Where inebriation was caused with intent to commit a criminal offence, this circumstance shall be taken into account for aggravating the sentence.

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

Article 19 **Self-defence**

No one shall be held criminally liable for having committed the criminal offence while being obliged to defend their own or another's life, health, rights, and interests against an unfair, real, and imminent attack, provided that the defence is proportionate to the dangerousness posed by the attack.

The obvious disproportion between them amounts to exceeding the limits of self-defence.

Article 20 **Extreme necessity**

No one shall be held criminally liable for having committed a criminal offence due to the necessity to confront a real and imminent danger threatening them, another person, or the property against serious damage not avoidable by other means, provided that it has not been instigated by them and the damage incurred is not greater than the damage avoided.

Article 21 **Exercising a right or fulfilling a duty**

No one shall be held criminally liable while acting to exercise rights or fulfil duties determined by law or an order issued by a competent authority, unless the order is obviously unlawful.

When the criminal offence was committed as a consequence of an unlawful order, then the person issuing the order shall be held liable.

CHAPTER III ATTEMPT

Article 22 **Meaning of attempt**

A criminal offence is deemed to remain an attempt where, although the person undertakes straightforward actions to commit it, it is hindered and not completed due to circumstances independent of the person's will.

Article 23 **Liability for the attempt**

The person attempting to commit a crime shall be held liable for it.

The court, depending on the degree of imminence of the consequence, as well as on the causes due to which the crime remained an attempt, shall mitigate the sentence, and may lower it below the minimum provided for by the law or may determine a more lenient sentence than the one provided for by law.

Article 24

Relinquishing committing a criminal offence

A person who, on his/her own will and conclusively relinquishes to commit a criminal offence, despite the opportunity to commit it, shall not be held criminally liable.

Where the actions performed so far contain elements of another criminal offence, the person shall be held liable for the offence committed.

CHAPTER IV

COMPLICITY OF PERSONS IN COMMITTING CRIMINAL OFFENCES

Article 25

Meaning of complicity

Complicity shall be the commission of the criminal offence by two or more persons in agreement with each other.

Article 26

Accomplices

Accomplices in committing a criminal offence shall be: the organizers, executors, instigators, and helpers.

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

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

Instigators are those persons who instigate the other accomplices to commit a criminal offence.

Helpers are those persons who, through advice, instructions, provision of means, abolition of obstacles, promises to hide the accomplices, traces or proceeds stemming from the criminal offence, help to carry it out.

Article 27

Liability of accomplices

The organizers, instigators, and helpers shall be liable same as the executors for the criminal offence committed by them.

In determining the sentence for the accomplices, the court should consider the extent of participation and the role each of them has assumed in committing the criminal offence.

Article 28

Special forms of complicity

(Amended by Law no. 9275, dated 16/09/2004; second paragraph of point 1 repealed, and point 2 amended by Law no. 9686, dated 26/02/2007)

1. The criminal organization is the highest form of collaboration that is composed of three or more persons and distinguished by the specific level of organization, structure, stability, duration, as well as by the purpose of committing one or more criminal offences to gain material or nonmaterial benefits.
2. The terrorist organization is a special form of the criminal organization, composed of two or more persons that have a steady collaboration extended over time, aiming of committing offences with terrorist purposes.
3. The armed gang is a special form of collaboration that, by possessing military weapons and ammunition and other necessary means, aims at the commission of criminal offences provided for in Chapter V, VI and VII of the Special Part of this Code.
4. The structured criminal group is a special form of collaboration, composed of three or more persons, which have the purpose of committing one or more criminal offences, and which aims at achieving material and nonmaterial benefits.

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

5. Creation and participation in a criminal organization, terrorist organization, armed gang, or structured criminal group constitutes a criminal offence and is punished according to the provisions of the Special Part of this Code or other special criminal provisions.
6. Members of the criminal organization, terrorist organization, armed gang, or structured criminal group are liable for all the criminal offences committed by them in fulfilling the aims of their criminal activity.
7. Members of the criminal organization, terrorist organization, armed gang, or structured criminal group benefit exemption from sentencing or a reduction of the sentence, as long as they make a contribution that is deemed as decisive for obtaining information on their activity, other accomplices, on properties possessed directly or not directly by them, as well as on the investigative activities conducted on criminal organizations, terrorist organizations, armed gangs, and structured criminal groups.

CHAPTER V PUNISHMENTS

Article 29

Principal punishments

(Amended by Law no. 8733, dated 24/01/2001; last paragraph added up with Law no. 9086, dated 19/06/2003; last paragraph repealed with Decision no. 47, dated 26/07/2012 of the Constitutional Court)

The following principal punishments shall apply to persons having committed crimes:

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

The following principal punishments shall apply to persons having committed criminal contraventions:

1. Imprisonment;
2. Fine.

Article 30

Ancillary punishments

(Point 2 amended by Law no 9086, dated 19/06/2003; point 1 amended by Law no 9275, dated 16/09/2004; point 10 added up by Law no. 23/2012, dated 01/03/2012)

Besides the principal punishment, a person having committed crimes or criminal contraventions may also be subject to one or some of the following ancillary punishments:

1. Prohibition of the right to exercise public functions;
2. Confiscation of means for committing the criminal offence and the proceeds of criminal offence;
3. Prohibition to drive;
4. Removal of decorations, honorary titles;
5. Revocation of the right to practice a profession or craft;
6. Revocation of the right to assume leading positions at legal entities;
7. Prohibition to stay in one or more administrative units;
8. Expulsion from the territory;
9. Obligation to publish the court decision;
10. Loss of parental responsibility.

In particular cases, when the imposition of principal punishments is deemed to be inappropriate and where the law provides for imprisonment up to three years or other more lenient punishments for the committed offence, the court may decide to apply only the ancillary punishment.

Article 31

Life imprisonment

(Paragraph first, second, and the title amended by Law no 8733, dated 24/01/200; last paragraph repealed by Law no 9686, dated 26/02/2007)

The punishment to life imprisonment shall be issued upon the court decision in connection with the commission of a serious crime.

Life imprisonment shall not be applied to persons being at the time of committing the crime younger than eighteen years old, or to women.

Article 32

Punishment to imprisonment

(First paragraph amended by Law no. 144, dated 02/05/2013)

The imprisonment sentence for crimes shall be imposed for a period ranging from five days to thirty-five years.

The imprisonment sentence for criminal contraventions shall be imposed for a period ranging from five days to two years.

Article 33

Way 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 way of serving the sentences and the prisoners' rights and duties are defined by law.

Juveniles shall serve imprisonment sentences in locations separated from adults.

Women shall serve imprisonment sentences in locations separated from men.

Article 34

Punishment to a fine

(Paragraph third and fourth amended by Law no. 8175, dated 23/12/1996; paragraph fifth added up, paragraph seventh amended by Law no. 8733, dated 24/01/2001; paragraph fourth amended by Law no 9275, dated 16/09/2004; paragraph eighth repealed by the Decision no. 19, dated 01/06/2011, of the Constitutional Court; amended by Law no. 23/2012, dated 01/03/2012; paragraph fifth amended by Law no. 144, dated 02/05/2013)

The punishment to a fine consists in paying an amount of money to the benefit of the state within the range provided for by law.

The punishment to a fine shall be imposed on persons committing crimes or criminal contraventions.

Persons committing crimes shall be subject to a fine ranging from 100,000 up to 10 million ALL.

Persons committing criminal contraventions shall be subject to a fine ranging from 50,000 up to 3 million ALL.

For the persons committing crimes with the motive of obtaining assets or any other material benefit, the court shall, pursuant to Article 36 of this Code, decide to confiscate the means of the commission of the criminal offence and the proceeds of the criminal offence or, in their absence, a punishment to a fine ranging from 100,000 up to 5 million ALL.

The court shall impose the sentence to a fine after having investigated about the solvency of a person. The solvency shall be determined based on a person's personal and property situation, and other circumstances related thereto. The fine must be paid within the deadline set out in the court decision.

Taking into account the economic situation of the defendants, the court may allow them to pay their fine by instalments, setting out the instalment amounts and the payment deadlines.

If a convicted person fails to pay a fine, and that fine cannot be collected through compulsory execution, the court shall decide to replace the fine with imprisonment, where five thousand ALL shall be equal to one day of imprisonment.

If a convicted person fails to pay the fine in due time for no fault of his and if the criteria on which the fine was determined have changed after the decision was issued and do not obviously justify the payment of the fine, the convicted person may request:

- a) postponement of the deadline for the payment of the fine for a period of up to six months;
- b) performance of work in public interest.

If the court orders the performance of work in public interest, the rules of Article 63 of this Code shall apply.

If the fine is not paid even after the postponement, or if the convicted person fails to perform work in public interest, the court shall decide to replace the fine with imprisonment.

When the fine is imposed for a crime committed, its replacement with imprisonment cannot exceed three years, whereas when it 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. If no imprisonment is provided for by the criminal provision, the maximum prison sentence shall be considered six months.

When the person convicted, as above, pays off his fine during the imprisonment term the court revokes the sentence and makes the calculations under the criteria of paragraph 8 of this Article.

Article 35

Prohibition of the right to exercise public functions

(Reformulated by Law No. 9275, dated 16/09/2004)

The prohibition of the right to exercise public functions for a period of no less than five years is obligatorily imposed on a person, who has committed an office-related crime by abusing with his/her public function, or has committed a crime, which the courts punishes with an imprisonment sentence of no less than ten years.

The prohibition of the right to exercise public functions can be applied for a period from three to five years, if the court has imposed a sentence of five to ten years of imprisonment, and from one to three years, if the sentence imposed is up to three years of imprisonment.

Article 36

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

(Amended by Law no 9086, dated 19/06/2003)

1. Confiscation is mandatorily imposed by the court and pertains to obtaining and transferring to the benefit of the state of:
 - a) the assets that have been used or specified as instruments for committing the criminal offence;
 - b) the proceeds of criminal offence, including any kind of assets, as well as legal documents or instruments establishing other titles or interests in the assets stemming from or obtained directly or indirectly from the commission of the criminal offence;
 - c) the promised or given remuneration for committing the criminal offence;
 - ç) any other assets, the value of which corresponds to the proceeds of criminal offence;
 - d) the assets, the production, use, possession or alienation of which consist a criminal offence, even if no conviction decision was issued.
2. If the proceeds of criminal offence have been transformed, or partly or fully converted into other assets, the latter shall be subject to confiscation.
3. If the proceeds of criminal offence are merged with assets gained legally, the latter shall be confiscated up to the value of the proceeds of criminal offence.
4. Subject to confiscation shall also be other income or proceeds of the criminal offence, assets into which the proceeds of criminal offence have been transformed or altered to, or assets with which these proceeds have been merged, to the same amount and manner as the proceeds of criminal offence.

Article 37

Prohibition to drive

Prohibition to drive is imposed by the court for a period within the range of one to five years on persons who have committed a criminal offence, when it is deemed that it will have a preventive effect or it matches the nature of the offence committed.

Article 38

Removal of decorations and titles

The removal of decorations and honorary titles shall be imposed on persons having committed a criminal offence punishable by imprisonment and it is deemed that maintaining them does not comply with the nature of the criminal offence committed.

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

Article 39

Revocation of the right to practice a profession or activity

(Amended by Law no. 144, dated 02/05/2013)

The revocation of the right to practice a profession or activity shall prevent the detainee from practicing the profession or activity for which a special permit, certificate, authorisation, or licence has been issued by the competent body.

The revocation of the right to practice an activity or profession shall be imposed for a period from one month to five years and is a result of any sentence for criminal offences committed by abusing them, or when it is estimated that the further practicing of the activity or profession goes against the legal relationship which the respective provision of the criminal offence aims to protect.

Article 40

Revocation of the right to assume leading positions

(Last paragraph added up by Law no. 9275, dated 16/09/2004)

The revocation of the right to assume leading positions within legal entities deprives the convict of the right to assume the duty of the director, administrator, entrepreneur, liquidator, or any other duty relevant to the capacity of the representative of a legal person.

The revocation of the right to hold leading positions within legal entities is a result of any punishment for criminal offences and it is imposed for a period of time ranging from one month to five years, as long as the convict has abused his/her functions or has acted in violation of the rules related to duty.

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

Article 41

Prohibition to stay in one or more administrative units

The prohibition to stay in one or more administrative units is imposed by the court for a period of time from one to five years, as long as it is deemed that the stay of the

convict in those locations constitutes a danger to the public safety.

Article 42

Expulsion from the territory

Expulsion from the territory of the Republic of Albania is imposed by the court on foreign or stateless citizens having committed a crime, when it is deemed that their further stay in the territory of the Republic of Albania should no longer continue.

The court shall revoke the decision upon the request of the convict, if the foreign or stateless citizen obtains the Albanian citizenship.

Article 43

Obligation to publish the court decision

The publication of the decision shall be given by the court when it deems that the announcement of the decision content is of interest to legal and physical persons.

The publication of the court decision consists in compelling the convict to publish the court decision, entirely or partially, at their expense, in one or more newspapers or RTV stations, according to the ruling of the court.

The court decides the publication date and duration.

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

The publication of the court decision shall not be granted as long as it endangers the divulgence of a state secret, the violation of the privacy of people or sanctity of public moral.

Article 43/a

Loss of parental responsibility

(Added up by Law no. 23/2012, dated 01/03/2012)

The loss of parental responsibility shall be ruled by the court against a person assuming parental responsibility, when that person has been sentenced as perpetrator or accomplice in a criminal offence against the child, or as an accomplice with the child in the commission of a criminal offence.

Article 44

Way of serving ancillary punishments

If the court, in addition to the imprisonment sentence, imposes one or more ancillary punishments as provided for in Article 30 of this Code, their application shall commence simultaneously with the main punishment.

As for numbers 1, 3, 5, 6, 7 and 8 of Article 30 of this Code, their application commences after serving the imprisonment sentence. The rights of the convict affected by the ancillary punishments shall not be assumed during the period of serving the imprisonment.

Article 45

Application of the criminal law on legal entities

(Repealed by Law no. 8733, dated 21/01/2001; added up by Law no. 9275, dated 16/09/2004)

The legal entities shall, with the exception of the state institutions, be held criminally responsible for criminal offences committed on their behalf or to their benefit by their bodies or representatives.

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

The criminal liability of the legal entities does not exclude that of the natural persons having committed criminal offences or being accomplices in the commission of the same criminal offences.

The criminal offences and the respective punishing measures taken against the legal entities, as well as the procedures for imposing and enforcing these measures are regulated by a special law.

Article 46

Medical and educational measures

(First and third paragraphs amended by Law No. 36/2017, dated 30/03/2017)

The court may impose medical measures on mentally incapable persons having committed criminal offences, whereas educational measures may be imposed on minors being excluded from punishment or, because of their age, not being criminally liable.

Medical measures are the following:

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

The decision on medical or educational measures can any time be revoked if the circumstances under which they were imposed cease to exist, but, in any case, the court is obliged to reconsider its decision after one year since the date of the issuance of the court sentence.

The rules relevant to revoking the court sentence containing medical measures are provided for in the Code of Criminal Procedure. The rules relevant to the assignment or revoking the court sentence containing medical and educational measures on minors are provided for in the Code for Criminal Justice for Children.

CHAPTER VI

DETERMINATION OF PUNISHMENT

Article 47

Way of determining the 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 offences provided for by law.

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

Article 48

Mitigating circumstances

(Two paragraphs added up by Law no. 144, dated 02/05/2013)

The following circumstances mitigate the punishment:

- a) Where the offence is committed due to motivations of positive moral and social values;
- b) When the offence is committed under the effect of a psychic distress caused by provocation or the unfair actions of the victim or some other person;
- c) When the offence is committed under the influence of wrong actions or instructions of a superior;
- ç) When the person who has committed the offence shows deep repentance;
- d) When the person has recovered the damage caused by the criminal offence or has actively helped to eliminate or reduce its consequences;
- dh) When the person surrenders to the competent authorities after committing the criminal offence;
- e) When the relationship between the person having committed the criminal offence and the victim has gone to normal.

The mitigating circumstance provided for in letter “a” of the first paragraph of this article shall not mitigate the sentence in the event the criminal offence is committed under the circumstances provided for in letter “j” of Article 50 of this Code.

The mitigating circumstance provided for in letter “e” of the first paragraph of this article shall not mitigate the sentence against a person who commits a criminal offence against children or a criminal offence related to domestic violence.

Article 49

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 as to justify the mitigation of the sentence.

Article 50

Aggravating circumstances

(Letter “b” amended, letter “h” and “i” added up by Law no. 8733, dated 24/01/2001; letter “dh” amended by Law no. 9275, dated 16/09/2004; letter “j” added up by Law no. 9686, dated 26/02/2007; letter “ç/1” and “e/1” added up and letter “g” and “j” amended by Law no. 144/2019, dated 02/05/2013; letter “f/1” added by Law no. 44/2019, dated 18/07/2019)

The following circumstances aggravate the punishment:

- a) When the offence committed is based upon futile motives;
- b) When the offence is committed for rendering criminally liable or hiding the criminal liability of a third person, or for avoiding the conviction for another criminal offence, or for gaining or providing wealth benefits for oneself or for third parties, or any other material benefit;
- c) When the criminal offence is committed savagely and ruthlessly;
- ç) When a crime is committed after a conviction was decided for a previously committed crime;
- ç/1) Commission of a criminal offence after subjecting the person under electronic monitoring;
- d) When actions that aggravate or increase the consequences of a criminal offence are committed;
- dh) Commission of the criminal offence by abusing the public office or the religious service.

- e) When the offence is committed against children, pregnant women, or other people who, due to different reasons, cannot protect themselves;
- e/1) Commission of a criminal offence during or after the issuing of a court order of protection against domestic violence;
- f) When the offence is directed against representatives of other states;
- f/1) When the offence is directed against elected officials and public officials due to their duty.
- g) When the offence is committed through profiting from family, cohabitation, friendship, hospitality relations;
- gj) When the offence is committed in complicity;
- h) When the criminal offence is committed more than once;
- i) When the offence is committed using weapons, military ammunitions, explosives, flammable, poisonous, and radioactive substances;
- j) Commission of the offence due to motives related to gender, race, colour, ethnicity, language, gender identity, sexual orientation, political, religious, or philosophical beliefs, health status, genetic predispositions or disability.

Article 51

Imprisonment sentence for minors

(Amended by Law no. 36/2017, dated 30/03/2017)

For minors, who at the time they committed the criminal offence were under eighteen years old, the imprisonment sentence may not exceed half of the term of punishment provided for by law for the criminal offence committed. The rules for determining the sentence for a minor are provided for in the Code for Criminal Justice for Children.

Article 52

Excluding minors from punishment

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

In these cases, the court may decide to place the minor to an educational institution.

Article 52/a

Exclusion or reduction of sentence for collaborators of justice and victims

(Added up by Law no. 144, dated 02/05//2013; reference amended by Law no. 146/2020, dated 17/12/2020)

The person who promised or gave reward or other benefits according to Articles 164/a, 244, 244/a, 245, 312, 319, 319/a, 319/b, and 319/c of this Code may enjoy exclusion from serving the sentence or a reduction of the sentence, in the event the person files a criminal denunciation and gives assistance during the criminal proceedings for these offences. When issuing the decision, the court shall also consider the time when the denunciation was filed, and the occurrence or not of the consequences of the offence.

A person injured by criminal offences related to trafficking in human beings may benefit exclusion from the sentence for committing criminal offences during the trafficking period and to the extent the person had been obliged to commit the illegal actions or omissions.

The person having committed one of the criminal offences related to trafficking of narcotics, weapons or ammunition, trafficking in human beings or criminal offences committed by criminal organisations, who cooperates and assists the criminal prosecution authorities in fighting against them, or, as the case may be, in identifying other persons who commit such crimes, may not be sentenced to more than half of the sentence foreseen for the offence committed. In particular cases, the person may be excluded from such sentence when mitigating circumstances are in his/her favour.

Article 52/b

Exclusion from punishment for crimes in the field of elections

(Added up by Law No. 146/2020, dated 17/12/2020)

A person who has committed one or more criminal offenses provided for in Chapter X of this Code, who cooperates and assists the criminal prosecution authorities in the investigation, as well as in the detection of other persons, accomplices in the commission of the criminal offense, or perpetrators of other related offenses, is excluded from punishment for the criminal offense committed.

Article 53

Reduction of sentence under the minimum provided for by law

(Words added up by Law no. 144, dated 02/05/2013)

In specific cases, when it deems that both the offence and the perpetrator are of low dangerousness and there are several mitigating circumstances and no aggravating circumstance exist, the court may impose a sentence under the minimum or a more lenient punishment than the one provided for in the respective provision.

Article 53/a

Substitution of an imprisonment sentence to a monetary amount to the benefit of the state

(Added up by Law no. 98, dated 31/07/2014)

The court may, where explicitly provided for in a provision and upon deeming that the criminal offence and its perpetrator pose a low social dangerousness and where it imposes an imprisonment term of up to two years, decide to replace the imprisonment sentence with the payment of a monetary amount to the benefit of the state, calculating one imprisonment day to five thousand ALL.

This replacement may be decided upon being sought by the perpetrator of the criminal offence.

When the monetary amount set out by the court is not paid within 10 days since the moment that the decision becomes final, the court shall, upon the request of the prosecution office, decide to revoke the decision and substitute it with an imprisonment term.

Article 54

Admitting to pay the fine

For contraventions for which, besides the fine, an imprisonment sentence is also imposed, the court, upon the request of the perpetrator of the criminal contravention, may admit that the latter pays an amount of money to the benefit of the state budget, equal to half of the maximum fine provided for criminal contraventions in the General Part of this Code.

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

When the court rejects such a request, it shall impose the sentence for the offence committed.

The request shall not be admitted for persons previously convicted also for criminal contraventions.

Article 55

Imposition of sentences for more than one criminal offence

(Second paragraph added up by Law no. 144/2013, dated 02/05/2013; and repealed by Decision no. 9, dated 26/02/2006 of the Constitutional Court; second paragraph amended by Law no. 135/2015, dated 05/12/2015, and repealed by Law no. 82/2016, dated 25/07/2016)

When actions or omissions contain elements of more than one criminal offence, and when the person has committed more than one criminal offence for which no sentence has been rendered, the court shall first sentence every criminal offence separately and, in the end, impose a single sentence, which consists of the most severe and increased sentence.

The most severe and increased sentence cannot exceed the total sum of the separately imposed punishments, nor the highest limit provided for the type of punishment imposed.

When the court deems that committing more than one crime does not demonstrate serious dangerousness of the culprit, it may impose as a final sentence the most severe punishment provided for one of the criminal offences.

While rendering its final decision, the court shall impose one or more of the ancillary punishments rendered separately for each particular offence.

Article 56

Joinder of sentences

If before serving the full sentence, the convict is sentenced for a criminal offence committed prior to the rendering of the sentence, the rules of the preceding article shall apply and the already served portion of punishment shall be calculated into the new sentence.

When the convict commits a new criminal offence after the rendering of the sentence, but before the full term of the sentence is served, the court joins the new sentence with the remaining portion of the previous term, following the rules provided for in Article 55 of this Code.

Article 57

Calculation of the pre-trial detention

(Paragraph third amended by Law no 8733, dated 24/01/2001)

The pre-trial detention period is calculated into the sentence of imprisonment or fine, as well as the obligation for performing community work as follows:

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

One day of pre-trial detention equals to a fine of five thousand ALL.

One day of pre-trial detention equals to eighteen hours of community work.

CHAPTER VII ALTERNATIVES TO IMPRISONMENT SENTENCES

Article 58

Open prison

(Amended by Law no. 10 023, dated 27/11/2008)

For sentences up to one year of imprisonment, the court may, due to the obligations of the convict in relation to work, education, qualification or professional training, essential family responsibilities or the need for medical treatment or rehabilitation, decide the execution of the sentence in open prisons.

The convict serving the sentence in open prison is obliged to return to prison, after carrying out responsibilities outside of prison, within the deadline set out by the court.

If the convict does not fulfil the obligations according to this article, Article 62 of this Code shall apply.

Article 59

Suspension of the execution of an imprisonment sentence and placing the convict on probation

(Amended by Law no. 10 023, dated 27/11/2008; third paragraph added, fourth paragraph amended by Law no. 36/2017, dated 30/03/2017; second sentence of point 4 repealed with Decision no. 20, dated 03/04/2024 of the Constitutional Court)

1. Due to the low dangerousness of the person, age, health and mental condition, lifestyle and needs, especially those related to family, education or work, the circumstances under which the criminal offence was committed, as well as the behaviour after the commission of the criminal offence, the court, when imposing an imprisonment sentence up to five years, may order the convict to keep contacts with the Probation Service and be placed on probation, suspending the execution of the sentence, provided that during the probation period the convict shall not commit another criminal offence.
2. The court shall order the convict to fulfil one or more obligations as provided for by Article 60 of this Code.
3. For sentences up to two years of imprisonment suspended by the court, the probation period shall be twice the length of the prison sentence imposed by the court.
4. The probation period, with the exception of the rule provided for in paragraph 3 of this article, shall be 24 months to 5 years. The probation period may be shortened or extended depending on the manner of execution of the probation and the personal circumstances of the convicted person, but without prejudice to the minimum and maximum periods provided for in this paragraph.
5. If the convict does not maintain contact with the Probation Service or does not fulfil the obligations provided for in Article 60, as ordered by the court, the court shall decide the replacement of the first sentence with another sentence, the extension of the surveillance period within the probationary period, or the revocation of the

suspension of the execution decision.

Article 59/a

Home confinement

(Added up by law no 10 023, dated 27/11/2008; second paragraph added up by Law no. 144, dated 02/05/2013)

For imprisonment sentences of up to two years or when this timing is the remainder of the sentence, according to a decision pertaining to a longer time of imprisonment, the court may decide for the convict to serve the punishment at home, in another private home or at a public health care centre, when the following circumstances exist:

- a) for pregnant women or mothers with children of under ten years of age living with them.
- b) for fathers, who have the parental custody over the child of under ten years of age, living with them, when the mother has died or is unable to take care of the child;
- c) for persons in severe health conditions requiring continuous care from the medical service outside of the prison;
- ç) for persons of age over sixty years old, whose health situation renders them incapable;
- d) for young adults under the age of twenty one, with established medical, study, work or family responsibility needs.

The court, under the circumstances provided for in letter “a” and “b” of the first paragraph of this article, may not order the serving of the sentence in home confinement for persons who have committed a criminal offence against their spouse, cohabitant or child.

The court may allow the persons convicted to home confinement to leave their residing place to fulfil their indispensable family needs, to get involved at work activities, education or rehabilitation programs, which the Probation Service has agreed upon.

In such case, the court defines the measures that need to be taken by the Probation Service.

The court shall revoke the home confinement and substitute it with another punishment, when the foreseen conditions provided for in the first paragraph of this article no longer exist. If the convict leaves the residence without the authorization of the court or violates the obligations assigned in the court decision, Article 62 of the Code shall apply.

Article 60

Obligations of the convict on probation

(Amended by Law no. 10 023, dated 27/11/2008; point 12 of first paragraph amended, one sentence in the second paragraph amended, and paragraph three added up with Law no. 36/2017, dated 30/03/2017)

The convict placed on probation may be obligated by the court to fulfil one or more of the following obligations:

- 1. To exercise a professional activity or to receive an education or professional training;
- 2. To use the wage and other income, or other assets to pay for the fulfilment of financial obligations;
- 3. To compensate for the incurred civil damage;
- 4. To be banned on driving specific vehicles;
- 5. To not exercise professional activities when the criminal offence is related to such

- activity;
6. To not visit specific places;
 7. To not visit bars serving alcoholic beverages;
 8. To remain in his/her residence during specified hours;
 9. To not associate with specific individuals, mainly convicts or accomplices in the criminal offence;
 10. To not possess, carry or use weapons;
 11. To be medicated or rehabilitated in a medical institution or to be subject to a treatment, medical or rehabilitation program;
 12. To undergo treatment, or a medical or rehabilitation program, in order to stop using alcohol or narcotics.

In imposing the obligations on the convict, the court takes into consideration the age of the convict, the mental condition, lifestyle and needs, especially the ones related to family, education or work, the motives for committing the criminal offence, the behaviour after the commission of the criminal offence, as well as other circumstances that influence the imposition of obligations according to this article and their surveillance. The obligations provided for in points 11 and 12 of paragraph 1 of this article shall be imposed only with the consent of the convicted person.

The period for the fulfilment of an obligation provided for in paragraph 1 of this article shall be determined by the court within the specified probation period.

Article 60/a

Obligation to quit the use of alcohol or drugs

(Added up by Law no. 144, dated 02/05/2013; words added up in third paragraph by Law no. 36/2017, dated 30/03/2017)

The court shall impose on a convict placed on probation and being addicted to alcohol or narcotics the obligation to undergo medical treatment to abstain from alcohol or drugs.

The medical treatment to the effect of abstaining from alcohol or drugs shall be taking place in a specialised medical institution, as decided by the Ministry of Health upon request from the Probation Service.

The Probation Service shall supervise the execution of the court decision and report immediately to the prosecutor in the event the convict does not fulfil the imposed obligation established according to the provisions of Article 60 of this Code.

Article 61

Obligations of the convict during the probation period

(Amended by Law no 10 023, dated 27/11/2008)

During the probation period, the convict shall be obliged:

- a) To appear regularly and inform continuously the Probation Service on the fulfilment of the conditions and obligations defined by the court.
- b) To obtain consent from the Probation Service to relocate residence, work location or for frequent movements within the country.

Article 62

Violation of conditions and obligations during the probation period

(Amended by Law no 10 023, dated 27/11/2008)

If the convict, during the term of probation, commits another criminal offence, the court may change the imposed obligations, replace the sentence rendered with another one, or fully or partly revoke the suspension decision.

If the convict, during the probation term, violates the conditions or obligations established, the Probation Service shall report immediately to the prosecutor.

For minor violations of conditions and obligations 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 shall request the court to change the imposed obligation, add up other obligations, replace them with other sanctions or revoke the decision for the suspension of the sentence and get the remainder of the sentence to be served in jail.

Article 63

Suspension of enforcement of imprisonment sentence and obligation to perform community work

(Amended by Law no 10 023, dated 27/11/2008)

The court may, due to the low dangerousness of the person and circumstances under which the criminal offence was committed, and as long as it has imposed a punishment of up to one year, decide to suspend the enforcement of imprisonment sentence and replace it with the obligation for the convict to perform community work.

Community work means the performance of work by the convicted person upon his/her consent and without reward in the public interest or in the interest of an association set out in the court verdict for a period ranging from forty to two hundred and forty hours.

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

Community work is performed within a six-month term.

The court shall, in its sentence, determine the number of working hours and the obligation for the convict to keep contact with the Probation Service. The Probation Service decides on the kind of work to be performed, the place and week days when the work will be performed, keeping in mind, to the extent possible, the regular employment or family obligations of the convict. The duration of community work shall not exceed eight hours a day.

Following the completion of the work, the punishment shall be remitted.

If the convict does not perform community work, does not keep contact with the Probation Service or violates the conditions or other obligations decided by the court, the prosecutor shall immediately inform the court. The court shall, in such a case, decide pursuant to Article 62 of this Code.

Article 64

Release on parole

(Amended by Law no 8733, dated 24/01/2001; amended by Law no 10 023, dated 27/11/2008; words added up in third paragraph with Law no. 144, dated 02/05/2013; third subparagraph of paragraph 1 amended, and paragraph 5 added up with Law no/2017. 36, dated 30/03/2017)

The convict may be released from serving the sentence earlier on parole only for specific reasons, if his/her behaviour and work demonstrate that, referring to the time

served, the purpose of his/her education has been fulfilled, and he/she has served:

- no less than half of the punishment time imposed for criminal contraventions;
- no less than two third of the punishment imposed for crimes sentenced to imprisonment up to five years;
- no less than three fourth of the punishment imposed for crimes punishable to imprisonment of over 5 years up to the maximum provided by law, with the exception of the provisions of paragraph 3 of this article.

The time benefited based on an amnesty or pardon shall not be calculated into the served punishment.

It shall not be allowed to release on parole a recidivist for a crime committed with intent, as well as a convict for the commission of criminal offences provided for in Articles 78/a, 79/a, 79/b, 79/c or the third paragraph of Article 100.

Release on parole shall be revoked by the court, when the convict sentenced for an intentionally committed criminal offence, commits another intentional criminal offence during the parole period, applying the provisions of joinder of sentences.

The court shall order the convicted person to maintain contact with the Probation Service during the probation period and to fulfil one or more of the obligations provided for in Article 60 of this Code. When the convicted person does not maintain contact with the Probation Service or does not fulfil the obligations provided for in Article 60 of this Code, as ordered by the court, the latter shall decide to replace the first sentence with another one, extend the term of supervision during the probation period, or revoke the decision on early release on parole.

Article 65

(First and second paragraph amended by Law no. 10 023, dated 27/11/2008; words amended in second paragraph, and paragraph third added up by Law no. 36/2017, dated 30/03/2017)

1. Parole is not permitted for a person sentenced to life imprisonment.
2. Only in exceptional cases may a person sentenced to life imprisonment be released on parole when:

He/she has served no less than thirty-five years of imprisonment and has maintained exemplary behaviour during the serving of the sentence and it is deemed that the purpose of the sentence for his/her education has been achieved.

3. Exempt from this rule are those convicted of criminal offenses provided for in Articles 78/a, 79/a, 79/b, 79/c and third paragraph of Article 100.

Article 65/a

Security period

(Added up by Law no. 23/2012, dated 01/03/2012)

The court, when issuing the decision, may also decide to set a security period, during which the application of Article 64 of this Code is not permitted, in cases where one of the following circumstances exists:

- a) the criminal offence, the punishment for which is over five years;
- b) the criminal offence has been committed in a cruel and brutal manner;
- c) the criminal offence has been committed against children, pregnant women or persons who, for various reasons, cannot be protected;
- ç) the criminal offence has been committed by taking advantage of family or cohabitation relationships;

d) the commission of the offence has been driven by motives related to gender, race, religion, nationality, language, political, religious or social beliefs.

The security period shall range between three-quarters of the sentence imposed by the court and the entire duration of the criminal sentence.

CHAPTER VIII

LAPSE OF CRIMINAL PROSECUTION, PUNISHMENTS AND THEIR NON-EXECUTION

Article 66

(Amended by Law no. 36/2017, dated 30/03/2017)

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

- a) forty years in the case of crimes punishable by life imprisonment;
- b) twenty years for crimes, which are foreseen to be punished no less than ten years of imprisonment or to other more severe punishment;
- c) ten years for crimes, which are foreseen to be punished between five and ten years of imprisonment;
- ç) five years for crimes, which are foreseen to be punished up to five years of imprisonment or to a fine;
- d) three years for criminal contraventions, which are foreseen to be punished up to two years of imprisonment;
- dh) two years for criminal contraventions, which are foreseen to be punished to fines.

The criminal offenses of Chapter II, Section I, Articles 76 –79/c, are not subject to statute of limitations.

Article 67

Non-applicability of statute of limitations to criminal prosecution

War crimes and crimes against humanity are not subject to the statute of limitations.

Article 68

Statute of limitations for the execution of the sentence

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

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

Article 69

Rehabilitation

The following shall be considered without criminal record:

- a) Those who are sentenced to imprisonment for less than six months or with any other lower sentence, who have not committed any other criminal offence for two years since

the day of their served sentence;

b) Those who are sentenced to imprisonment ranging from six months up to five years, who have not committed any other criminal offence for five years since the day of their served sentence;

c) Those who are sentenced to imprisonment ranging from five to ten years, who have not committed any other criminal offence for seven years since the day of their served sentence;

ç) Those who are sentenced to imprisonment ranging from ten to twenty five years, who have not committed any other criminal offence for ten years since the day of their served sentence.

Article 70

Pardon

The competent authority shall, through the act of pardoning either exclude the person completely or partially from serving the court sentence or shall substitute the sentence with a more lenient one.

Article 71

Amnesty

The competent authority shall, through the act of amnesty, affect the exclusion from criminal prosecution, from serving the sentence completely or partially, or shall substitute the sentence with a more lenient one.

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

Article 72

Applicability of the provisions of the General Part

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

SPECIAL PART

CHAPTER I

CRIMES AGAINST HUMANITY

Article 73

Genocide

(The words “a. to death” removed by Law No. 8733, dated 24/01/2001)

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 offences, such as: intentionally killing members of the group, 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, shall be sentenced to no less than ten years or life imprisonment.

Article 74

Crimes against humanity

(Amended by Law no 8733, dated 24/01/2001; amended by Law no. 144, dated 02/05/2013)

Murder, enforced disappearance, extermination, enslaving, internment and expulsion, and any other kind of human torture or violence committed according to a concrete premeditated plan or systematically, against a group of the civil population for political, ideological, racial, ethnical and religious motives shall be sentenced to no less than fifteen years or life imprisonment.

Article 74/a

Computer dissemination of materials favouring genocide or crimes against humanity

(Added up by Law no 10 023, dated 27/11/2008)

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

Article 75

War crimes

(Amended by Law no 8733, dated 24/01/2001)

Offences committed by different persons at wartime, such as murder, maltreatment, or deportation for slave labour, as well as any other inhuman exploitation to the detriment of the 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, communes or villages, which are not ordained by military necessity, shall be sentenced to no less than fifteen years or life imprisonment.

CHAPTER II

CRIMINAL OFFENCES AGAINST THE PERSON

CRIMES AGAINST LIFE

SECTION I

CRIMES AGAINST LIFE COMMITTED INTENTIONALLY

Article 76

Murder with intent

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

Article 77

Murder with intent connected to another crime

(Amended by Law no 8733, dated 24/01/2001)

Murder with intent, preceding, concurring, hiding or ensuring another crime shall be

sentenced to no less than twenty years of imprisonment.

Article 78

Premeditated murder

(Amended by Law no. 8733, dated 24/01/2001; words added up to the second paragraph by Law no. 9686, dated 26/02/2007; second paragraph amended by Law no. 144, 02/05/2013)

Premeditated murder shall be sentenced from fifteen to twenty five years of imprisonment.

Murder committed for interests or revenge shall be sentenced to no less than twenty years or life imprisonment.

Article 78/a

Murder due to blood feud

(Added up by Law no. 144, dated 02/05/2013)

Murder committed due to blood feud shall be sentenced to no less than thirty years or life imprisonment.

Article 79

Murder committed under other qualifying circumstances

(Amended by Law no. 8733, dated 24/01/2001; letter "c" amended by Law no. 9275, dated 16/09/2004; letter "c" repealed by Law no. 144, dated 02/05/2013)

Murder with intent committed:

- a) against minors;
 - b) against physically or mentally disabled persons, seriously ill persons, or pregnant women, as long as the situation of the victim is evident or known;
 - c) repealed
 - ç) against the denouncer, witnesses, impaired persons or other judicial parties;
 - d) more than once;
 - dh) against two or more persons;
 - e) in such a manner that causes particular suffering to the victim;
 - ë) in a dangerous way regarding the life of many persons,
- shall be sentenced to no less than twenty years or life imprisonment.

Article 79/a

Murder of public officials

(Added by Law no. 144/2013)

Murder with intent of a member of parliament, judge, prosecutor, lawyer, military, or other public official in the line of duty or because of duty, when the capacities of the victim are evident or known, shall be sentenced to no less than thirty years or life imprisonment.

Article 79/b

Murder of the State Police officers

(Added up by Law no. 144/2013)

Murder with intent of the State Police officers in the line of duty or because of duty, when the capacities of the victim are evident or known, shall be sentenced to no less than thirty years or life imprisonment.

Article 79/c

Murder because of family relations

(Added up by Law no. 144/2013)

Murder with intent of the person who is the spouse, former spouse, cohabitant, or former cohabitant, close kin or close in-law of the perpetrator shall be sentenced to no less than twenty years or life imprisonment.

Article 80

Providing for the material conditions and means for committing the murder shall be sentenced up to five years of imprisonment.

Article 81

Infanticide

(Wording changed by Law no. 144, dated 02/05/2013)

Infanticide committed voluntarily by the mother immediately after birth shall be sentenced up to five years of imprisonment.

Article 82

Murder committed in profound mental shock

Murder with intent committed in a sudden state of profound mental shock caused by violence or serious insult of the victim shall be sentenced up to eight years of imprisonment.

Article 83

Murder committed in excess of the necessary self-defence limits

Murder committed under the circumstances of exceeding self-defence limits shall be sentenced up to seven years of imprisonment.

Article 83/a

Serious threat to revenge or blood feud

(Added up by Law no. 8733, dated 24.1.2001; amended by Law no. 9686, dated 26/02/2007; the part providing for the punishment to a fine, as the main punishment, in addition to imprisonment, repealed by Law no 144, dated 02/5/2013)

Serious threat to revenge or blood feud, made to a person to lock themselves in their home, shall be sentenced up to three years of imprisonment.

Article 83/b

Incitement to blood feud

(Amended by Law no. 9686, dated 26/02/2007; the part proving for punishment to a fine, as the main punishment, in addition to imprisonment, repealed by Law no. 144, dated

02/05/2013)

Inciting other persons to revenge or blood revenge, when it does not constitute another criminal offence, shall be sentenced up to three years of imprisonment.

Article 84

Threat

Serious threat to murder or serious injury to someone constitutes a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 84/a

Threat due to racist and xenophobic motives through the computer system

(Added up by Law no. 10 023, dated 27/11/2008)

Serious threat to murder or serious injury to someone, through computer systems, because of their ethnicity, nationality, race, or religion affiliation shall be sentenced to a fine or up to three years of imprisonment.

SECTION II

CRIMES AGAINST LIFE CAUSED BY NEGLIGENCE

Article 85

Manslaughter

Murder committed due to negligence shall be sentenced to a fine or up to five years of imprisonment.

SECTION III

CRIMINAL OFFENCES COMMITTED INTENTIONALLY AGAINST HEALTH

Article 86

Torture

(Amended by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/2012)

Intentional commission 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 of:

- a) obtaining from him/her or from another person information or confessions;
 - b) punishing him/her for an action committed or suspected to have been committed by him/her or another person;
 - c) intimidating or pressuring him/her or another person;
 - ç) any other purpose based in any form of discrimination;
 - d) any other inhuman or degrading action;
- shall be sentenced from four up to ten years of imprisonment.

Article 87

Torture resulting into serious consequences

Torture, like any other inhuman treatment, as long as it has inflicted handicap, mutilation, or any permanent harm to the health of a person, or the death of the person,

shall be sentenced from ten to twenty years of imprisonment.

Article 88

Serious intentional injury

(Second paragraph amended by Law no. 144, dated 02/05/2013)

The intentional injury inflicting handicap, mutilation, or any other permanent detriment to the health, termination of pregnancy, or which has been dangerous to the life at the moment of its inducement, shall be sentenced from three to ten years of imprisonment.

The same offence, when committed against several persons, against the person who is the spouse, former spouse, cohabitant, or former cohabitant, close kin or close in-law of the perpetrator, or when it results in death, shall be sentenced from five to fifteen years of imprisonment.

Article 88/a

Serious wounding under the conditions of strong psychic distress

(Added up by Law no. 8733, dated 24/01/2001)

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

Article 88/b

Serious wounding in excess of the limits of necessary defence

(Added up by Law no. 8733, dated 24/01/2001)

Serious wounding committed in excess of the limits of necessary defence shall be sentenced up to three years of imprisonment.

Article 89

Non-serious intentional injury

Intentional injury, inflicting temporary work incapacity of longer than nine days, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 89/a

Illegal organ trafficking

(Added up by Law no. 8204, dated 10/04/1997; amended by Law no. 36/2017, dated 30/03/2017)

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

The same offense, committed by a person who abuses his/her position against a child or another vulnerable person, shall be sentenced from seven to ten years of imprisonment.

The same offense, when committed more than once or in complicity, shall be sentenced from ten to fifteen years of imprisonment.

When the above offense causes the death of the victim or this offense is committed by a structured criminal group or criminal organization, it shall be sentenced from fifteen to twenty-five years of imprisonment.

Article 89/b

Spread of infectious diseases

(Added up by Law No. 35/2020, dated 16/04/2020)

The intentional spread of an infectious disease with a high risk to health, through the performance of actions or omissions by a person who has been diagnosed as a carrier of the disease or by a person who intends to spread it, shall be sentenced from two to five years of imprisonment.

When this offense is committed through negligence, it shall be sentenced to a fine or up to two years of imprisonment.

The same offense, when it has caused serious consequences for the health or a risk to people's lives, shall be sentenced from three to eight years of imprisonment.

Article 90

Other intentional harm

Battering, as well as any other violent offence, shall constitute a criminal contravention and shall be sentenced to a fine.

The same offence, when causing temporary work incapacity of up to nine days, shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

SECTION IV

CRIMINAL OFFENCES AGAINST HEALTH COMMITTED DUE TO NEGLIGENCE

Article 91

Serious injury due to negligence

Serious injury committed due to negligence shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 92

Non-serious injury due to negligence

Non-serious injury committed due to negligence shall constitute a criminal contravention and shall be sentenced to a fine.

SECTION V

CRIMINAL OFFENCES 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, shall be sentenced to 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 a doctor, or after the time allowed for the interruption, except in the case when this is imposed because of a justified health-related cause, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

If the offence has caused danger to the life or resulted to death, it shall be sentenced to a fine or up to five years of imprisonment.

Article 95

Providing the means for the interruption of pregnancy

Providing the means which serve for the interruption of a woman's pregnancy in order to have either herself or with the help of somebody else interrupt the pregnancy, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 96

Reckless medication

(Second paragraph added up by Law no. 8733, dated 24/01/2001; amended by Law no. 44/2019, dated 18/07/2019)

Negligence in the medical treatment of the sick by a health professional, when it has endangered the person's life, or has seriously damaged their health, shall be sentenced to a fine or up to one year of imprisonment.

The same offence, when it has caused the person's death, shall be sentenced up to two years of imprisonment.

Article 97

Refraining from providing help

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

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, shall be sentenced to a fine or up to four years of imprisonment.

Article 99

Causing suicide

(Words amended by Law no. 144, dated 02/05/2013)

Causing suicide or a suicide attempt to a person because of the systematic maltreatment or other systematic misbehaviours, which seriously affect the dignity, committed by another person being the superior, or by the person having family or cohabitation relationships shall be sentenced from three up to seven years of imprisonment.

SECTION VI SEXUAL CRIMES

Article 100

Sexual or homosexual relations with minors

(Amended by Law no. 8733, dated 24/01/2001; words amended in the second and third paragraph by Law no. 144, dated 02/05/2013)

Having sexual or homosexual relations with minor children who have not reached the age of fourteen or with a female minor who is not sexually mature shall be sentenced from seven to fifteen years of imprisonment.

When the sexual or homosexual relation was committed in complicity, more than once, or by violence, or when the child victim had serious health consequences, it shall be sentenced to no less than twenty five years of imprisonment.

When that offence brought as a consequence the minor's death or suicide, it shall be sentenced to no less than thirty years or life imprisonment.

Article 101

Violent sexual or homosexual relations with a minor who is fourteen to eighteen years old

(Amended by Law no. 8733, dated 24/01/2001)

Having sexual or homosexual relations by violence with children that are fourteen to eighteen years old, and who are sexually mature, shall be sentenced from five to fifteen years of imprisonment.

When the sexual or homosexual relation by violence was done in complicity, more than once, or when the child victim had serious health consequences, it shall be sentenced from ten to twenty years of imprisonment.

When that offence brought as a consequence the minor's death or suicide, it shall be sentenced to no less than twenty years of imprisonment.

Article 102

Violent sexual relation with adults

(First and second paragraph amended by Law no. 8733, dated 24/01/2001; first paragraph amended by Law no. 144, dated 02/05/2013)

Performing violent sexual relations with adults, or between spouses or cohabitants, without the consent of one of them, shall be sentenced by imprisonment from three to ten years.

When the violent sexual relation is committed in complicity, or more than once, or when serious health consequences are caused to the injured party, it shall be sentenced by imprisonment from five to fifteen years.

When the offence has resulted in the death or suicide of the injured party, it shall be sentenced by imprisonment from ten to twenty years.

Article 102/a

Homosexual relations with violence against adults

(Added up by Law No. 8733, dated 24/01/2001; amended by Law No. 23/2012, dated 01/03/2012)

Committing homosexual relations with violence against adults shall be sentenced by imprisonment from three to seven years.

When homosexual relations with violence are committed in complicity, or more than once, or when serious health consequences are caused to the injured party, it shall be sentenced from five to ten years of imprisonment.

When the offence has resulted in the death or suicide of the injured party, it shall be sentenced from ten to twenty years of imprisonment.

Article 103

Sexual or homosexual relations with persons incapable of defending themselves

(Amended by Law No. 8733, dated 24/01/2001)

Performing sexual or homosexual relations, taking advantage of the physical or mental incapacity of the injured person or, by rendering them unconscious, shall be sentenced by imprisonment from five to ten years.

When the sexual or homosexual relations are carried out in complicity, or more than once, or when serious health consequences are caused to the injured person, it shall be sentenced from seven to fifteen years of imprisonment.

When the offence has resulted in the death or suicide of the injured person, it shall be sentenced from ten to twenty years of imprisonment.

Article 104

Sexual or homosexual relations with the threat of use of weapon

(Amended by Law No. 8733, dated 24/01/2001)

Performing sexual or homosexual relations, threatening the injured person with the immediate use of a weapon, shall be sentenced from five to fifteen years of imprisonment.

Article 105

Sexual or homosexual relations by abuse of office

(Amended by Law No. 8733, dated 24/01/2001)

Performing sexual or homosexual relations by abuse of a relationship of dependence or office shall be sentenced up to three years of imprisonment.

Article 106

Sexual or homosexual relations with kin persons or persons under guardianship

(Amended by Law No. 8733, dated 24/01/2001)

Performing sexual or homosexual relations between a parent and a child, a brother and a sister, between brothers, sisters, between other persons, who are of the same kin in

a straight line, or with persons who are in a guardianship or adoption relationship, shall be sentenced up to seven years of imprisonment.

Article 107

Sexual or homosexual relations in public places

(Words added up by Law No. 8733, dated 24/01/2001; Article 107/a added up by Law No. 144, dated 02/05/2013)

Performing sexual or homosexual relations in public places or in environments exposed to public view shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 107/a

Sexual violence

The exercise of sexual violence, through the performance of acts of a sexual nature on the body of another person with objects, shall constitute a criminal offense and shall be sentenced from three to seven years of imprisonment.

When this offense is committed in complicity, against several persons, more than once, or against children aged fourteen to eighteen, it shall be sentenced from five to fifteen years of imprisonment.

When this offence is committed against a minor who has not reached the age of fourteen or a minor who has not reached sexual maturity, regardless of whether it is committed with violence or not, it shall be sentenced to no less than twenty years of imprisonment.

When this offence has resulted in the death or suicide of the injured party, it shall be sentenced to no less than twenty-five years of imprisonment.

Article 108

Obscene acts

(Amended by Law No. 8733, dated 24/01/2001; amended by Law No. 23/2012, dated 01/03/2012; paragraphs added up by Law No. 144, dated 02/05/2013)

Committing obscene acts with minors who have not reached the age of fourteen shall be sentenced from three to seven years of imprisonment.

The same offence, when committed against a minor who has not reached the age of fourteen, with whom the perpetrator has a family relationship, shall be sentenced from five to ten years of imprisonment.

The intentional involvement as a witness, in acts of a sexual nature, of a minor who has not reached the age of fourteen or of a minor who has not reached sexual maturity, shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

The proposal made by an adult, by any means or form, to meet a minor who has not reached the age of fourteen or a minor who has not reached sexual maturity, with the intention of committing any of the criminal offenses provided for in this section or in section VIII of Chapter II of this Code, shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

Article 108/a

Sexual harassment

(Article 108/a added up by Law No. 144, dated 02/05/2013)

Committing a conduct of a sexual nature that violates the dignity of a person, by any means or form, by creating a threatening, hostile, degrading, humiliating, or offensive environment shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

When this offense is committed in complicity, against several persons, more than once, or against children, it shall be sentenced from three to seven years of imprisonment.

SECTION VII CRIMINAL ACTS AGAINST PERSONAL FREEDOM

Article 109

Kidnapping or holding a person hostage

(Amended by Law no. 8733, dated 24/01/2001; added up by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Kidnapping or holding a person hostage in order to gain wealth or any other benefit, to facilitate the preparation of conditions for committing a crime, helping in hiding or departure of perpetrators or accomplices of a crime, avoiding the punishment, forcing the realization of certain requests or circumstances, for political or other reasons, shall be sentenced from ten to twenty years of imprisonment.

The same offence, when committed against a minor under the age of fourteen, shall be sentenced to no less than fifteen years of imprisonment.

Kidnapping or holding hostage a person or a minor under the age of fourteen, preceded or accompanied with physical or psychic tortures, when committed against several persons, or more than once, shall be sentenced to no less than twenty years of imprisonment, and when it resulted in death, shall be sentenced to life imprisonment.

Article 109/a

Kidnapping or holding hostage a person in lenitive circumstances

(Added up by Law no. 8733, dated 24/01/2001)

When the person being kidnapped or held hostage is voluntarily allowed to go before the expiry of seven days from the day the person was kidnapped or held hostage, without achieving the outcome of the crime and, when against the person is not wielded any torture or there are no health damages, it shall be sentenced from three to five years of imprisonment.

Article 109/b

Forcing through blackmail or violence to give out the property

(Added up by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Causing a person, through blackmail or violence, to do or not do a certain action, in order to unjustly gain wealth or any other benefit for oneself or for third persons, shall be sentenced from two to eight years of imprisonment.

The same offence, when committed by using or by threatening to use the gun, torture, inhuman and humiliating acts, which have caused harm to the health, shall be

sentenced from seven to fifteen years of imprisonment.

When the crime as a consequence has caused the death of the person, it shall be sentenced to life imprisonment.

Article 109/c

Enforced disappearance

(Added up by Law no. 144, dated 02/05/2013)

Enforced disappearance through arrest, detention, abduction, or any other form of deprivation of liberty of the person by public officials or persons acting upon their authorisation, support or approval, followed by the non-acceptance of the deprivation of liberty or by concealment of the fate or whereabouts of the person, by denying the assistance and necessary protection in compliance with the law, shall constitute a criminal offence and shall be sentenced from seven to fifteen years of imprisonment.

The superior who:

- a) is aware that the dependents under his/her authority and effective control are committing or are about to commit the enforced disappearance, or who does not take into account data and information which clearly point to this fact;
- b) exercises his/her effective responsibility and control over the activities to which the enforced disappearance is linked with; or
- c) does not take all the necessary and reasonable measures under his/her competence to prevent or punish the person who issues the authorisation, support, and approval of the enforced disappearance, or to send the case to the competent bodies of criminal prosecution shall be sentenced from three to seven years of imprisonment.

When such offence is committed against children, pregnant women, or persons who because of different reasons cannot protect themselves, or when such offence causes serious physical suffering, is committed in complicity, against several persons or more than once, it shall be sentenced from ten to twenty years of imprisonment.

When such offence causes the death of a person, it shall be sentenced to no less than thirty years or life imprisonment.

Illegal taking of children who are subjects of enforced disappearance, or of children whose father, mother, or legal representative is the subject of enforced disappearance, or of children born during the period of enforced disappearance, shall constitute a criminal offence and shall be sentenced from five to ten years of imprisonment.

Article 110

Unlawful detention

(Second paragraph amended by Law no. 8733, dated 24/01/2001)

Unlawful detention of a person shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

When this offence is accompanied by severe physical suffering, is committed in complicity, against several persons or more than once, it shall be sentenced from three to seven years of imprisonment.

Article 110/a

Trafficking in adult persons

(Added up by Law no. 8733, dated 24/01/2001; amended by Law no. 9188, dated

12/02/2004; the title, words in the first and third paragraph changed and second paragraph added up by Law no. 144, dated 02/05/2013; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

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 their 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 labour or services, slavery or forms similar to slavery, putting in use or transplanting organs, as well as other forms of exploitation, both within and beyond the territory of the Republic of Albania, shall be sentenced from eight to fifteen years of imprisonment.

When this offence is committed against an adult female person, it shall be sentenced from ten to fifteen years of imprisonment.

The organization, management and financing of the trafficking of persons shall be sentenced from seven to fifteen years of imprisonment.

When this offence is committed in complicity, more than once, is accompanied with maltreatment and forcing the victim to commit various actions through the use of physical or psychological violence, causing serious consequences to the health or threatening the life of the person, it shall be sentenced to no less than fifteen years of imprisonment.

When the offence as a consequence has caused the death of the victim, it shall be sentenced to no less than twenty years or life imprisonment.

When the criminal offence is committed through the utilization of a state function or public service, the imprisonment sentence shall increase by one fourth of the punishment given.

Article 110/b

Benefit from or use of services provided by trafficked persons

(Added up by Law no. 144, dated 02/05/2013)

The benefit from or use of services provided by trafficked persons, or services which are subject to exploitation by trafficking, being aware that the person is trafficked, shall be sentenced from two to five years of imprisonment.

When this offence is committed against a minor, it shall be sentenced from three to seven years of imprisonment.

Article 110/c

Actions facilitating trafficking

(Added up by Law no. 144, dated 02/05/2013)

Forgery, possession, or provision of identity cards, passports, visas or other travel documents, or their retaining, removal, hiding, damaging or destruction, which has served for the trafficking of adult persons, but having no knowledge of this fact, shall constitute a criminal offence and shall be sentenced from two to five years of imprisonment.

The same offence, when committed in complicity, more than once, or is committed by the person who has the task to issue the identity card, passport, visa, or the travel document, or has enabled trafficking of children, shall be sentenced from four to eight

years of imprisonment.

The same offence, when it results in serious consequences, shall be sentenced to no less than five years of imprisonment.

Article 111

Hijacking of planes, ships and other means

Possession and taking control of planes, ships and other means of transportation that carry people through violence or by threatening with arms or other means shall be sentenced from ten to twenty years of imprisonment.

Article 112

Breaking and entering into someone's house

Breaking and entering into someone's house without his/her consent shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

When the offence is committed by force or by threat of gunpoint, it shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

SECTION VIII

CRIMINAL ACTS AGAINST MORALITY AND DIGNITY

Article 113

Prostitution

(Second paragraph added up by Law no. 23/2021, dated 01/03/2012)

Exercise of prostitution shall be sentenced to a fine or up to three years of imprisonment.

Giving a payment for personal benefit of prostitution shall be sentenced to a fine or up to three years of imprisonment.

Article 114

Exploitation of prostitution

(Title changed and second paragraph repealed by Law no. 8279, dated 15/01/1998; amended by Law no. 144, dated 02/05/2013)

Encouragement, mediation, or receipt of compensation for exercising prostitution shall be sentenced from two to five years of imprisonment.

When the same offence is committed with minors, against several persons, with close kin, close in-laws, or with persons in custodial relationships, or by taking advantage of official relationship, or when committed in complicity or more than once, or by state and public officials, it shall be sentenced from seven to fifteen years of imprisonment.

Article 114/a

Exploitation of prostitution with aggravated circumstances

(Added up by Law no. 8279, dated 15/01/1998, Article 2, point 6, and last paragraph amended by Law no. 8733, dated 24/01/2001; repealed by Law no. 144, dated

02/05/2013)

Article 114/b

Trafficking of women

(Amended by Law no. 9188, dated 12/02/2004; repealed by Law no. 144, dated 02/05/2013)

Article 115

Use of premises for prostitution

Maintaining, utilizing, financing, and renting the premises for purposes of prostitution, shall be sentenced to a fine or up to ten years of imprisonment.

Article 116

Homosexuality

(Repealed by Law no. 8733, dated 24/01/2001)

Article 117

Pornography

(Second paragraph added up by Law no. 9859, dated 21/01/2008; amended by Law no. 144, dated 02/05/2013)

Production, distribution, advertisement, import, sale, and publication of pornographic materials in environments with children, by any means or form, shall constitute a criminal contravention and shall be sentenced up to two years of imprisonment.

Production, import, offering, making available, distribution, broadcasting, use, or possession of child pornography, as well as the conscious creation of access in it, by any means or form, shall be sentenced from three to ten years of imprisonment.

Recruitment, use, compulsion, or the persuasion of a child to participate in pornographic shows, as well as the participation in such shows which involve children, shall be sentenced from five to ten years of imprisonment.

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, shall be sentenced to a fine or up to five years of imprisonment.

Article 119

Insulting

(Second paragraph amended by Law no. 8733, dated 24/01/2001; amended by Law no. 23/2012, dated 01/03/2012)

Intentional insult of a person shall constitute a criminal contravention and shall be sentenced to a fine of fifty thousand to one million ALL.

The same offence, when committed in public, to the detriment of several persons, or more than once, shall constitute a criminal contravention and shall be sentenced to a fine of fifty thousand to three million ALL.

Article 119/a

Dissemination of racist or xenophobic materials through the computer system*(Added up by Law no. 10 023, dated 27/11/2008)*

Offering in public or deliberately disseminating to the public, through computer systems, of materials with racist or xenophobic content shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 119/b

Insulting due to racist or xenophobic motives through the computer system*(Added up by Law no. 10 023, dated 27/11/2008)*

Intentional insulting of a person in public, through a computer system, because of ethnicity, nationality, race or religion shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 120

Libel*(Second paragraph amended by Law no. 8733, dated 24/01/2001; amended by Law no. 23/2012, dated 01/03/2012)*

Intentional dissemination of statements, and any other pieces of information, with the knowledge that they are false, and affect a person's honour and dignity, shall constitute a criminal contravention and shall be sentenced to a fine of fifty thousand up to one million five hundred thousand ALL.

The same offence, when committed in public, to the detriment of several persons or more than once shall constitute a criminal contravention and shall be sentenced to a fine of fifty thousand up to three million ALL.

Article 121

Unfair interference with private life*(Amended by Law No. 44/2019, dated 18/07/2019)*

Installing appliances which serve for hearing or recording words or images, the hearing or recording of words, fixing or recording of images, as well as preserving for publication of the data which exposes an aspect of the private life of the person without his/her consent, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

The distribution, offering for publication or publication, by any means or form, of public communication or other means of data obtained in the manner specified in the first paragraph of this article shall be sentenced up to three years of imprisonment.

The same offense, when committed against minors, shall be sentenced from one to three years of imprisonment.

When the criminal offense is committed through the use of state function or public service or by a person who has access to this data due to state duty or public service, it shall be sentenced from one to three years of imprisonment.

Article 121/a

Stalking*(Added up by Law no. 23/2012, dated 01/03/2012)*

Intimidation or harassment of a person through repetitive actions, with the intent to cause a state of constant and severe anxiety or fear for personal safety or that of a relative or person with whom that person has a spiritual connection, or to force the person to change his/her way of living, shall be sentenced from six months up to four years of imprisonment.

When that offence is committed by an ex-spouse, former cohabitant, or person who had a spiritual connection with the injured party, the punishment shall increase by one third of the sentence imposed.

When that offence is committed against a minor, a pregnant woman or persons unable to defend themselves and when it has been committed by a person in disguise or is accompanied with the carrying or use of weapons, the punishment shall increase by one-half of the sentence imposed.

Article 122

Spreading personal secrets

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

The same offence committed with the intent of embezzlement or of damaging another person, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 123

Obstruction or violation of the privacy of correspondence

Intentional commitment of acts such as destruction, non-delivery, opening and reading of letters or any other correspondence, as well as the interruption, placement under control or tapping of telephones, telegraphs, or any other means of communication, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

SECTION IX

CRIMINAL ACTS AGAINST CHILDREN, MARRIAGE AND FAMILY

Article 124

Abandonment of minor children

(Words in first paragraph amended by Law no. 8733, dated 24/01/2001)

Abandonment of a child under the age of sixteen by a parent or by a person compelled to guard over the child, shall be sentenced to a fine or up to three years of imprisonment.

When the offence has caused serious harm to the health or the death of the child, it shall be sentenced from three up to ten years of imprisonment.

Article 124/a

Asking or receiving of remuneration for adoption procedures

(Added up by Law no. 9086, dated 19/06/2003; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013, Article 48)

Asking, proposing, giving or accepting of remunerations and other benefits to commit or not to commit an action, related to the adoption process of a minor, shall be sentenced up to seven years of imprisonment.

Article 124/b

Abuse of minors

(Added up by Law no. 9859, dated 21/01/2008; amended by Law no. 23/2012, dated 01/03/2012; second paragraph amended by Law no. 144, dated 02/05/2013)

Physical or psychological abuse of minors by their parents, sister, brother, grandfather, grandmother, legal guardian or any person who is obliged to take care of them, shall be sentenced from three months up to two years of imprisonment.

Coercing, exploitation, encouragement, or use of a minor to work, to obtain income, to beg, or to perform actions that damage his/her mental and/or physical development or education, shall be sentenced from two to five years of imprisonment.

When the offence has caused severe health damage or the death of the minor, it shall be sentenced from 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, shall constitute a criminal contravention and shall be sentenced to 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 spouse, or by the person who is taking care of children after the divorce, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 127

Taking the child unlawfully

Taking the child unlawfully away from the person exercising parental authority or entrusted to raise and educate the child, as well as not giving the child to the other parent in breach of the court order, shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

Article 128

Child swapping

Child swapping committed due to negligence by the staff at the place where they are raised, cured, or at the maternity hospital, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 128/a

Deliberately hiding or swapping a child
(Added up by Law no. 8733, dated 24/01/2001)

Deliberately hiding or swapping a baby with another one committed by the medical personnel shall be sentenced from three to eight years of imprisonment.

Article 128/b

Trafficking of minors

(Added up by Law no. 8733, dated 24/01/2001, amended by Law no. 9188, dated 12/02/2004; added up by Law no. 9859, dated 21/01/2008; words in first paragraph amended by Law no. 144, dated 02/05/2013; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Recruitment, sale, transport, transfer, hiding or reception of minors with the purpose of exploitation for prostitution or other forms of sexual exploitation, forced labour or service, slavery or forms similar to slavery, putting in use or transplanting organs, as well as other forms of exploitation, shall be sentenced from ten to twenty years of imprisonment.

The organization, management and financing of the trafficking of minors shall be sentenced from ten to twenty years of imprisonment.

When this crime is committed in complicity or more than once, or is accompanied with the maltreatment and forcing of the victim through physical or psychological violence to commit various actions, or brings about serious consequences to health, it shall be sentenced to no less than fifteen years of imprisonment.

When the offence as a consequence has brought about the death of the victim, it shall be sentenced to no less than twenty years or with life imprisonment.

When the criminal offence is committed through the use of a state function or public service, the imprisonment sentenced is 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 shall be sentenced up to five years of imprisonment.

Article 130

Coercion or obstruction of cohabitating, concluding or dissolving a marriage

(Amended by Law no. 144, dated 02/05/2013)

Coercing or obstructing the initiation or continuation of cohabitation, or coercion to conclude or dissolve the marriage, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Intentional request to an adult or child to leave the territory of the Republic of Albania for purposes of obliging the child to enter into marriage shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 130/a

Domestic violence

(Added up by Law no. 23/2012, dated 01/03/2012; last paragraph amended by Law no. 144, dated 02/05/2013, amended by Law no. 35/2020, dated 16/04/2020)

Battering and any other act of physical or psychological violence against a person who is a spouse, former spouse, cohabitant or former cohabitant, close kin (pre-born, post-born, brother, sister, uncle, aunt, nephew, niece, children of brothers and sisters), or close in-laws (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law and brother-in-law, stepson, stepdaughter, stepfather and stepmother), or in a relationship or former intimate relationship with the perpetrator of the criminal offense, resulting in violation of his/her physical, psycho-social and economic integrity, shall be sentenced up to three years of imprisonment.

A serious threat of murder or serious injury against a person who is a spouse, former spouse, cohabitant or former cohabitant, close kin (pre-born, post-born, brother, sister, uncle, aunt, nephew, niece, children of brothers and sisters), or close in-laws (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law and brother-in-law, stepson, stepdaughter, stepfather and stepmother), or in a relationship or former intimate relationship with the perpetrator of the criminal offence, resulting in violation of his/her psychic integrity, shall be sentenced up to four years of imprisonment.

Intentional injury committed against a person who is a spouse, former spouse, cohabitant or former cohabitant, close kin (pre-born, post-born, brother, sister, uncle, aunt, nephew, niece, children of brothers and sisters), or close in-laws (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, stepson, stepdaughter, stepfather and stepmother), or in a relationship or former intimate relationship with the perpetrator of the criminal offence, resulting in a temporary disability for work for more than nine days, shall be sentenced up to five years of imprisonment.

The same offences, when committed repeatedly or in the presence of minors shall be sentenced from one to five years of imprisonment.

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, shall be sentenced to a fine or 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, shall be sentenced to a fine or up to three years of imprisonment.

Article 133

Obstructing religious ceremonies

Ban or creating obstacles to persons for participating in religious ceremonies, as well as for freely expressing religious beliefs, shall constitute a criminal contravention

and shall be sentenced to a fine or up to one year of imprisonment.

CHAPTER III CRIMINAL ACTS AGAINST PROPERTY OR IN THE ECONOMIC AREA

SECTION I THEFT OF PROPERTY

Article 134

Theft

(A paragraph added up with Law no. 8733, dated 24/01/2001; amended by Law no. 9275, dated 16/09/2004; amended by Law no. 23/2012, dated 01/03/2012)

Property theft shall be sentenced to a fine or up to three years of imprisonment.

The same offence, when committed in complicity or more than once, shall be sentenced from six months to five years of imprisonment.

The same offence, when it has brought about serious consequences, shall be sentenced from four to ten years of imprisonment.

Article 135

Theft through abuse of office

(Words added up by Law no. 23/2021, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

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

Article 136

Bank robbery and robbery of savings bank branches

(Second paragraph added up by Law no. 8733, dated 24/01/2001)

Bank and savings bank robbery shall be sentenced from five up to fifteen years of imprisonment.

The same offence, when committed in complicity, more than once, or when it has brought about serious consequences, shall be sentenced from ten to twenty years of imprisonment.

Article 137

Stealing electricity or telephone impulses

(First paragraph added up by Law no. 8733, dated 24/01/2001; second paragraph amended by Law no. 10 023, dated 27/11/2008; amended by Law no. 98/2014, dated 31/07/2014)

Stealing electricity or telephone impulses, damage to the meter, as well as any other illicit and unauthorized intervention in the metering system or in the electricity network or telephone network committed with the intention of illegal gain, shall constitute a criminal offense and shall be sentenced up to three years of imprisonment.

When this criminal offense is committed in complicity, more than once, or by non-family users of electricity or the telephone service network, it shall be sentenced from

one to five years of imprisonment.

Article 137/a

Theft of the electronic communications network

(Added up by Law no. 144, dated 02/05/2013)

Theft of the electronic communications network shall be sentenced up to three years of imprisonment.

The same offence, when committed in complicity, more than once, or when it has brought about serious consequences, shall be sentenced from three to seven years of imprisonment.

Article 138

Theft of works of art and culture

Theft of works of art and culture shall be sentenced to a fine or up to five years of imprisonment.

Theft of works of art and culture that have national importance shall be sentenced from five to ten years of imprisonment.

Article 138/a

Trafficking of works of art and culture

(Added up by Law no. 8733, dated 24/01/2001)

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

The same offence, when committed in complicity, or more than once, or when it has brought about serious consequences, shall be sentenced from five to fifteen years of imprisonment.

Article 139

Robbery

Stealing property through the use of force shall be sentenced from five to fifteen years of imprisonment.

Article 140

Armed robbery

(Amended by Law no. 8733, dated 24/01/2001; amended by Law no. 9686, dated 26/02/2007)

Theft of property, accompanied by bearing military weapons or ammunitions, or by their use, shall be sentenced from ten to twenty years of imprisonment.

Article 141

Theft resulting in death

(Words "a. to death" removed by Law no. 8733, dated 24/01/2001)

Theft of property, when accompanied with violations resulting in the death of a

person, shall be sentenced from fifteen to twenty years of imprisonment or life imprisonment.

Article 141/a

Trafficking of motor vehicles

(Added up by Law no. 8733, dated 24/01/2001)

Illegal import, export, transit, and trade of stolen motor vehicles, in order to have material or other benefits shall be sentenced from three to seven years of imprisonment.

The same offence, when committed in complicity, or more than once, or when it has brought about serious consequences, shall be sentenced from five to fifteen years of imprisonment.

Article 142

Providing equipment for theft

Providing the conditions and material equipment for the theft of property shall be sentenced to a fine or up to three years of imprisonment.

SECTION II

FRAUD

Article 143

(Second paragraph added up by Law no. 8733, dated 24/01/2001; amended by Law no. 36/2017, dated 30/03/2017)

The appropriation of private or public property through the presentation of false facts or by concealing true facts, lying or abusing trust, for oneself or for other persons, shall constitute the criminal offense of fraud and shall be sentenced up to five years of imprisonment.

The same offence, when committed in complicity, or more than once, shall be sentenced from two to six years of imprisonment.

The same offence, when it brings about serious consequences, shall be sentenced from five to ten years of imprisonment.

Article 143/a

Fraudulent and pyramidal schemes

(Added up by Law no. 8733, dated 24/01/2001)

Organizing and putting into function of fraudulent and pyramidal schemes by borrowing money, in order to have material benefits, shall be sentenced from three to ten years of imprisonment.

The same offence, when it brings about serious consequences, shall be sentenced from ten to twenty years of imprisonment.

Article 143/a/1

Manipulating the market

(Added up by Law no. 23/2012, dated 01/03/2012)

Intentional inaccurate presentation of the value of a commodity, service or currency,

with the intent to disrupt free and fair functioning of the market, shall be sentenced to a fine or up to four years of imprisonment.

Article 143/a/2

Unauthorised use and divulgence of privileged information

(Added up by Law no. 23/2012, dated 01/03/2012)

A person who, in an authorised or unauthorised manner, becomes aware of privileged information, which the public is unaware of, and which he/she may use with the intent to obtain a material benefit for oneself or a third party, or in the detriment of the latter, in one of the following ways:

- a) buying or selling securities traded in the territory of the Republic of Albania, or traded by an issuer based in the Republic of Albania;
- b) aware of the nature of privileged information, communicating it, without authorisation, to a third party;
- c) aware of the privileged nature of information, advising a third party to buy or sell securities traded in the territory of the Republic of Albania, or traded by an issuer based in the Republic of Albania, shall be sentenced from six months up to three years of imprisonment.

When that offence has been committed in complicity, more than once, or has brought about serious consequences, it shall be sentenced up to five years of imprisonment.

Article 143/a/3

Manipulating price and disseminating false information

(Added up by Law no. 23/2012, dated 01/03/2012)

The action or omission of a person, who:

- a) signs a fictitious contract for the sale or replacement of securities;
- b) places an order for the purchase or sale of securities, for which an order at the same price has already been placed, or uses these securities as a counter-order;
- c) spreads information or other false facts on an increase or decrease of the price of securities, or creation of their active fictitious trading, with the intent to obtain a benefit for oneself or a third party, or to the detriment of the latter, shall be sentenced from six months up to three years of imprisonment.

When that offence has been committed in complicity, more than once, or has brought about serious consequences, it shall be sentenced from two to five years of imprisonment.

Article 143/a/4

Submitting false data and disseminating data without authorisation

(Added up by Law no. 23/2012, dated 01/03/2012)

A person who, as member of an issuer's department or supervisory board, allows or facilitates disclosure of a prospectus, other than the one specified by law, or allows or facilitates the presentation of false data or false presentation of facts of material value in a prospectus, shall be sentenced from six months up to three years of imprisonment.

When that offence has been committed in complicity, more than once, or has

brought about serious consequences, it shall be sentenced up to five years of imprisonment.

Article 143/a/5

Unauthorised registration of securities in the stock exchange

(Added up by Law no. 23/2012, dated 01/03/2012)

A person who, as member of stock exchange directorate, allows registration in quotation one, quotation of public joint stock companies or other quotations of securities, which do not meet the requirements of the Law on Securities, shall be sentenced from six months to three years of imprisonment.

When that offence has been committed in complicity, more than once, or has brought about serious consequences, it shall be sentenced from two to five years of imprisonment.

Article 143/a/6

Concealment of property

(Added up by Law no. 23/2012, dated 01/03/2012)

A person, who intentionally fails to disclose data on his/her property to the Financial Supervisory Authority, under the Law on Securities, shall be sentenced to a fine or up to one year of imprisonment.

When that offence has been committed in complicity, more than once, or has brought about serious consequences, it shall be sentenced from two to five years of imprisonment.

Article 143/a/7

Illegal trading of securities

(Added up by Law no. 23/2012, dated 01/03/2012)

A person who engages in unauthorised brokerage for the purchase or sale of securities shall be sentenced to a fine or up to one year of imprisonment.

When that offence has been committed in complicity, more than once, or has brought about serious consequences, it shall be sentenced from two to five years of imprisonment.

Article 143/b

Computer fraud

(Added up by Law no. 10 023, dated 27/11/2008; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Entering, modifying, deleting or omitting computer data or interfering in the operation of a computer system, in order to ensure for oneself or for other parties, through fraud, an unfair economic benefit or to cause to a third party asset reduction, shall be sentenced from six months up to six years of imprisonment.

The same offence, when committed in complicity, or more than once, or when it has brought about serious material consequences, shall be sentenced from five to fifteen years of imprisonment.

Article 144

Fraud on subsidies

Fraud on documents presented, thus fraudulently obtaining subsidies from the state, shall be sentenced to a fine or up to four years of imprisonment.

Article 144/a

Creation of fraudulent schemes regarding value added tax

(Added up by Law no. 144, dated 02/05/2013)

The organization and implementation of fraudulent schemes, with the purpose of material benefit for oneself or for others, by not paying, or benefiting loans or reimbursement of the value added tax, shall be sentenced from three to ten years of imprisonment.

Article 145

Fraud on insurance

Presenting false circumstances related to the object to be insured, or fabricating false circumstances and presenting them into documents thus fraudulently obtaining insurance, shall be sentenced to a fine or up to five years of imprisonment.

Article 146

Loan fraud

Fraud on presented documents, thus fraudulently obtaining loan through fictitious registration in property registration offices of objects which do not exist, or which are over estimated, or which belong to someone else's property, committed with the intent of not paying back the loan, shall be sentenced to a fine or up to seven years of imprisonment.

Article 147

Fraud on works of art and culture

(Words amended by Law no. 8733, dated 24/01/2001)

Theft of property through fraud by presenting a work of art or culture as being original or by an author other than the real one shall be sentenced to a fine or up to four years of imprisonment.

Article 148

Publication in someone's own name of the work of another person

(Words amended by Law no. 8733, dated 24/01/2001)

Publication or the partial or total use with someone's own name of a work of literature, music, art or science which belongs to another person shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 149

Copyright infringement

(Amended by Law no. 8733, dated 24/01/2001, and Law no. 44/2019, dated 18/07/2019)

The reproduction, in whole or in part, distribution, communication to the public, sale, offering for sale, use, supply, export or import for profit purposes of a work protected by copyright, without the consent of the author or the holder of the right, when their personal or property rights have been violated, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

The same offense, when committed in complicity or more than once, shall be sentenced up to three years of imprisonment.

Article 149/a

Violation of industrial property rights

(Added up by Law no. 23/2012, dated 01/03/2012)

Manufacturing, distributing, and possessing for commercial purposes, selling, offering for sale, supplying, distributing, exporting or importing for these purposes of:

- a) a product or process protected by a patent, without the consent of the owner of the patent;
- b) a product that is protected by an industrial design, without the consent of the owner of industrial design;
- c) goods or services protected by a trademark, without the consent of the owner of the trademark;
- ç) a product derived from a geographical indicator, without the consent of the owner of geographical indicator;

committed intentionally, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

When that offence has been committed in complicity, or more than once, it shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 149/b

Violations of the rights of the topography of semiconductor circuits

(Added up by Law 23/2012, dated 01/03/2012)

Production, use, possession for purposes of marketing, selling, offering for sale, supplying, distributing, exporting or importing for these purposes of a product that violates the rights of registered circuit topography, semiconductor or integrated circuit, without the consent of the owner of the topography, committed intentionally, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

When this offence has been committed in complicity, or more than once, it shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

SECTION III

DESTRUCTION OF PROPERTY

Article 150

Destruction of property

Intentionally destroying or damaging the property, when material consequences are serious, shall be sentenced to a fine or up to three years of imprisonment.

Article 151

Destruction of property by fire

Intentionally destroying or damaging the property by fire shall be sentenced to a fine or up to five years of imprisonment.

When the criminal offence has led to serious material consequences, it shall be sentenced up to ten years of imprisonment.

When serious consequences to the life and health of people have resulted, it shall be sentenced from five to fifteen years of imprisonment.

Article 152

Destruction of property by explosives

Intentionally destroying or damaging property by explosives shall be sentenced to a fine or up to five years of imprisonment.

When the criminal act has led to serious material consequences, it shall be sentenced from five to ten years of imprisonment.

When serious consequences to the lives and health of people have resulted, it shall be sentenced from ten to twenty years of imprisonment.

Article 153

Destruction of property by flooding

Intentionally destroying or damaging property by flooding shall be sentenced to a fine or up to five years of imprisonment.

When the criminal act has led to serious material consequences, it shall be sentenced from five to ten years of imprisonment.

When serious consequences to the lives and health of people have resulted, it shall be sentenced from five to fifteen years of imprisonment.

Article 154

Destruction of property with other means

Intentionally destroying or damaging the property with other means, which constitute danger to the environment and the lives of people, shall be sentenced to a fine or up to five years of imprisonment.

When the criminal act has led to serious material consequences, it shall be sentenced from five to ten years of imprisonment.

When serious consequences to the lives and health of people have resulted, it shall be sentenced from five to fifteen years of imprisonment.

Article 154/a

Destruction of buildings and other objects

(Added up by Law No. 146/2020, dated 17/12/2020)

The intentional commission of any other act, other than those provided for in the preceding articles of this section, that may lead to the complete or partial destruction of a

building, civic object, industrial work, infrastructure or any other object, or that may endanger the lives or health of people, if it does not constitute another criminal offense, shall be sentenced to a fine or up to five years of imprisonment.

When serious material consequences have resulted from the criminal offense, it shall be sentenced from five to ten years of imprisonment.

When serious consequences have been caused to the lives and health of people, it shall be sentenced from five to fifteen years of imprisonment.

Article 155

Destruction of roads

Intentionally destroying or damaging automobile roads, railways and works related to them, shall be sentenced to a fine or up to seven years of imprisonment.

When the criminal act has led to serious material consequences, it shall be sentenced from three to ten years of imprisonment.

When serious consequences to the lives and health of people have resulted, it shall be sentenced from five to fifteen years of imprisonment.

Article 156

Destruction of power grid networks

(Second paragraph added up by Law no. 10 023, dated 27/11/2018)

Intentionally destroying or damaging power, telegraphic, telephonic, radio and television network or any other communication network, shall be sentenced to a fine or up to three years of imprisonment.

The same offence, when committed in complicity, more than once, or when it has brought about serious consequences, shall be sentenced up to three years of imprisonment.

Article 157

Destruction of the watering system

Intentionally destroying or damaging the watering or draining systems or the works related to them shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 158

Unlawful 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, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 159

Destruction of the water supply system

(Amended by Law no. 10 023, dated 27/11/2008)

Connecting, or any other intervention into the water supply system conducted without prior permission, in order to get drinking water, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Intentionally destroying the water supply system shall be sentenced up to five years of imprisonment.

Article 160

Destruction of works of culture

Intentionally destroying or damaging works of culture shall be sentenced to 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 shall be sentenced to 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 it has brought about serious material consequences, shall be sentenced to 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, shall be sentenced to a fine or up to five years of imprisonment.

SECTION IV

CRIMINAL ACTS COMMITTED IN COMMERCIAL COMPANIES

Article 163

Drafting false statements

Drafting false statements about the increase of the capital of a company, related to the distribution of shares of the initial capital to the shareholders or its repayment or the deposit of funds, shall constitute a criminal contravention and shall be sentenced to 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 favouritism of another company where they have interests, shall be sentenced to a fine or up to five years of imprisonment.

Article 164/a

Active corruption in the private sector

(Added up by Law no. 9275, dated 16/09/2004; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

The promise, proposal or giving, directly or indirectly, of any kind of improper

benefit, for oneself or for other persons, to a person who exercises a management function in a commercial company or works in any position in the private sector, to perform or not to perform an act contrary to their duty or function, shall be sentenced from three months up to three years of imprisonment.

Article 164/b

Passive corruption in the private sector

(Added up by Law no. 9275, dated 16/09/2004; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Soliciting or taking, directly or indirectly, of any improper benefit or of any such promise, for oneself or a third person, or accepting an offer or a promise that comes from the improper benefit, of the person who exercises a management function or works in any position in the private sector, to perform or not to perform an action contrary to their duty or function, shall be sentenced from six months up to five years of imprisonment.

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, shall be sentenced to a fine or up to five years of imprisonment.

Article 166

Irregular issue of shares

Issuing shares irregularly before registration of the company, or when registration is made illegally, or when the formalities of the company have not yet been 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, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 167

Unfairly holding two capacities

Simultaneously holding the capacities of shareholder and certified accountant shall constitute a criminal contravention and shall be sentenced to 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 commercial company, or failure to report to the competent body on the commission of a crime, when cases of exclusion from criminal liability as provided for in Article 300 of this Code do not exist, shall be sentenced to a fine or up to five years of imprisonment.

Article 169

Disclosure of the secrets of a company

Disclosure of the secrets of a company by the certified accountant of the company, except in the case when compelled to do so by law, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 170

Failure to write-down mandatory notes

Failure of the administrator or liquidator of the company to write-down mandatory notes shall constitute a criminal contravention and shall be sentenced to a fine.

Article 170/a

Illegal employment

(Added up d by Law no. 8279, dated 15/01/1998; amended by Law no. 8733, dated 24/01/2001)

Employment without registration with the competent authorities or without guaranteeing the employee's insurance according to regulations, when an administrative measure has been rendered first, shall constitute a criminal contravention and shall be sentenced to a fine up to 10,000 ALL for each case, or up to one year of imprisonment.

Deliberate omission or camouflage of the infringements connected with the employment or the social insurance by persons charged with the enforcement and control of the relevant provisions, shall constitute a criminal contravention and shall be sentenced to a fine of up to 100,000 ALL or up to two years of imprisonment.

Article 170/b

Illegal competition through violence

(Added up by Law no. 9275, dated 16/09/2004; first paragraph amended by Law no. 9686, dated 26/02/2007)

The performance, during the exercise of commercial activity, of actions of competition through threat or violence, shall be sentenced from one to four years of imprisonment.

When the acts of competition are directed towards activities financed fully or partly and in any way by the state or public entities, the imprisonment sentence shall increase by one third.

SECTION IV/1

**CRIMINAL OFFENCES RELATED TO THE CONDUCT OF BANKING AND
FINANCIAL ACTIVITY**

(Added up by Law no. 23/2012, dated 01/03/2012)

Article 170/c

Conducting banking activity without a license

(Added up by Law no. 23/2012, dated 01/03/2012)

The conduct of banking activity by a person, who has not been licensed for this purpose under the banking legislation in force, shall be sentenced to a fine or up to three

years of imprisonment.

When that offence has caused serious consequences to state interests or those of citizens, it shall be sentenced to a fine or up to seven years of imprisonment.

Article 170/ç

Conducting financial activity without a license

(Added up by Law no. 23/2012, dated 01/03/2012)

Conducting one or several financial activities other than banking activity by persons who are not licensed for this purpose under the banking and/or financial legislation in force, shall be sentenced to a fine or up to three years of imprisonment.

When that offence has caused serious consequences to the state interests or those of citizens, it shall be sentenced to a fine or up to five years of imprisonment.

SECTION V

CRIMES IN THE FIELD OF CUSTOMS

Article 171

Smuggling of prohibited or restricted goods

(Amended by Law no. 135/2015, dated 05/12/2015)

Illegal importing, exporting or transiting of prohibited or restricted goods entering or leaving the Republic of Albania, committed through any means or ways, shall be sentenced up to ten years of imprisonment.

Article 172

Smuggling of goods to which excise duties apply or with total or partial suspension from custom duties or excise

(Amended by Law no. 135/2015, dated 05/12/2015)

Importing, exporting or transiting of goods to which excise duty is applied by passing them through places out of the custom areas, 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 or total or partial benefit of an exclusion, reimbursement or reduction of custom tariffs, taxes, duties, excise or any advantage related to the import or export of goods, shall be sentenced up to seven years of imprisonment.

The release for consumption of goods released for free circulation after having been imported with full or partial suspension of customs or excise duties, due to their final destination or end use, with the aim of evading customs duties, shall be sentenced up to five years of imprisonment.

The same offence, when committed in complicity or more than once, shall be sentenced from five to ten years of imprisonment.

Article 173

Smuggling of licensed goods

(Amended by Law no. 135/2015, dated 05/12/2015)

Importing, exporting or transiting of goods which require a license from the competent authority by passing them through places out of the customs area, 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, shall be sentenced up to five years of imprisonment.

The same offense, when committed in complicity or more than once, shall be sentenced from five to ten years of imprisonment.

Article 174

Smuggling of other goods

(Amended by Law no. 135/2015, dated 05/12/2015)

Importing, exporting or transiting of goods by passing them through places out of the customs area, 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 or total or partial benefit of an exclusion, reimbursement or reduction of custom tariffs, taxes, duties, excises or any advantage related to the import or export of goods, shall be sentenced up to five years of imprisonment.

The same offense, when committed in complicity or more than once, shall be sentenced from three to seven years of imprisonment.

Article 175

Smuggling committed by custom officials

(Amended by Law 8733, date 24/01/2001)

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

Article 176

Smuggling of goods with cultural value

(Amended by Law no. 135/2015, dated 05/12/2015)

Importing, exporting or transiting national cultural values carried out in violation of the legal provisions related to them shall be sentenced up to ten years of imprisonment.

The same offense, when committed in complicity or more than once, shall be sentenced from five to ten years of imprisonment.

Article 177

Smuggling of goods holding intermediate status

(Amended by Law no. 135/2015, dated 05/12/2015)

Importing, exporting or transiting goods, which are declared as having an intermediate status, with the intent of avoiding the custom duties or total or partial benefit of any exclusion, reimbursement or reduction of custom taxes, fees, duties, excise or any advantage related to the import or export of goods shall be sentenced up to five years of imprisonment.

The same offense, when committed in complicity or more than once, shall be sentenced from five to ten years of imprisonment.

Article 178

Trading and transportation of smuggled goods

(Amended by Law no. 8733, dated 24/01/2001; amended by Law no. 135/2015, dated 05/12/2015)

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

The same offense, when committed with goods for which excise duty is paid or which are prohibited or restricted, shall be sentenced up to five years of imprisonment.

When the criminal offense provided for in the second paragraph of this article is committed in complicity or more than once, it shall be sentenced five to ten years of imprisonment.

Article 179

Storing or depositing of smuggled goods

(Amended by Law no. 135/2015, dated 05/12/2015)

Storing, depositing, keeping or processing goods, which are known to be smuggled, shall be sentenced to a fine or up to three years of imprisonment.

The same offense, when committed with goods for which excise duty is paid or which are prohibited or restricted, shall be sentenced up to five years of imprisonment.

The same offence when committed in complicity or more than once shall be sentenced from three to seven years of imprisonment.

Article 179/a

The non-declaration of money and valuable objects at the border

(Added up by Law no. 9086, dated 19/06/2003)

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, shall constitute a criminal contravention and shall be sentenced to fine or up to two years of imprisonment.

Article 179/b

Breaking, removing, replacing security marks of customs authorities

(Added up by Law No. 135/2015, dated 05/12/2015)

Breaking, removing a customs seal, replacing, changing or falsifying other security marks affixed by customs authorities for the purposes of supervision or control or for the suspension of commercial activity in economic premises or affixed to a means of transport or to goods, or falsifying in any way the identification number of a means of transport, with the aim of evading customs control, shall be sentenced up to three years of imprisonment.

The same offence, when it concerns excise or prohibited or restricted goods, shall be sentenced up to five years of imprisonment.

Article 179/c

Removal of goods from customs areas without paying duties

(Added up by Law No. 135/2015, dated 05/12/2015)

Removal of goods from customs areas without the permission of the customs

authorities and without paying the duties that are due or without guaranteeing their payment, with the exception of cases of exemption from the obligation to provide guarantees as provided for by customs legislation shall be sentenced up to five years of imprisonment.

The same offense, when it concerns excise goods, shall be sentenced up to seven years of imprisonment.

Article 179/ç

Smuggling of the captain, pilot or crew

(Added up by Law No. 135/2015, dated 05/12/2015)

Transporting goods without a manifest or the absence or refusal to present the manifest and relevant documents, loading, unloading or transporting goods, passengers and their luggage without the permission of the customs authorities, staying in places where there is no customs office or stopping near a port or airport without the permission of the customs authorities, unloading or transshipment of goods in violation of customs legislation, the absence on board the vehicle of goods that should be there, based on the manifest and other customs documents, committed, as the case may be, by the captain, pilot or crew, shall be sentenced up to seven years of imprisonment.

The same offense, when committed in complicity or more than once, shall be sentenced from five to ten years of imprisonment.

SECTION VI

CRIMINAL ACTS RELATED TO TAXATION AND TARIFFS

Article 180

Concealment of income

(Amended by Law no. 144, dated 02/05/2013; words in the first paragraph repealed by Law no. 135/2015, dated 05/12/2015)

Concealment or avoiding payment of taxes by not submitting documents or not declaring the necessary data as provided for by the effective legislation, by submitting forged documents, statements or false information in order to have material gains, for oneself or for others, by miscalculating the amount of taxes, duties or contribution, shall constitute a criminal offence and shall be sentenced up to three years of imprisonment.

When this offence is committed with the intention of concealing or avoiding payment of a tax above five million ALL, it shall be sentenced from two to five years of imprisonment.

When this offence is committed with the intention of concealing or avoiding payment of a tax above eight million ALL, it shall be sentenced from four to eight years of imprisonment.

Article 180/a

(Added up by Law No. 135/2015, dated 05/12/2015)

Failure to issue a tax coupon, receipt or tax invoice by a person who is obliged to issue a tax coupon, receipt or tax invoice, when an administrative measure has been previously taken, shall be sentenced to a fine or up to one year of imprisonment.

The exercise of an illegal or unregistered commercial activity with the tax authorities, not equipped with a fiscal cash register, according to the legal provisions in

force, or the issuance of orders contrary to the law, with the aim of not issuing a tax coupon, receipt or tax invoice, when an administrative measure has been previously taken, shall be sentenced up to three years of imprisonment.

Article 181

Failure to pay taxes and duties

Failure to pay taxes and duties within the specified deadline, although having the possibility of being paid by the person against whom administrative sanctions were previously taken for the same reason, shall be sentenced to a fine or up to three years of imprisonment.

Article 181/a

Failure to perform duties by tax authorities

(Added up by Law no. 8279, dated 15/01/1998; amended by Law no. 135/2015, dated 05/12/2015)

Failure to perform duties related with collecting of taxes and duties within the defined legal term by the employees of the tax bodies and other official persons assigned with these duties, when it is done because of their fault, shall be sentenced up to seven years of imprisonment.

The same offense, when committed in complicity, shall be sentenced from five to ten years of imprisonment.

Article 182

Modification of measuring devices

(Words “to a fine” repealed by Law no. 135/2015, dated 05/12/2015)

Modification or intervention in measuring devices and cash register for registering and issuing coupons, or utilizing altered measurement devices and cash registers, or allowing the use by others of irregular measurement devices and cash registers, with the intent of avoiding the full payment of taxes, shall constitute a criminal contravention and shall be sentenced up to two years of imprisonment.

Article 182/a

Destruction of seals used to block or suspend a commercial activity

(Added up by Law no. 144/2013, dated 02/05/2013; words “to a fine” repealed by Law no. 135/2015, dated 05/12/2015)

Deliberate destruction of visible signs placed by the tax administration to block or suspend the commercial activity, or the exercise of a commercial activity after the notification of the decision of the tax administration for its blocking or suspension, shall constitute a criminal contravention and shall be sentenced up to one year of imprisonment.

SECTION VII

FALSIFYING CURRENCY OR SECURITIES

Article 183

Forging currency

(Amended by Law no. 8733, dated 24/01/2001)

Forging or putting in circulation counterfeit money shall be sentenced up to five years of imprisonment.

The same offence, when committed in complicity, more than once, or when it has brought about serious consequences, shall be sentenced from five to fifteen years of imprisonment.

Article 184

Forging securities

(Amended up by Law no. 8733, dated 24/01/2001)

Forging and putting in circulation checks, bills of exchange, credit cards, traveller's checks, or other forged securities, shall be sentenced up to five years of imprisonment.

The same offence, when committed in complicity, more than once, or when it has brought about serious consequences, shall be sentenced from three to ten years of imprisonment.

Article 185

Manufacturing instruments for forgery

(Second paragraph added up by Law no. 8733, dated 24/01/2001)

Manufacturing or keeping equipment for falsifying currency, checks, bills of exchange, credit cards, traveller's checks or other securities, shall be sentenced to a fine or from one to three years of imprisonment.

The same offence, when committed in complicity, more than once, or when it has brought about serious consequences, shall be sentenced from three to ten years of imprisonment.

SECTION VIII

FALSIFICATION OF DOCUMENTS

Article 186

Falsification of Documents

(Amended by Law no. 9188, dated 12/02/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

The falsification or use of falsified documents shall be sentenced up to three years of imprisonment.

When this crime is committed in complicity or more than once or when it has brought about serious consequences, it shall be sentenced from six months to four years of imprisonment.

When the falsification is done by a person who has the duty of issuing the document, it shall be sentenced from one to seven years of imprisonment.

Article 186/a

Computer falsification

(Added up by Law no. 10 023, date 27/11/2008)

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, shall be sentenced from six months to six years of imprisonment.

When this offence is committed by the person whose task is to safeguard and administrate computer data, or in complicity, more than once, or when it has brought about serious consequence to the public interest, it shall be sentenced from three to ten years of imprisonment.

Article 187

Falsification of school documents

Falsifying or using falsified school documents shall be sentenced to a fine or up to three years of imprisonment.

When the person having the duty to issue the document makes the falsification, it shall be sentenced to a fine or up to five years of imprisonment.

Article 188

Falsification of health-related documents

Falsifying or using falsified health-related documents shall be sentenced to a fine or up to three years of imprisonment.

When the person having the duty to issue the document makes the falsification, it shall be sentenced to a fine or up to five years of imprisonment.

Article 189

Falsification of identity documents, passports or visas

(Amended by Law no. 9188, dated 12/02/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Falsifying or using falsified identity documents, passports or visas shall be sentenced from six months to four years of imprisonment.

When this crime is committed in complicity or more than once or has brought about serious consequences, it shall be sentenced from six months to five years of imprisonment.

When the falsification is done by a person who has the duty of issuing the identity document, passport, or visa, it shall be sentenced from three to seven years of imprisonment.

Article 190

Falsification of seals, stamps or forms

(Amended by Law no. 9188, dated 12/02/2004; words amended by Law 9275, dated 16/09/2004, Article 15; the part providing for a fine as main punishment repealed by Decision no. 47, dated 26/07/2012 of the Constitutional Court)

Falsifying or using falsified seals, stamps or forms, or the presentation of false circumstances in the latter that are directed to state organs, shall be sentenced from six months to four years of imprisonment.

When this crime is committed in complicity or more than once or has brought about serious consequences, it shall be sentenced from six months to five years of imprisonment.

When the falsification is done by a person who has the duty of compiling them, it

shall be sentenced from three to seven years of imprisonment.

Article 191

Falsification of the civil status documents

(Amended by Law no. 9188, dated 12/02/2004; the part providing for a fine as main punishment repealed by Decision no. 47, dated 26/07/2012 of the Constitutional Court)

Falsifying or using falsified civil status documents shall be sentenced from three months to two years of imprisonment.

When this crime is committed in complicity or more than once or has brought about serious consequences, it shall be sentenced from six months to four years of imprisonment.

When the falsification is done by a person who has the duty of issuing the document, it shall be sentenced from one to five years of imprisonment.

Article 192

Production of devices for falsification of documents

Production of, or maintaining devices to falsify documents shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 192/a

Disappearance and theft of documents

(Added up by Law no. 8733, dated 24/01/2001)

Eliminating, in any way, archive or library documents, and, disappearing and stealing documents of a particular importance, in contradiction with legal requirements, shall be sentenced to a fine or up to three years of imprisonment.

Stealing archive or library documents that are particularly important or their illegal exportation shall be sentenced to a fine or up to five years of imprisonment.

Article 192/b

Unauthorized computer access

(Added up by Law no. 8733, dated 24/01/2001; amended by Law no. 9686, dated 26/02/2007; no. 10 023, dated 27/11/2008)

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, shall be sentenced to a fine or up to three years of imprisonment.

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

SECTION IX

CRIMINAL ACTS IN THE AREA OF BANKRUPTCY

Article 193

Provoked bankruptcy

Intentionally provoking of bankruptcy by a legal person shall be sentenced to a fine or up to three years of imprisonment.

Article 194

Concealment of bankruptcy status

Entering of a legal person into an economic commercial relationship with a third party with the intent of concealing bankruptcy status shall be sentenced to a fine or up to five years of imprisonment.

Article 195

Concealment of assets after bankruptcy

Concealment of assets by a legal person upon the act of bankruptcy with the intent of avoiding its consequences shall be sentenced to a fine or up to seven years of imprisonment.

Article 196

Failure to comply with obligations

Failure of a legal person to comply with its obligations arising under bankruptcy shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

SECTION X

UNLAWFUL GAMBLING

Article 197

Organizing or conducting gambling activities in violation of the law

(Amended by Law No. 44/2019, dated 18/07/2019)

Organizing or conducting gambling activities in violation of legal provisions shall be sentenced from one to three years of imprisonment.

The same offense, if persons under the age of 18 participate in the game, shall be sentenced from two to five years of imprisonment.

When this offense is committed by a person in charge of state functions or in public service, which is related to the gambling activity, the imprisonment sentence shall increase by one quarter of the punishment given.

Article 197/a

Predetermining results in sports contests

(Added up by Law no. 10 023, dated 27/11/2008; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Actions or omissions for predetermining results in national and international sports contests, contrary to fair play principles, shall constitute a criminal contravention and shall be sentenced from three months up to two years of imprisonment.

The same offence, when committed for wealth gains, shall be sentenced from two to seven years of imprisonment.

Article 197/b

Distortion of competition in sports contests

(Added up by Law no. 10 023, dated 27/11/2008)

Distortion of competition in sports contests by participants, through the use of prohibited substances shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

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 shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

SECTION XI**CRIMINAL ACTS IMPACTING THE LEGAL REGIME OF LAND AND CONSTRUCTIONS**

(Amended by Law no. 176/2014, dated 18/12/2014)

Article 199**Misuse of land**

Misuse of land in violation of its designated purpose shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

Article 199/a**Unlawful construction**

(Added by Law no. 10 023, dated 27/11/2008; amended by Law no. 176/2014, dated 18/12/2014, another paragraph added after the first paragraph by Law no. 146/2020, dated 17/12/2020)

Construction carried out without a permit, in serious violation of the permit or under the conditions of a revoked permit on land owned by the person, shall be sentenced up to one year of imprisonment.

The same act, committed to meet housing needs according to the law, shall be sentenced to a fine or up to three months of imprisonment.

The same act, committed on public or state land or on the land of another, shall be sentenced from one to five years of imprisonment.

The same act, when it has brought about serious consequences or is committed for profit, shall be sentenced from three to eight years of imprisonment.

Article 199/b**Illegal design, supervision, implementation or approval of constructions**

(Added up by Law No. 176/2014, dated 18/12/2014, and amended by Law No. 146/2020, dated 17/12/2020)

The design, supervision, implementation or approval of construction works in violation of the law, planning documents, professional standards in force or in violation of the development or construction permit by persons against whom administrative measures have previously been taken for these violations, shall be sentenced from one to

five years of imprisonment.

Incitement with or without reward, or the obligation of the designer, supervisor, implementer or inspector of construction works to violate the rules that guarantee the performance of construction in accordance with the law, planning documents, professional standards in force or in violation of the development or construction permit, according to the first paragraph of this article, if it does not constitute another criminal offense, shall be sentenced from one to five years of imprisonment.

When serious material consequences have resulted from the criminal offense, it shall be sentenced from five to ten years of imprisonment.

When serious consequences have been caused to the lives and health of people, it shall be sentenced from five to fifteen years of imprisonment.

Article 200 **Occupation of land**

Occupation of land shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

CHAPTER IV CRIMINAL ACTS AGAINST THE ENVIRONMENT

Article 201 **Air, water and land pollution** (Amended by Law No. 44/2019, dated 18/07/2019)

Air pollution, pollution of surface and groundwater, pollution on the surface or in the depths of the soil, serious damage to animals or plants, through the discharge, emission or introduction of ionizing radiation or a quantity of materials into the air, soil or water, beyond the limits of the norms permitted by law, shall be sentenced up to three years of imprisonment.

The same act, when committed in areas specially protected by law, such as areas with environmental, cultural, artistic, historical, architectural or archaeological value, or when it has caused or is likely to cause serious damage to the ecosystem, biodiversity, flora or fauna, shall be sentenced from one to five years of imprisonment.

When the criminal offense provided for in the first paragraph of this article has caused or is likely to cause minor injury to one or more persons, it shall be sentenced from one to seven years of imprisonment.

When this offense has caused or it is likely to cause serious injury to one or more persons, it shall be sentenced from two to ten years of imprisonment.

The same offense, when it has caused or it is likely to cause the death of one or more persons, shall be sentenced from five to fifteen years of imprisonment.

Article 201/a **Waste management** (Added up by Law No. 44/2019, dated 18/07/2019)

Collection, transportation, recovery or disposal of waste, including the supervision of these actions, the care of landfills, as well as actions taken in violation of the requirements of the legislation in force on waste management, when it causes or it is likely to cause serious damage to air quality, soil quality or water quality, to animals or

plants, shall be sentenced to a fine or up to five years of imprisonment.

The same act, when it causes or it is likely to cause serious damage to human health, shall be sentenced from two to ten years of imprisonment.

When the act has resulted or it is likely to result in the death of a person, it shall be sentenced from five to fifteen years of imprisonment.

When this act is committed through negligence, it shall be sentenced to a fine or up to two years of imprisonment.

Article 201/b

Transportation of waste

(Added up by Law No. 44/2019, dated 18/07/2019)

Transportation of waste entering, leaving or transiting the territory of Albania, in not insignificant quantities, carried out in a single transport or in several apparently related transports, in violation of the requirements of the legislation in force on waste management or of the permits and authorizations issued by the competent authorities, shall be sentenced to a fine or up to five years of imprisonment.

Article 201/c

Hazardous activities

(Added up by Law No. 44/2019, dated 18/07/2019)

The operation of a plant where a hazardous activity is carried out or where hazardous substances or preparations are stored or used, in violation of the requirements of the relevant legislation or of the permits and authorizations issued by the competent authorities, which causes or is likely to cause serious damage outside the plant to air quality, soil quality or water quality, to animals or plants, shall be sentenced from two to eight years of imprisonment.

The same offense, when it causes or it is likely to cause serious damage to human health, shall be sentenced from two to ten years of imprisonment.

When the offense has resulted or it is likely to result in the death of a person, it shall be sentenced from five to fifteen years of imprisonment.

When this offense is committed through negligence, it shall be sentenced to a fine or up to five years of imprisonment.

Article 201/ç

Nuclear materials and hazardous radioactive substances

(Added up by Law No. 44/2019, dated 18/07/2019)

Production, processing, treatment, use, preservation, storage, transportation, import, export or disposal of nuclear materials or other hazardous radioactive substances, in violation of the requirements of the relevant legislation or of the permits and authorizations issued by the competent authorities, when it causes or it is likely to cause serious damage to air quality, soil quality or water quality, or to animals or plants, shall be sentenced to a fine or up to five years of imprisonment.

The same act, when it causes or it is likely to cause serious damage to human health, shall be sentenced from two to ten years of imprisonment.

When the act has resulted or it is likely to result in the death of a person, it shall be sentenced from fifteen to twenty years of imprisonment.

When this offense is committed through negligence, it shall be sentenced to a fine or

up to four years of imprisonment.

Article 202

Damage to protected species of wild flora and fauna

(Amended by Law No. 44/2019, dated 18/07/2019)

Killing, destroying, possessing, taking specimens of protected species of wild flora and fauna or their parts or by-products, in violation of the requirements of the legislation in force for the protection of wild fauna and protected areas or of permits and authorizations issued by the competent authorities, except in cases where such an act has occurred on a negligible quantity of these specimens and has a negligible impact on the conservation status of the species, shall be sentenced to a fine or up to seven years of imprisonment.

Article 202/a

Trade in protected species of wild flora and fauna

(Added up by Law No. 44/2019, dated 18/07/2019)

Trade in specimens of protected species of wild flora and fauna or their parts or by-products, in violation of the requirements of the legislation in force for the protection of wild fauna and protected areas or of permits and authorizations issued by the competent authorities, except in cases where such an act has occurred on a negligible quantity of these specimens and has a negligible impact on the conservation status of the species, shall be sentenced to a fine or up to three years of imprisonment.

Article 202/b

Damage to habitats in environmentally protected areas

(Added up by Law No. 44/2019, dated 18/07/2019)

Actions that violate the requirements of the legislation in force for protected areas or of permits and authorizations issued by competent authorities and that cause serious deterioration of a habitat located within an environmentally protected area shall be sentenced to a fine or up to five years of imprisonment.

Article 203

Ozone-depleting substances

(Amended by Law No. 44/2019, dated 18/07/2019)

Production, import, export, placing on the market or use of ozone-depleting substances, in violation of the requirements of the relevant legislation or of permits and authorizations issued by competent authorities, shall be sentenced from one to seven years of imprisonment.

Article 204

Prohibited fishing

Fishing undertaken at a prohibited time, place or method shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Fishing undertaken through means of public danger like explosives, poisonous substances, etc, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 205

Unlawful cutting of forests

Cutting or damaging forests without authorization or at a prohibited time or place, when the act does not constitute an administrative contravention, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 206

Cutting of decoration and fruit trees

Cutting decoration trees and damaging gardens and parks in the cities shall constitute a criminal contravention and shall be sentenced to a fine.

Cutting trees in fruit or olive plantations and vineyards, after the cutting permit has been previously refused by the competent authority, shall constitute a criminal contravention and shall be sentenced up to three months of imprisonment.

Article 206/a

Destruction of forests and forest environment by fire

(Added up by Law no. 10 023, dated 27/11/2008; words amended in the first, second, and third paragraph by Law no. 144, dated 02/05/2013)

Intentionally destroying or damaging, causing serious material consequence, of the forest stock, nursery plot, forest reserve or any other unit similar to them, through fire, shall be sentenced from five to eight years of imprisonment.

The same act, committed with the aim of changing the category and destination of land shall be sentenced from five to fifteen years of imprisonment.

The same act, when it has caused serious consequences to the property, health or lives of people or causes serious damage over an extended period of time on the environment or protected areas, shall be sentenced from ten to twenty years of imprisonment.

Article 206/b

Destruction due to negligence of forests and forest environment by fire

(Added up by Law no. 10 023, dated 27/11/2008; words changed in first and second paragraph by Law no. 144, dated 02/05/2013)

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, shall be sentenced from two to five years of imprisonment.

The same act, when it has brought about serious consequences to the property, health or lives of people or when it causes serious damage over an extended period of time on the environment or protected areas, shall be sentenced from three to eight years of imprisonment.

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 lives and health of people, shall constitute a criminal contravention and shall be sentenced to a fine.

Article 207/a

Abandonment of a companion animal*(Added by Law No. 44/2019, dated 18/07/2019)*

When the abandonment of a companion animal or the failure to wear a protective mask on a companion animal in public spaces or spaces open to the public, has resulted in consequences detrimental to the health of a person, it shall be sentenced to a fine or up to six months of imprisonment.

When the criminal offense has resulted in the serious injury of a person, it shall be sentenced from one to five years of imprisonment.

When the criminal offense has resulted in the death of a person, it shall be sentenced from three to ten years of imprisonment.

Article 207/b

Intentional killing of a companion animal*(Added up by Law No. 44/2019, dated 18/07/2019)*

Intentional killing of a companion animal shall be sentenced to a fine or up to six months of imprisonment.

Article 207/c

Mistreatment of an animal*(Added up by Law No. 44/2019, dated 18/07/2019)*

Mistreatment or torture of an animal, causing permanent health damage, shall be sentenced to a fine or up to three months of imprisonment.

When the act has resulted in the death of the animal, it shall be sentenced up to six months of imprisonment.

Article 207/ç

Animal matches*(Added up by Law No. 44/2019, dated 18/07/2019)*

Promoting, organizing or conducting animal matches that cause suffering or torture to animals shall be sentenced to a fine or up to three months of imprisonment.

Providing animals for matches, raising or training animals for the purpose of using or selling them for matches shall be sentenced to a fine or up to six months of imprisonment.

Placing bets on matches held between animals shall be sentenced to a fine or up to two months of imprisonment.

When the act has resulted in the death of the animal, it shall be sentenced up to six months of imprisonment.

CHAPTER V

CRIMES AGAINST INDEPENDENCE AND CONSTITUTIONAL ORDER

SECTION I

CRIMES AGAINST INDEPENDENCE AND INTEGRITY

Article 208

Surrendering of territory

(Words "a. to death" removed by Law no. 8733, dated 24/01/2001)

Total or partial surrendering of territory to foreign state or power, with the intent of violating the independence and integrity of the country, shall be sentenced to no less than fifteen years of imprisonment or with life imprisonment.

Article 209

Surrendering of the army

(Amended by Law no. 8733, dated 24/01/2001)

Total or partial surrendering of the army or defence materials or supplying weapons and ammunition to a foreign state or power, with the intent of violating the independence and integrity of the country, shall be sentenced to no less than fifteen years of imprisonment or with life imprisonment.

Article 210

Agreement on the surrendering of territory

Agreement with foreign powers or states for the total or partial surrendering of territory or the army and defence materials, with the intent of violating the integrity of the country, shall be sentenced from 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 intervention by foreign powers, shall be sentenced to no less than fifteen years of imprisonment.

Article 212

Agreement on armed intervention

Agreements entered into with foreign powers or states to cause armed intervention against the territory of the Republic of Albania, shall be sentenced from ten to fifteen years of imprisonment.

Article 213

Disclosure of classified information

Handing over classified information of military or other character to a foreign power with the intent of violating the independence of the country shall be sentenced from 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 with the intent of violating the independence of the country, shall be sentenced from three to ten years of imprisonment.

Article 215

Damaging of defence objects

Destroying or damaging means, equipment, appliances, weapons, military technique or objects for military defence, with the intent of reducing the country's defensive capacity, shall be sentenced from 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 of military defence, with the intent of reducing the country's defence capacity, shall be sentenced up to ten years of imprisonment.

Article 217

Receiving of rewards

Receiving or the agreement to receive rewards or other material benefits, in order to commit one of the crimes provided for in this section in favour of foreign states or powers, shall be sentenced from five to ten years of imprisonment.

Article 218

Placing oneself in the service of foreign states

Placing of 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, shall be sentenced from three to ten years of imprisonment.

SECTION II

CRIMES AGAINST CONSTITUTIONAL ORDER

Article 219

Assassination

(Words "a. to death" removed by Law no. 8733, dated 24/01/2001)

Assassination, kidnapping, torturing or other acts of violence committed against the highest representatives of the state, with the intent of overturning the constitutional order, shall be sentenced to no less than fifteen years of imprisonment or life imprisonment.

Article 220

Conspiracy

Decision-making and creating material conditions by a group of people to commit an assassination shall be sentenced from five to fifteen years of imprisonment.

Article 221

Rioting

(Words removed in second paragraph by Law no. 8733, dated 24/01/2001)

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 disposal weapons, ammunition and people, facilitating the rioters, committed with the intent of overturning the constitutional order, shall be sentenced from fifteen to twenty five years of imprisonment.

Participation in the above-mentioned activities with the capacity of a leader or an organizer shall be sentenced to life imprisonment.

Article 222

Calls to take up arms or take the command unlawfully

Calls for taking up arms against the 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 the constitutional order, shall be sentenced from five to ten years of imprisonment.

Article 223

Public calls for violent acts

Public calls to commit violent acts against the constitutional order, shall be sentenced to 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 shall be sentenced to 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 shall be sentenced from one to five years of imprisonment.

Article 225

Distribution of 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, shall be sentenced to 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, shall be sentenced to a fine or up to three years of imprisonment.

CHAPTER VI

CRIMES THAT VIOLATE RELATIONS WITH OTHER STATES

Article 226

Violent acts against internationally protected persons

(Amended by Law no. 23/2012, dated 01/03/2012)

Committing violent acts against internationally protected persons shall be sentenced

up to ten years of imprisonment.

Article 227

Insulting representatives of foreign countries
(*Repealed by Law no. 23/2012, dated 01/03/2012*)

Article 228

Violent acts against working-places of international protected persons
(*Amended by Law no. 23/2012, dated 01/03/2012*)

Committing violent acts against work-places, residences, means of transportation of international protected persons shall constitute a criminal contravention and shall be sentenced to 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 shall be sentenced to up to ten years of imprisonment.

Article 229

Insulting acts against the anthem and flag
(*Repealed by Law no. 23/2012, dated 01/03/2012*)

CHAPTER VII

ACTS OF TERRORIST INTENTION

(*Title amended by Law no. 9686, dated 26/02/2007*)

Article 230

Acts of terrorist intention

(*Words removed by Law no. 8733, dated 24/01/2001, amended by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/2012*)

Commission of the following acts, with the intent to spread panic among the population, or compel the state bodies, Albanian or foreign, to perform or not to perform a certain act, or seriously destroy or destabilize substantial political, constitutional, economic or social structures of the Albanian state, another state, international institution or organisation, shall be sentenced to no less than fifteen years of imprisonment or to life imprisonment.

Offences for terrorist purposes shall include:

- a) offences against a person, which can cause death or grave injury;
- b) hijacking of aircraft, vessel, other means of transport, or fixed platforms, or unlawful exercise of control over them, by force or threat to use force, or any other forms of threat;
- c) commission of acts of violence against a person on board of an aircraft in flight, aboard a ship or on board a fixed platform, where those acts might jeopardize the safety of aircraft, ship, or fixed platform;
- ç) destruction of an aircraft in operation, ship or a fixed platform, or causing such damage to the aircraft, vessel or its cargo, or fixed platform, which renders impossible or endangers or might endanger the safety of flight, navigation or fixed platform;
- d) planting, by any means, in an aircraft in service, ship or fixed platform, a device or substance that could destroy the aircraft, ship or fixed platform, or cause damage to the aircraft, vessel or its cargo, or fixed platform, and which endangers or might endanger the safety of flight, navigation or fixed platform;

dh) destruction of or damage to flight hardware or marine navigational equipment or interference with their operation, where such an act could endanger the safety of the aircraft or vessel;

e) dissemination of information that is known to be untrue, thereby risking the safety of an aircraft in flight or sailing ship;

ë) murdering or kidnapping an internationally protected person, under Article 9 of this Code, or any other attack against that person or his/her freedom;

f) a violent attack against the office, private residence or means of transport of an internationally protected person, under Article 9 of this Code, when this attack endangers the person or his/her freedom;

g) taking hostage or kidnapping a person and threatening to kill, injure or continue holding him/her hostage;

gj) receipt, possession, use, transfer, alienation, disposition or proliferation of nuclear material, intentionally and without being legally authorised, that causes or could cause death or serious injury to any person, or serious damage to property;

h) theft, misappropriation or benefit through nuclear materials fraud;

i) soliciting nuclear materials using coercion, violence or any other form of threat;

j) manufacture, possession, purchase, transportation or marketing of explosives, firearms, biological, chemical or nuclear weapons, and scientific research for the production of mass destruction weapons;

k) committing acts of violence, using any device, substance or weapon, against a person in an international civil aviation airport, where those acts cause or might cause serious injuries, or death of persons;

l) destruction of or serious damage to facilities or equipment in an international civil aviation airport or plane located at the airport that is not in flight, or disruption of airport services, using any device or weapon, where that act endangers or could endanger the security of the airport;

ll) proliferation, placement, discharge or setting off of explosives or other lethal device in public places, offices of a state or government, public transportation system or public infrastructure, and distribution in the environment of hazardous substances causing fires, floods, explosions, for purposes of causing death or serious bodily harm or massive destruction of the above-mentioned locations, facilities or systems, where that disaster results or could result in major economic loss;

m) heavy and large scale destruction of public property, public infrastructure, transportation system, information system and private property, endangering the lives of people;

n) causing interruption of supply with water, electricity or any other important utilities, or any other acts intended to cause death or serious injury to civilians or any other person who is not taking an active part in combat operations in a situation of armed conflict, committed for the purposes set out in the first paragraph of this article.

Actions that cause the disruption of an important service, system, public or private activity, as a result of protests, civil disobedience, or strike, shall not be considered offences for terrorist purposes under the meaning of this article.

Article 230/a

Financing of terrorism

(Added up by Law no. 9086, dated 19/06/2003; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Provision or collection of funds, by any means, directly or indirectly, with the intent to use them or knowing that they will be used, in whole or in part:

- a) to commit offences for terrorist purposes;
- b) by a terrorist organisation;
- c) by a single terrorist;

shall be sentenced to no less than fifteen years of imprisonment or to life imprisonment.

The provisions of this Article shall apply:

- a) to all funds, including assets of any kind, tangible or intangible, movable or immovable, irrespective of the manner of their acquisition, and legal documents or instruments of any kind, even in electronic or digital form, that demonstrate rights to or interests over such assets, including bank loans, traveller's cheques, bank cheques, money orders, shares, securities, bonds, bank guaranteed cheques, letters of credit, and any other financial instrument, similar to them;
- b) regardless of whether the person who commits one of the offences enlisted in the first paragraph of this article, is located in the same country or another country where the terrorist organisation or single terrorist is located, or the country where the offence with terrorist purposes has been committed or will be committed;
- c) in the case provided for in the first paragraph of this article, regardless of whether the funds have actually been used to commit the offence or offences for which those funds were provided or collected, or whether a connection can be established between the funds and one or more of the specific offences with terrorist purposes.

Knowledge and intent, under the first paragraph of this article, shall be derived from the objective factual circumstances.

Article 230/b

Concealing of funds and other property that finance terrorism

(Added up by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

The transfer, conversion, concealing, movement or change of funds and other assets, which are put under measures against terrorism financing, in order to avoid the discovery and their location, shall be sentenced from four to twelve years of imprisonment.

When this crime is committed during the exercise of a professional activity, in complicity or more than once, it shall be sentenced from seven to fifteen years of imprisonment, whereas when it causes serious consequences, it shall be sentenced to no less than fifteen years of imprisonment.

Article 230/c

Disclosure of information by persons who perform public functions or persons exercising a duty or profession

(Added up by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Notifying designated persons or other persons of data regarding the verification or the investigation of funds and other assets, to which measures against terrorism financing are applied, by persons exercising public functions or in exercise of their duty or profession, shall be sentenced from five to ten years of imprisonment.

Article 230/ç

Performance of services and actions with designated persons

(Added up by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Issuing of funds and other assets, performing financial services as well as of other transactions with designated persons, against whom measures against terrorism financing are applied, shall be sentenced from four to ten years of imprisonment.

Article 230/d

Collection of funds for financing terrorism

(Added up by Law no. 9686, dated 26/02/2007; repealed by Law no. 23/2012, dated 01/03/2012)

Article 231

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

(Amended by Law no. 9686, dated 26/02/2007)

Recruitment of one or more persons for committing acts with terrorist purposes or financing of terrorism, even when these acts aim at another country, international organization or institution, if it does not constitute another criminal act, shall be sentenced to no less than ten years of imprisonment.

Article 232

Training to commit acts of terrorist intentions

(Amended by Law no. 9686, dated 26/02/2007)

Preparation, training and giving any form of instructions, 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 other 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 it does not constitute another criminal act, shall be sentenced to no less than seven years of imprisonment.

Article 232/a

Incitement, public calls and propaganda for committing acts with terrorist intentions

(Added up by Law no. 9686, dated 26/02/2007)

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 it does not constitute another criminal act, shall be sentenced from four up to ten years of imprisonment.

Article 232/b

Threatening to commit acts of terrorist intentions

(Added up by Law no. 9686, dated 26/02/2007)

Serious threat for committing acts with terrorist purposes to a public authority, even of another country, international organizations or institutions, shall be sentenced from eight up to fifteen years of imprisonment.

Article 233

Creating armed crowds

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

Article 234

Manufacturing military weapons

Manufacturing, storing, transporting of military, chemical, biological, nuclear weapons, which have a poisonous or explosive base, with the intent of committing acts of terrorism, shall be sentenced from five to fifteen years of imprisonment.

Article 234/a

Terrorist organizations

(Added up by Law no. 9275, dated 16/09/2004)

Establishing, organizing, leading, and financing of the terrorist organization shall be sentenced to no less than fifteen years of imprisonment.

Participation in terrorist organizations shall be sentenced from seven to fifteen years of imprisonment.

Article 234/b

Armed gangs

(Added up by Law no. 9275, dated 16/09/2004)

Establishing, organizing, leading, and financing of armed gangs shall be sentenced from ten to fifteen years of imprisonment.

Participation in armed gangs shall be sentenced from five to ten years of imprisonment.

CHAPTER VIII

CRIMES AGAINST THE STATE AUTHORITY

SECTION I

CRIMINAL ACTS AGAINST THE STATE ACTIVITY COMMITTED BY CITIZENS

Article 235

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

(Second paragraph amended by Law no. 8733, dated 24/01/2001)

Opposing an official that carries out a state duty or public service with the intent of hindering their fulfilment of duty or service in compliance with the law shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

When the same offence is committed in complicity, or by exercising physical violence or more than once, it shall be sentenced to a fine or up to five years of imprisonment.

Article 236

Opposing the official of the public order police

(Second paragraph amended by Law no. 8733, dated 24/01/2001); second paragraph amended by Law no. 9686, dated 26/02/2007)

Opposing the official of the public order police with the intent of hindering their fulfilment of duty in compliance with the law, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

When the same offence is committed in complicity, or by exercising physical violence or more than once, it shall be sentenced to a fine or up to seven years of imprisonment.

Article 237

Assault because of duty

(Amended by Law no. 44/2019, dated 18/07/2019)

Assault or other violent acts committed against an official acting in the execution of a state duty or public service, because of the state activity or service, shall be sentenced from one to three years of imprisonment.

When this offence is committed against an elected person or public official, due to their activity, it shall be sentenced from one to five years of imprisonment.

When this offence is committed against a police officer due to his/her activity and when the person's qualities are apparent or known, it shall be sentenced from one to five years of imprisonment.

When this offence is committed against a health professional due to his/her activity and when the person's qualities are apparent or known, it shall be sentenced from one to five years of imprisonment.

When the same offence is committed in the premises of an institution where the person exercises a state duty, public function or public service, it shall be sentenced from three to five years of imprisonment.

Article 238

Threat because of duty

(Amended by Law no. 44/2019, dated 18/07/2019)

Serious threat of assassination or critical injury against an official acting in the execution of a state duty or public service, because of the state activity or service, shall be sentenced up to two years of imprisonment.

When this offence is committed against an elected person or public official due to their activity, it shall be sentenced from one to three years of imprisonment.

When this offence is committed against a police officer due to his/her activity, when the person's qualities are apparent or known, it shall be sentenced from two to four years of imprisonment.

When this offence is committed against a health professional due to his/her activity, when the person's qualities are apparent or known, it shall be sentenced from one to three years of imprisonment.

When this offence is committed in the premises of an institution where the person exercises a state duty, function or public service, it shall be sentenced from one to three years of imprisonment.

Article 239

Insulting because of duty

(Amended by Law no. 8733, dated 24/01/2001; repealed by Law no. 23/2012, dated 01/03/2012)

Article 240

Defamation because of duty

(Second paragraph amended by Law no. 8733, dated 24/01/2001; repealed by Law no. 23/2012, dated 01/03/2012)

Article 241

Defamation against the President of the Republic

(Repealed by Law no. 23/2012, dated 01/03/2012)

Article 242

Disobeying orders of the public order police employee

Disobeying the lawful orders of the public order police employee shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 242/a

Non-implementation of measures of state authorities during a state of emergency or during a state of epidemic

(Added up by Law No. 35/2020, dated 16/04/2020)

Non-implementation or performance of actions in violation of legal or by-legal acts issued by state bodies related to the state of epidemic or the implementation of extraordinary measures, by a person against whom an administrative measure has previously been issued, shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

The same offense, when committed in the exercise of commercial activity, endangering human health, shall be sentenced to a fine or up to two years of imprisonment.

Non-implementation of the order issued by the competent authorities for quarantine or isolation, or violation of the quarantine or isolation rules by a person carrying or not carrying an infectious disease, who has been notified of this obligation by the relevant state authorities, shall be sentenced from two to three years of imprisonment.

Article 243

Assaulting family members of a person exercising a state duty

Assault or other violent acts committed towards the family member of a person acting in the exercise of state duty or public service, with the intent of preventing the fulfilment of the duty or service, or which is related to this activity, shall be sentenced to a fine or up to five years of imprisonment.

Article 244

Active corruption of persons exercising public functions

(Amended by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013; amended by Law no. 43/2021, dated 23/03/2021)

Promising, proposing or giving, directly or indirectly, of any improper benefit up to the value of ALL 50,000 or the equivalent in foreign currency to a person exercising a public function, for oneself or for other persons, to perform or not to perform an action related to the duty or function, shall be sentenced from six months to one year of imprisonment.

The same offense, when the improper benefit of the person exercising a public function for oneself or other persons is over the value of ALL 50,000, or the equivalent in foreign currency, shall be sentenced from one to three years of imprisonment.

Article 244/a

Active corruption of foreign public official

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing or giving, directly or indirectly, any kind of improper benefit for oneself or others, to a foreign public official, employee of a public international organisation, member of a foreign public assembly or member of an international parliamentary assembly, to perform or not to perform an action related to his/her duty or function, shall be sentenced from six months to three years of imprisonment.

Article 245

Active corruption of the high state officials and local elected representatives

(Amended by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing or giving, directly or indirectly, to high state officials or to a locally elected person, of any improper benefit for oneself or for others in order to perform or not to perform an action related to duty or function, shall be sentenced from one to five years of imprisonment.

Article 245/1

Exercising unlawful influence on public officials

(Added up by Law no. 9275, dated 16/09/2004; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013; amended by Law no. 43/2021, dated 23/03/2021)

Promising, offering or giving, directly or indirectly, of any improper benefit up to the value of ALL 50,000 or the equivalent in foreign currency, for oneself or for other persons, to a person who promises or ensures that he/she is able to exercise unlawful influence on the performance of duty and decision-making by persons exercising public functions, Albanians or foreigners, regardless of whether the influence was exercised or whether the desired consequences were achieved, shall be sentenced from six months to one year of imprisonment.

The same offense, when the improper benefit is over the value of ALL 50,000 or the equivalent in foreign currency, shall be sentenced from one to three years of imprisonment.

The solicitation, receipt or acceptance, directly or indirectly, of any improper benefit up to the value of ALL 50,000 or the equivalent in foreign currency, for oneself or for other persons, by promising or ensuring the ability to exercise unlawful influence on the performance of duty by persons exercising public functions, Albanians or foreigners, regardless of whether the influence has been exercised or the desired consequences have occurred or not, shall be sentenced from six months to two years of imprisonment.

The same offense, when the improper benefit is over the value of ALL 50,000 or the equivalent in foreign currency, shall be sentenced from two to four years of imprisonment.

Article 245/2

Exemption from suffering the sentence

(Added up by Law no. 9275, dated 16/09/2004; repealed by Law no. 144, dated 02/05/2013)

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 a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

When the act is committed for embezzlement purposes or has violated the freedom, dignity or other fundamental rights of the citizen, it shall be sentenced to a fine or up to five years of imprisonment.

Article 246/a

Practicing the profession of certified public accountant and auditing company without being registered

(Added up by Law no. 23/2012, dated 01/03/2012)

Appropriating the professional title of certified public accountant, practicing the profession of certified public accountant or using labels such as auditing company, without being previously registered in a public registry of auditors, and using any kind of title, which aims to create a similarity or confusion with these professional titles or designations, when an administrative measure has already been imposed, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 247

Wearing a uniform unlawfully

Unlawfully wearing a uniform, holding a document or a distinctive sign, which shows the capacity of an official exercising a state duty or public service, accompanied with illegal acts, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

When the act is committed for embezzlement purposes or it has violated the freedom, dignity or other fundamental rights of the citizen, it shall be sentenced to a fine

or up to five years of imprisonment.

SECTION II

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

Article 248

Abuse of office

(Amended by Law no. 8733, dated 24/01/2001; no. 9275, dated 16/09/2004; no. 9686, dated 26/02/2007; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Deliberate performance or non-performance of actions or failure to act, in violation of the law, which constitutes a failure to properly perform the duty by a person exercising public functions, in cases when it has brought to that person or other persons unjust material or non-material benefits or when it has brought about damages to the legitimate interests of the state, citizens, and other legal entities, when it does not constitute another criminal offence, it shall be sentenced up to seven years of imprisonment.

Article 248/a

Granting pensions or other income from social insurance contrary to the law

(Added by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Granting of pensions or other income from social insurance contrary to the law on pensions by an employee who has a duty to grant them shall be sentenced from six months to seven years of imprisonment.

Article 249

Performing a function after its termination

The continuation of the performance of the state or public service function by a person who has been informed of a decision or circumstance terminating the exercise of this function shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 250

Committing arbitrary actions

Commitment of arbitrary actions or arbitrary order-giving, by an official performing a state or public service function while exercising his/her duty, which affects the freedom of citizens, shall be sentenced to a fine or up to seven years of imprisonment.

Article 251

Failure to take measures to sever illegality

Failure to take measures or to request from the competent person to terminate the state of illegality as a result of an arbitrary action that has affected the freedom of a citizen, by a person charged with a state function or in public service, who becomes aware of that state due to the function or service, shall be sentenced to a fine or up to

three years of imprisonment.

Article 252

Detention in custody in absence of a decision

Detention in custody without a decision of the competent body or beyond the term determined in the decision or by law, by a person charged with the task of prison administrator, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 253

Violating equality of the citizens

(Words added up by Law no. 144, dated 02/05/2013)

Discrimination by an employee holding a state function or public service conducted because of his/her capacity or during its exercise, based upon origin, sex, sexual orientation or gender identity, 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, shall be sentenced to a fine or up to five years of imprisonment.

Article 254

Infringing the inviolability of residence

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

Article 255

Obstruction and violation of the secrecy of correspondence

Giving orders or committing actions to destroy, read and disseminate postal correspondence, or to break, make it more difficult, put under control or intercept phone correspondence or any other means of communication, committed by a person holding a state function or public service during the exercise of duty, except the cases when it is permitted by law, shall be sentenced to a fine or up to three years of imprisonment.

Article 256

Misuse of contributions given by the state

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

Article 257

Illegal benefit of interests

Direct or indirect retaining, storing or receiving 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, the person was holding the capacity of supervisor, administrator or liquidator, shall be sentenced to a fine or up to four years of imprisonment.

Article 257/a

Refusal to declare, non-declaration, concealment or false declaration of assets, private interests of elected persons and public servants or of any other person who has a legal obligation to declare

(Added up by Law no. 9030, dated 13/03/2003; second paragraph amended by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/2012; amended by Law no. 98, dated 31/07/2014)

Refusal to declare or non-declaration of assets, private interests of elected persons or public servants or of any other person who has a legal obligation to declare in accordance with the law, when administrative measures have previously been taken, shall constitute a criminal contravention and shall be sentenced to fine or up to six months of imprisonment.

Concealment or false declaration of assets, private interests of elected persons or public servants or any other person who has a legal obligation to declare in accordance with the law shall be sentenced to a fine or up to three years of imprisonment.

Article 258

Breaching the equality of participants in public bids or auctions

(Amended by Law no. 23/2012, dated 01/03/2012; amended by Law no. 43/2021, dated 23/03/2021)

Commitment of actions in breach of the laws which regulates 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 improper advantage or benefits for third parties, when the tender or public auction is up to the value of ALL 800,000 or the equivalent in foreign currency, shall be sentenced up to one year of imprisonment.

The same offense, when committed in bids or public auctions with a value over ALL 800,000 or the equivalent in foreign currency, shall be sentenced from one to five years of imprisonment.

Article 259

Passive corruption by persons that exercise public functions

(Amended by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013; amended by Law no. 43/2021, dated 23/03/2021)

Soliciting or receiving, directly or indirectly, of any kind of improper benefit or promise of such benefit up to the value of ALL 50,000 or the equivalent in foreign currency, for oneself or for other persons, or the acceptance of an offer or promise resulting from improper benefit, by a person exercising public functions, to perform or not perform an act related to their duty or function, shall be sentenced from two to three years of imprisonment.

The same offense, when the improper benefit or promise of such benefit is over the value of ALL 50,000 or the equivalent in foreign currency, shall be sentenced from three to eight years of imprisonment.

Article 259/a

Passive corruption of foreign public officials

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013, Article 48)

Soliciting or receiving, directly or indirectly, any improper benefits or such a promise, for oneself or others, or acceptance of an offer or promise arising from an improper benefit, from a foreign public official, employee of a public international organisation, member of a foreign public assembly, or member of an international parliamentary assembly, to perform or not to perform an act that relates to their function, shall be sentenced from two to eight years of imprisonment.

Article 260

Passive corruption of high state officials or local elected officials

(Amended by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Soliciting or receiving, directly or indirectly, any improper benefits or such a promise, for oneself or others, or acceptance of an offer or promise arising from an improper benefit, from a high state official or a local elected official, to perform or not to perform an act that relates to their duty or function, shall be sentenced from four to twelve years of imprisonment.

SECTION III

CRIMINAL ACTS AGAINST PUBLIC ORDER AND SECURITY

Article 261

Impeding the exercise of the right of expression, assembling or protest

Committing acts that impede citizens from exercising their right of expression, assembling or protest shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

If the acts are accompanied with the use of physical violence, it shall be sentenced to a fine or up to three years of imprisonment.

Article 262

Organizing or participating in illegal assembly and manifestations

(Third paragraph added up by Law no. 8733, dated 24/01/2001; no. 9, dated 26/02/2016; sentences repealed in first paragraph by Decision no. 24, dated 04/05/2021 of the Constitutional Court)

Organizing gatherings and demonstrations of people in squares and public places, or when the organizers violate the conditions set forth in the request for permission, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Participating in an illegal gathering or demonstration even after a warning has been given to disperse, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

The same act, committed more than once or when it has led to serious

consequences, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 263

Organizing unlawful gatherings and manifestations with the participation of armed people

Organizing unlawful gathering and demonstration with the participation of armed people shall be sentenced to a fine or up to three years of imprisonment.

Participation of armed people in unlawful gathering and demonstrations shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 264

Obligation to participate or not to participate in a strike

Obligation of an employee against his/her will to participate or not to participate in a strike or creation of obstacles and difficulties for the continuation of his/her employment when the employee wishes to do so, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 265

Incitement of hatred or disputes

(Amended by Law no. 144, dated 02/05/2013)

Inciting hate or disputes on the grounds of race, ethnicity, religion or sexual orientation, as well as intentional preparation, dissemination or preservation for purposes of distributing writings with such content, by any means or forms, shall be sentenced from two to ten years of imprisonment.

Article 265/a

Involvement in military operations in a foreign state

(Added up by Law no. 98, dated 31/07/2014)

Involvement in military formations, military or paramilitary organisations in an armed conflict taking place in the territory of a foreign state or participation at any type of training conducted by these structures, without being a citizen of the foreign country, without being a member of the armed forces of one of the parties in conflict or official military missions of the armed forces of a state that is not a party in the conflict or official military missions of an international organisation, shall be sentenced from three to eight years of imprisonment.

The same criminal offence, when committed to overthrow the constitutional order or to infringe the territorial integrity of a foreign state, shall be sentenced from five to ten years of imprisonment.

Article 265/b

Organising the involvement in military operations in a foreign state

(Added up by Law no. 98, dated 31/07/2014)

Incitement, recruitment, organisation, leading, training, making available equipment, establishment or the use of funds or other means for financing, material

support to the persons, in any form or fashion, to commit the criminal offence provided for in Article 265/a, shall be sentenced from eight to fifteen years of imprisonment.

Article 265/c

Call for involvement in violent military operations in a foreign state

(Added up by Law no. 98, dated 31/07/2014)

Public call in whatever form, means or way to commit the criminal offence provided for in Article 265/a or 265/b, shall be sentenced up to three years of imprisonment.

Article 266

Calls for national hatred

(Words added up by Law no. 144, dated 02/05/2013)

Endangering public peace by calling for hatred against other parts of the population, by insulting or defaming them, or by requesting the use of force or arbitrary actions against them, shall be sentenced from two to eight years of imprisonment.

Article 267

Dissemination of false information to cause panic

Spreading false information or news, in words, in writing, or in any other manner, in order to incite a state of insecurity or panic in people, shall be sentenced to a fine or up to five years of imprisonment.

Article 268

Humiliation of the Republic and its symbols

(Amended by Law no. 23/2012, dated 01/03/2012)

Intentional damage to the flag or emblem of the Republic, exhibited in public institutions shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Public humiliation of the flag or national anthem during an activity organised by state authorities shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 269

Obstruction by use of force of the activity of political parties

Forcible obstruction of the lawful activity of political parties, organizations or associations shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 270

Prisoners' 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, shall be sentenced to a fine or up to five years of imprisonment.

When the use of force is conducted by a group of persons or is accompanied with

riots and disorders or threats and intimidation, it shall be sentenced to a fine or up to ten years of imprisonment.

Article 271

Disinformation of emergency units

Intentionally providing false information to emergency units to hinder their effectiveness, committed by any means of information or communication, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 272

Providing false information to police

Providing false information to police about the commission of a criminal offence, with the intention of placing them into a state of readiness or alarm, shall constitute a criminal contravention and shall be sentenced to 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 means of transportation, in order to avoid criminal, civil or administrative liability, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 274

Disturbing public peace

(A paragraph added by Law no. 144/2019, dated 18/07/2019)

Throwing stones or other items into the premises of a citizen, creating disturbing noises such as gunshots or other blasts, illegal use of horns, or any other indecent behaviour in streets, squares and public places, which clearly disturb the peace and moral or show open disregard for the environment, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Exercising of economic activity that emits/generates noise in violation of the law or in excess of the norms permitted by law, and which significantly disturbs the peace in residential areas or public spaces, when administrative measures have previously been taken, shall be sentenced to a fine or up to two years of imprisonment.

Article 274/a

Hitting an athlete, coach, referee, sports mediator

(Added up by Law No. 44/2019, dated 18/07/2019)

Hitting or other acts of violence against an athlete, coach, referee, sports mediator, due to sports activity, by persons outside this activity, shall be sentenced from one to three years of imprisonment.

The same offense, when committed in sports facilities, more than once, or is committed by leaders or members of sports clubs, shall be sentenced from one to five years of imprisonment.

Article 274/b

Violent acts in sports activities

(Added up by Law No. 44/2019, dated 18/07/2019)

Entering the playing field during the development of a sports activity, by unauthorized persons, shall constitute a criminal contravention and shall be sentenced to a fine from ALL 50,000 to 100,000.

When this act has resulted in the obstruction of the normal development of a sports activity, it shall be sentenced to a fine or up to three months of imprisonment.

Throwing hard objects on the playing field or on a crowd of people, possession or use of pyrotechnics, fireworks, flares, during the development of a sports activity, shall be sentenced from six months to three years of imprisonment.

Article 275

Malevolence use of phone calls

Malevolence use of telephone calls made to disturb another's peace shall constitute a criminal contravention and shall be sentenced to 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, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

When the criminal offence has led to death or serious harm to the health of individuals, it shall be sentenced to a fine or up to ten years of imprisonment.

Article 277

Vigilantism

The exercise of a right by a person who retains the right or thinks he/she retains the right, which is not recognized by the other person, without addressing to the competent state body, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 278

Manufacture and illegal possession of weapons, explosive weapons and ammunition

(First and second paragraph added up by Law no. 8279, dated 15/01/1998; first, second and third paragraph amended, and fourth paragraph added up by Law no. 8733, dated 24/01/2001; amended by Law no. 144, dated 02/05/2013; added up and amended by Law no. 98, dated 31/07/2014; two paragraphs added up with Law no. 135/2015, dated 05/12/2015; fifth and sixth paragraph repealed with Decision no. 9, dated 26/02/2016 of the Constitutional Court; entirely amended with Law no. 82/2016, dated 25/07/2016, first paragraph amended by Law no. 44/2019, dated 18/07/2019)

Possession of weapons, explosive weapons or explosive substances in vehicles or any other motorized means of transportation, in public places or in places open to the public, without the permission of the competent state bodies, shall be sentenced from five

to seven years of imprisonment.

The same offense, when committed more than once or in large quantities, shall be sentenced from seven to fifteen years of imprisonment.

Possession of combat ammunition, without the permission of the competent state bodies, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Possession of weapons in a residence, without the permission of the competent state bodies, shall be sentenced from one to three years of imprisonment.

Possession of explosive weapons or explosive substances in a residence, without the permission of the competent state bodies, shall be sentenced from one to four years of imprisonment.

Production, sale, purchase, offering for sale, trading and transportation of weapons and combat ammunition, explosives, explosive weapons, without the permission of the competent state bodies, shall be sentenced from five to ten years of imprisonment.

The same offense provided for in the fifth paragraph of this article, when committed in large quantities, in complicity, more than once or when it has led to serious consequences, shall be sentenced from seven to fifteen years of imprisonment.

Illegal falsification or erasure, displacement or alteration of marks on weapons and combat ammunition shall be sentenced from one to five years of imprisonment.

Article 278/a

Trafficking of weapons and ammunition

(Added up by Law no. 8733, dated 24/01/2001; words added up by Law no. 144, dated 02/05/2013)

Importing, exporting, transiting and trading of military weapons and ammunition or their component parts in violation of the law, with the purpose of material benefits or any other benefits, shall be sentenced from seven to fifteen years of imprisonment.

The same act, when committed in compliance or more than once, or when it has brought about serious consequences, shall be sentenced from ten to twenty years of imprisonment.

Article 278/b

Production, possession, trade in nuclear or chemical weapons

(Added up by Law No. 44/2019, dated 18/07/2019)

Production, possession, trade in nuclear or chemical weapons of mass destruction shall be sentenced from fifteen to twenty years of imprisonment.

Article 279

Illegal manufacture, carrying, purchase or sale of cold weapons

(Amended by Law no. 144, dated 02/05/2013; words amended in second paragraph by Law no. 82/2016, dated 25/07/2016)

Manufacture, possession, purchase or sale of cold weapons such as swords, bayonets, knives, and other means prepared and intended specifically for assaulting people or for self-defence, without the permit of the competent state bodies, shall be sentenced to fine or up to three years of imprisonment.

Possession, purchase or sale in vehicles or any other motorized means, in public places or places open to the public, of cold weapons such as swords, bayonets, knives and

other means prepared and intended specifically for assaulting people or for self-defence, without the permit of the competent bodies, shall be sentenced from one to five years of imprisonment.

Article 280

Illegal manufacture and possession of hunting and sporting rifles

Manufacture, possession, purchase and sale of hunting or sporting rifles, as well as their ammunition, without the permit of the competent state bodies, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 281

Breach of rules on poisonous substances

Breach of defined rules to keep, manufacture, use, store, transport or sale of poisonous substances with strong effect, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

When the criminal offence has led to death or serious harm to the health of people or other serious material consequences, it shall be sentenced to a fine or up to ten years of imprisonment.

Article 282

Breach of rules on explosive and flammable substances

(Amended by Law no. 98, dated 31/07/2014; words amended by Law no. 135/2015, dated 05/12/2015, title changed, words changed in first paragraph with Law no. 44/2019, dated 18/07/2019)

Breach of defined rules to keep, manufacture, use, store, transport and sale of explosives or flammable substances, shall be sentenced from one to five years of imprisonment.

When the criminal offence has led to death or has caused serious harm to the health of people or other serious material consequences, it shall be sentenced from two up to ten years of imprisonment.

Article 282/a

Trafficking of explosive, flammable and poisonous substances

(Added up by Law no. 8733, dated 24/01/2001; title changed, words changed in first paragraph by Law no. 44/2019, dated 18/07/2019)

Illegal import, export, transit and trade of explosive, flammable, and poison substances, with the purpose of material benefits or any other benefits, shall be sentenced from seven to fifteen years of imprisonment.

The same act, when committed in complicity, or more than once, or has brought about serious consequences, shall be sentenced from ten to twenty years of imprisonment.

Article 282/b

Training on unlawful manufacturing and use of weapons and other dangerous substances

(Added up by Law no. 9686, dated 26/02/2007)

Preparation, training, providing instructions in any form, even anonymously or electronically, in conflict with the law, for the production or use of explosives, firearms, and military ammunition, other weapons and biologic, bacteriologic, nuclear materials or of any other kind, hazardous or dangerous to the people and property, when it does not constitute another criminal offence, shall be sentenced from two to seven years of imprisonment.

Article 282/c

(Added up by Law No. 135/2015, dated 05/12/2015)

Import, export, transit, trade, production, possession, transportation or distribution of basic chemical substances or other substances of any kind, technologies, equipment and materials, if it is known that they are used or will be used for the production or trafficking of weapons of mass destruction and chemical and biological weapons, shall be sentenced from three to ten years of imprisonment.

The same act, when committed in complicity or more than once, shall be sentenced from five to fifteen years of imprisonment.

Organization, management or financing of this activity shall be sentenced from ten to twenty years of imprisonment.

Article 283

Production and sale of narcotics

(First paragraph amended, second paragraph added up by Law No. 8733, dated 24/01/2001)

Sale, offering for sale, giving or receiving in any form, distribution, trading, transportation, sending, delivery, as well as possession, except in the case of personal use and in small doses, of narcotic and psychotropic substances, as well as of seeds of narcotic plants, in violation of the law or in excess of their content, shall be sentenced from five to ten years of imprisonment.

The same offence, when committed in complicity, or more than once, shall be sentenced from seven to fifteen years of imprisonment.

Organization, running or financing of this activity shall be sentenced from ten to twenty years of imprisonment.

Article 283/a

Trafficking of narcotics

(Added up by Law no. 8279, dated 15/01/1998; amended by Law no. 8733, dated 24/01/2001)

Import, export, transit and trade of narcotic and psychotropic substances and narcotic plant seeds, in contradiction with the law, shall be sentenced from seven to fifteen years of imprisonment.

The same act, when committed in complicity, or more than once, shall be sentenced from ten to twenty years of imprisonment.

Organization, running or financing of such activity shall be sentenced to no less than fifteen years of imprisonment.

Article 283/b

Facilitation of drugs intake and use*(Added up by Law no. 8733, dated 24/01/2001)*

Facilitation of the intake and use of narcotics or psychotropic substances in contradiction with the respective legal provisions by the persons, who because of their duty administer such substances, shall be sentenced from three to seven years of imprisonment.

Article 284

Cultivation of narcotic plants*(First and third paragraph amended, second paragraph added up by Law no. 8733, dated 24/01/2001)*

Cultivation of plants that serve or are known to serve for the production and extraction of narcotic and psychotropic substances, without permission and authorization by law, shall be sentenced from three to seven years of imprisonment.

The same act, when committed in complicity, or more than once, shall be sentenced from five to ten years of imprisonment.

Organization, running or financing of this activity shall be sentenced from seven to fifteen years of imprisonment.

Article 284/a

Organizing and leading criminal organizations*(Added up by Law no. 8279, dated 15/01/1998)*

Organizing, leading, and financing criminal organizations with the goal of cultivating, producing, fabricating or illegal trafficking of narcotics shall be sentenced from ten to twenty years of imprisonment.

Creation of conditions or facilities for such activities by persons holding state functions shall be sentenced from five to fifteen years of imprisonment.

Article 284/b

Supporting the disclosure of crimes*(Added up by Law no. 8279, dated 15/01/1998; repealed by Law no. 144, dated 02/05/20013)*

Article 284/c

Production and manufacturing of narcotic and psychotropic substances*(Added up by Law no. 8733, dated 24/01/2001)*

Production, manufacturing, extracting, refining, preparing without license or by surpassing the ingredient limits of narcotic and psychotropic substances, shall be sentenced from five to ten years of imprisonment.

The same act, when committed in complicity, or more than once, shall be sentenced from seven to fifteen years of imprisonment.

Organizing, running, or financing this activity shall be sentenced from ten to twenty years of imprisonment.

Article 284/ç

Production, trade, and illegal use of precursors*(Added up by Law no. 8733, dated 24/01/2001)*

Production, import, export, transit, trade and possession, in violation of the relevant legal provisions, of precursors indicated by law in the relevant charts, shall be sentenced up to five years of imprisonment.

The same act, when committed in complicity, or more than once, shall be sentenced from three to seven years of imprisonment.

Organizing, running, or financing this activity shall be sentenced from five to fifteen years of imprisonment.

Article 284/d

Production and trade of counterfeit medicines and medical devices or those dangerous to life and health*(Added up by Law No. 135/2015, dated 05/12/2015)*

Production, possession for trading purposes, sale or offering for sale, supply, distribution, export, and import of medicines, active substances or auxiliary substances for their production, as well as counterfeit or dangerous to life and health products and medical devices, accessories, components or materials thereof, shall be sentenced from six months to five years of imprisonment.

When this offense is committed during the exercise of a professional activity, via the internet, in complicity or more than once, it shall be sentenced from three to seven years of imprisonment.

The same offense, when it has caused serious consequences to life or health, shall be sentenced to no less than ten years of imprisonment.

Article 285

Keeping, producing, and transporting chemical substances*(Amended by Law no. 8733, dated 24/01/2001)*

Production, keeping, 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, shall be sentenced from three to ten years of imprisonment.

Article 285/a

Adjusting of premises for drugs use*(Added up by Law no. 8733, dated 24/01/2001)*

Adjusting or allowing the adaptation of premises, residences, vehicles and any other public or private means in order to gather people, so that they may use narcotic or psychotropic substances, shall be sentenced up to five years of imprisonment.

Article 285/b

Throwing away or leaving behind of syringes*(Added up by Law no. 8733, dated 24/01/2001)*

Throwing away or leaving behind syringes or dangerous instruments used for taking narcotic and psychotropic substances, in public places or open for the public and in

private premises of shared use, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

Article 286

Inducing the use of drugs

(Amended by Law no. 8733, dated 24/01/2001)

Urging other people to use narcotic and psychotropic substances or giving them for use or injecting them to other people, without their knowledge or consent, shall be sentenced from five to ten years of imprisonment.

When the inducing or forced injection is conducted upon children or in penitentiary, educational, sports or any other institutions providing social activity, it shall be sentenced to no less than fifteen years of imprisonment.

Article 286/a

Illegal use of high technology

(Added up by Law no. 8733, dated 24/01/2001)

Production and use of telematics systems, equipment, and means of high technology, in cases of criminal offences provided for in 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 or disseminating advertisements to promote their use, shall be sentenced up to five years of imprisonment.

Article 287

Laundering the proceeds of criminal offence or criminal activity

(Amended by Law no. 9086, dated 19/06/2003; letter “dh” added up by Law no. 9275, dated 16/09/; letter “a” of point 1, amended; letter “ç” repealed by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Laundering of the proceeds of a criminal offence or criminal activity, through:

- a) Exchange or transfer of property, for purposes of concealing or disguising its illicit origin, knowing that such property is a proceed of a criminal offence or activity;
- b) Concealing or disguising the real nature, source, location, availability, relocation, ownership or rights in relation to the property, knowing that such property is a proceed of a criminal offence or activity;
- c) Obtaining ownership, possession or use of property, knowing that at the time of its acquisition, such property was a proceed of a criminal offence or criminal activity;
- ç) Conducting financial operations or fragmented transactions to avoid reporting, according to the legislation on the prevention of money laundering;
- d) Investing money or items in economic or financial activities, knowing that they are proceeds of a criminal offence or criminal activity;
- dh) Advising, assisting, inciting or making a public call for the commission of any of the offences defined above,

shall be sentenced from five to ten years of imprisonment.

When this offence has been committed in the exercise of a professional activity, in

complicity, or more than once, it shall be sentenced from seven to fifteen years of imprisonment.

When this offence has caused grave consequences, it shall be sentenced to no less than fifteen years of imprisonment.

The provisions of this article shall also apply where:

- a) The criminal offence, the proceeds of which are laundered, has been committed by a person who cannot be prosecuted as a defendant or who cannot be punished;
- b) Criminal prosecution for the offence the proceeds of which are laundered has reached the statute of limitations or has been amnestied;
- c) The person who performs laundering of the proceeds is the same person who committed the offence from which the proceeds have derived;
- ç) No criminal prosecution has been initiated, or no punishment has been imposed by a final criminal decision in relation to the criminal offence, from which the proceeds have derived;
- d) The offence, the proceeds of which are laundered, has been committed by a person, regardless of his/her citizenship, outside of the territory of the Republic of Albania, and the offence is also punishable both in the foreign country and the Republic of Albania.

Knowledge and intent, under the first paragraph of this article, shall be derived from objective factual circumstances.

Article 287/a

Opening of anonymous accounts

(Added up by Law no. 8733, dated 24/01/2001; amended by Law no. 9086, dated 19/06/2003; the part providing a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Opening of deposits or bank accounts anonymously or in fictitious names, shall be sentenced up to three years of imprisonment.

Article 287/b

Appropriation of money or goods resulting from criminal offence or criminal activity

(Added up by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Whoever buys, receives, conceals or, in any way, appropriates for oneself or a third party, or assists in purchasing, receiving, concealing or using money or other goods, knowing that another person has benefitted the money or goods as a result of committing a criminal offence or criminal activity, shall be sentenced from six months up to three years of imprisonment.

The first paragraph of this article shall be applicable despite the legal prohibition to hold criminally liable the person who has committed the criminal offence, from which appropriation of money or other goods has resulted.

Article 288

Importing, producing, selling and storing food dangerous to the health or lives of people

(Amended by Law No. 44/2019, dated 18/07/2019)

Importing, producing, storing, selling or otherwise placing on the market food or introducing into the production of food items or chemicals, materials or additives that endanger the health or life of people, in violation of the requirements of special legislation, shall be sentenced up to three years of imprisonment.

When this act has caused the death or serious damage to the health of a person, it shall be sentenced from three to ten years of imprisonment.

When this act has caused the death or serious damage to the health of several people, it shall be sentenced from ten to twenty five years of imprisonment.

Article 288/a

Illegal production of industrial and food items and commodities

(Added up by Law no. 8733, dated 24/01/2001)

The illegal production of industrial and food items and commodities shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

The same act, when committed in complicity, or more than once, or when it has brought about serious consequences, shall be sentenced from three to ten years of imprisonment.

Article 288/b

Trade and placing for consumption of fuels in violation of legal quality standards

(Added up by Law No. 135/2015, dated 05/12/2015)

Counterfeiting, trading or placing for consumption of counterfeit petroleum by-products, used as fuels, as provided for in the legislation in force for the processing, transportation and trade of petroleum and its by-products, shall be sentenced up to five years of imprisonment.

The same offense, when committed in complicity, more than once or when it has caused serious material consequences to the health or has damaged the ecosystem, shall be sentenced from three to ten years of imprisonment.

Article 288/c

Fraud with food products

(Added up by Law No. 44/2019, dated 18/07/2019)

Importing, producing, storing, offering for sale, falsifying, selling or otherwise placing on the market foods, materials or additives in the production and processing of food items, on which data are marked that do not correspond to the content, type, categorization, origin, quantity or quality of the product or products without the above data, as provided for in the legislation in force, or presenting false data on the labelling of food products, which endanger the health or lives of people, shall be sentenced up to three years of imprisonment.

The same offense, when committed in complicity, more than once or when it has brought about serious consequences for human health, shall be sentenced from three to ten years of imprisonment.

Article 288/ç

Defacing safety signs of state bodies in the field of food safety*(Added up by Law No. 44/2019, dated 18/07/2019)*

Intentional defacing of safety signs, placed by state bodies in the field of food safety for the purposes of supervision, control or suspension of commercial activity in economic premises, on means of transport or on goods, for the purpose of moving food goods or resuming activity, shall be sentenced up to three years of imprisonment.

Article 289

Breach of safety rules at work

Causing death or serious harm to the health of an individual because of disregard of rules related to work, production, and service, as provided for by laws, acts of the Council of Ministers or pertinent regulations of technical safety, technical discipline, work-related protection, hygiene and fire safety by individuals in charge of respecting and implementing those rules, shall be sentenced to a fine or up to ten years of imprisonment.

When the criminal act has caused the death or serious harm to the health of several persons, it shall be sentenced to no less than five years of imprisonment.

Article 290

Violation of road traffic regulations*(Amended by Law no. 144, dated 02/05/2013)*

Violation of road traffic regulations, when it causes minor injuries to several persons, shall be sentenced to a fine or up to one year of imprisonment.

Violation of road traffic regulations, when it causes the serious injury of a person, shall be sentenced from one to five years of imprisonment.

Violation of road traffic regulations, when it causes the death of a person, shall be sentenced from two to ten years of imprisonment.

When the criminal offence has caused the death or serious injury of several persons, it shall be sentenced from five to twenty years of imprisonment.

Article 291

Driving vehicles inappropriately*(Amended by Law no. 144, dated 02/05/2013; amended by Law no. 98, dated 31/07/2014)*

Driving vehicles or other motorized means of transportation while inebriated, under the effect of narcotics, or without a relevant driving ability certificate, shall be sentenced from ten days up to three years of imprisonment.

The court may decide the replacement of the imprisonment sentence to the payment of an amount of money to the benefit of the state.

Article 292

Violation of working-standards in transportation

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

When the criminal offence has caused the death or serious health injury to several persons, it shall be sentenced to no less than five years of imprisonment.

Article 293

Obstructing the movement of transport vehicles

(Added up by Law no. 44/2019, dated 19/07/2019)

Obstructing or stopping, by any means or manner, the movement of motor, railway, water or air transport vehicles, shall be sentenced to a fine or up to three years of imprisonment.

Article 293/a

Illegal wiring of computer data

(Added up by Law no. 10023, dated 27/11/2008)

Illegal wiring through technical equipment of non-public transmissions, of computer data from/or within a computer system, including electromagnetic emissions from a computer system that contains such computer data, shall be sentenced from three to seven years of imprisonment.

When this 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 shall be sentenced from seven to fifteen years of imprisonment.

Article 293/b

Interference in computer data

(Added up by Law no. 10023, dated 27/11/2008; third paragraph added up by Law no. 36/2017, dated 30/03/2017)

Unauthorized damaging, distorting, modifying, deleting or suppressing of computer data shall be sentenced from six months up to three years of imprisonment.

When this act is committed on military, national security, public order, civil protection and healthcare computer data or on any other computer data of public importance, it shall be sentenced from three to ten years of imprisonment.

In cases when the actions provided for in the first paragraph are committed by a minor, the provisions of the Criminal Justice for Children Code shall apply.

Article 293/c

Interference in computer systems

(Added up by Law no. 10023, dated 27/11/2008; third paragraph added up by Law no. 36/2017, dated 30/03/2017)

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

When this act is carried out in military, national security, public order, civil protection and healthcare computer systems or in any other computer system of public importance, it shall be sentenced from five to fifteen years of imprisonment.

In cases when the actions provided for in the first paragraph are committed by a minor, the provisions of the Criminal Justice for Children Code shall apply.

Article 293/ç

Misuse of equipment*(Added up by Law no. 10023, dated 27/11/2008)*

Manufacturing, keeping, sale, 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 as provided for by Articles 192/b, 293/a, 293/b and 293/c of this Code, shall be sentenced from six months to five years of imprisonment.

Article 293/d

Unauthorised sale of SIM cards*(Added up by Law no. 98, dated 31/07/2014)*

The infringement of the rules set out for the distribution, sale and provision with products/SIM cards shall consist a criminal contravention and shall be sentenced to a term of thirty days up to six months of imprisonment.

SECTION IV

CRIMINAL ACTS AGAINST STATE SECRETS AND STATE BORDERS

Article 294

Disclosure of state secrets by a person entrusted with the information

Disclosure, dissemination and informing of facts, figures and contents of documents or materials which, according to a publicly known law, constitute state secrets, by the person entrusted with it or who has become aware of such information because of his/her capacity, shall be sentenced to a fine or up to five years of imprisonment.

When the same act is committed publicly, it shall be sentenced to a fine or up to ten years of imprisonment.

Article 295

Disclosure of state secrets by citizens

Disclosure, dissemination and informing of facts, figures, and contents of documents or materials which, according to a publicly known law, constitute state secrets, by any person who becomes informed of them, shall be sentenced to a fine or up to three years of imprisonment.

When the same act is committed publicly, it shall be sentenced to a fine or up to five years of imprisonment.

Article 295/a

Disclosure of secret documents or data*(Added up by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/2012)*

Disclosing data to third parties or assisting to disclose data that the law defines 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, shall be sentenced to fine or

up to five years of imprisonment.

Disclosing to third parties of data that constitute commercial, industrial or professional secret by public persons that have the duty to preserve them, shall be sentenced to a fine or up to three years of imprisonment.

Disclosing of secret documents or data containing secret documents by the prosecutor or the judicial police officer, as well as the failure to comply with the obligations defined in Article 103 of the Code of Criminal Procedure, shall be sentenced from one to five years of imprisonment.

Disclosing 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 disclose information, shall be sentenced to up to three years of imprisonment.

Disclosing of secret data related to the identity, collaboration or protection process, or location of witnesses and justice collaborators, who benefit special protection according to the legislation in force, shall be sentenced from two to six years of imprisonment.

Disclosing of a secret that has resulted in death, serious injury or serious danger to lives and health of witnesses or justice collaborators, their family members or police officers in charge of their protection, shall be sentenced from three to eight years of imprisonment.

Article 295/b

Illicit use of trade data

(Added up by Law no. 23/2012, dated 01/03/2012)

Trading a product or providing a service through the use of information or data that constitute a trade secret or privileged information by persons who have or should have the information or data, shall be sentenced to a fine or up to four years of imprisonment.

Article 296

Loss of secret documents

The loss of documents or other materials that according to a publicly known law constitute state secrets, by the person in charge of their protection and use, shall be sentenced to a fine or up to three years of imprisonment.

Article 297

Illegal crossing of the state borders

(Added up by Law no. 8279, dated 15/01/1998; amended by Law no. 9188, dated 12/02/2004)

Illegally crossing the state borders shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Article 298

Assistance for illegal crossing of borders

(New paragraph added by Law no. 8733, dated 24/01/2001; amended by Law no. 9188, dated 12/02/2004; title and first paragraph amended by Law no. 9686, dated 26/02/200; amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Sheltering, accompanying, making available or use of means of sea transport, air transport or other means of transport or any other assistance, with the purpose of illegally crossing the borders of the Republic of Albania or the illegal entrance of a person to another country without being its citizen or without residence permit for that country, shall be sentenced from one to four years of imprisonment.

When the assistance is given for purposes of profit, it shall be sentenced from three to seven years of imprisonment.

When this offence is committed in complicity or more than once or it has brought about serious consequences, it shall be sentenced from five to ten years of imprisonment.

When the offence has led to the death of the victim as a consequence, it shall be sentenced to no less than fifteen years or with life imprisonment.

When the criminal offence is committed through the utilization of a state function or public service, the imprisonment sentence shall 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, shall be sentenced to 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 to the criminal prosecution bodies, to the court, to the public order bodies, to the authorities or administration of a crime that is being committed or which has been committed, shall be sentenced to a fine or up to three years of imprisonment.

Lineal ascendants and descendants, brothers and sisters, spouses, adopters and adoptees, as well as persons obliged to keep a secret they have known because of their capacity or profession shall be excluded from the obligation to report.

Article 301

Obstruction of justice

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

Article 302

Supporting the perpetrator

(Second paragraph added up by Law no. 9275, dated 16/09/ 2004; second paragraph added up by Law no. 9686, dated 26/02/2007)

Supplying the perpetrator of a crime with food, other means of living, or providing

housing, lodging or any other assistance with the intent of preventing the perpetrator's search, apprehension or arrest, shall be sentenced to a fine or up to five years of imprisonment.

The same crime, when committed in association to criminal offences provided for by Articles 73, 74, 75, 79, 219, 220, 221, 230, 230/a, 230/b, 231, 232, 232/a, 234/a, 234/b, 284/a, 333, and 333/a of this Code, shall be sentenced from two to seven years of imprisonment.

Lineal ascendants and descendants, brothers and sisters, spouses, adopters and adoptees shall be excluded from criminal responsibility.

Article 303

Hiding or disposing of a corpse

Hiding or disposing of the corpse of a victim of murder or other violent acts, committed with the intent of assisting the perpetrator to evade from a search, apprehension and arrest, shall be sentenced to 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 prosecution body, court or public order bodies about the known evidence which exculpates a person accused or convicted for a criminal offence, shall be sentenced to 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, shall be excluded from the obligation to report.

Article 305

False reporting

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 proceedings, shall be sentenced to a fine or up to five years of imprisonment.

Article 305/a

False declarations before the prosecutor

(Added up by Law no. 9686, dated 26/02/2007)

Anyone who, during investigations or criminal proceedings, when interrogated by a prosecutor to give appropriate information on the investigation, provides oral or written information knowing that this information is, completely or partially, false or hides facts or evidence shall be sentenced to fine or up to one year of imprisonment.

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

Article 305/b

False declarations before the judicial police officer*(Added up by Law no. 9686, dated 26/02/2007)*

Anyone who, during an investigation, when interrogated by a judicial police officer to give appropriate information, provides verbal or written information knowing that this information is, completely or partially, false or hides facts or evidence, shall commit a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

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

Article 306

Perjury

(First paragraph amended by Law no. 8733, dated 24/01/ 2001; third paragraph added up by Law no. 9275, dated 16/09/2004; words changed in third paragraph by Law no. 9686, dated 26/02/2007)

Perjury in front of the court shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

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

When this offence is committed in relation to criminal offences provided for by Articles 234/a, 234/b, 284/a, 333, and 333/a of this Code, it shall be sentenced from two to six years of imprisonment.

Article 307

Refusing to testify

(Second paragraph amended, last paragraph added up by Law no. 9686, dated 26/02/2007)

Refusing to answer questions concerning knowledge of a criminal offence or its perpetrator, shall constitute a criminal contravention and shall be sentenced to a fine or up to one year of imprisonment.

When the refusal to testify is made for purposes of profit or any other interest given or promised, it shall be sentenced from one to four years of imprisonment.

The provisions of this article shall not apply if the act was committed at any stage of the criminal proceedings by a suspect or defendant for the criminal act or by a person that should have been exempted of the obligation to give information or testimony for any legal ground, or by a person who was not warned of 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 criminal prosecution bodies or by the court or false translation committed in front

of them shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

When the false translation is made for purposes of profit or any other interest given or promised, it shall be sentenced to 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 criminal prosecution bodies or before the court shall be sentenced to a fine or up to three years of imprisonment.

When false expertise is provided for purposes of profit or any other interest given or promised, it shall be sentenced to a fine or up to five years of imprisonment.

Article 310

Failure to appear as a witness, expert or translator

Failure to appear as a witness, expert or translator, without reasonable cause, or refusal to carry out duties assigned by the criminal prosecution body or the court, shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

Article 311

Intimidation not to report

(Amended by Law no. 9686, dated 26/02/2007; amended by Law no. 23/2012, dated 01/03/20012)

Intimidation of the person aggrieved by the criminal offence, with the intention to make the person not denounce, complain or to withdraw the lawsuit or complaint filed, shall be sentenced from one to four years of imprisonment.

Article 312

Active corruption of the witness, expert or interpreter

(Amended by Law no. 8733, dated 24/01/2001; no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing, or giving, directly or indirectly, to a witness, expert or translator any improper benefit for oneself or a third party in order to secure false statements or testimony, expertise or translation or to reject carrying out their obligations to the criminal prosecution bodies and the court shall be sentenced up to four years of imprisonment.

Article 312/a

Intimidation to issue false testimonies, expertise or interpretation

(Added up by Law no. 9275, dated 16/09/2004; amended by Law no. 9686, dated 26/02/2007)

Intimidation or other violent acts to a person to issue false statements or testimony, expertise or translation or to refuse carrying out their obligations to the criminal

prosecution bodies and the court shall be sentenced from one to four years of imprisonment.

Article 313

Unlawful commencement of prosecution

Unlawful commencement of prosecution by the prosecutor against a person who is known to be innocent shall be sentenced to a fine or up to five years of imprisonment.

Article 313/a

Disappearance or loss of files

(Added up by Law no. 8733, dated 24/01/2001)

Disappearance or loss by any means of the investigation files and court case files, or removing parts of documents, or other data attached to them, when they brought about serious consequences at the detriment of citizens or the state, shall be sentenced to a fine or up to five years of imprisonment.

Article 313/b

Prohibition on providing and publishing data contrary to the law

(Added up by Law no. 9275, dated 16/09/2004; amended by Law no. 23/2012, dated 01/03/2012; point 1 changed, point 2 and 3 added, paragraphs renumbered with Law no. 36/2017, dated 30/03/2017)

1. The disclosure or publication in any form, contrary to the law, of classified and confidential data that endanger the life, physical integrity or freedom of protected persons, according to the legislation in force for the protection of witnesses and collaborators of justice, with the aim of identifying these persons, shall be sentenced to a fine or up to two years of imprisonment.
2. When the commission of this criminal offense has resulted in serious consequences for their health, it shall be sentenced from six months to three years of imprisonment.
3. When this offense is committed by one of the persons who have the responsibility to maintain the classified and confidential nature of the data, it shall be sentenced to a fine or up to three years of imprisonment and, when the commission of this offense has resulted in serious consequences for their health, it shall be sentenced from two to five years of imprisonment.
4. When the offense has resulted in death, it shall be sentenced from three to ten years of imprisonment.

Article 314

Use of violence during investigations

The use of violence by the person in charge of an investigation to force a citizen to make a statement, give testimony or confess guilt or someone else's guilt, shall be sentenced from three to ten years of imprisonment.

Article 315

Unfair sentencing

(Repealed by Decision no. 11, dated 02/04/2008 of the Constitutional Court)

Article 316

Opposing and assaulting a judge

Violently opposing, assaulting or committing other violent acts against a judge or other members of the judicial panel, a prosecutor, defence lawyer, experts, or any arbitrator assigned to a case, with the intent to prevent them from carrying out the duty or because of it, shall be sentenced to a fine or up to seven years of imprisonment.

Article 317

Threat to a judge

A threat to a judge, other members of a judicial panel, prosecutor, defence lawyer, experts, or any arbitrator assigned to a case because of their activity, shall be sentenced to a fine or up to three years of imprisonment.

Article 318

Insulting a judge

(Amended by Law no. 23/2012, dated 01/03/2012)

Insulting a judge or members of a judicial panel, prosecutor, defence lawyer or member of the arbitration, because of their activity in a case, shall constitute a criminal contravention and shall be sentenced to a fine or up to three months of imprisonment.

Article 319

Active corruption of judges, prosecutors and other justice officials

(Amended by Law no. 9275, dated 16/09/2004; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing or offering, directly or indirectly, of any improper profit, for oneself or a third party, to a judge, prosecutor or any other employee of the judicial bodies in order to perform or not to perform an action related to their duty, shall be sentenced from one to four years of imprisonment.

Article 319/a

Active corruption of a judge or official of international courts

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing or offering, directly or indirectly, of any kind of improper benefit for oneself or other persons, to a judge or official of international courts, to perform or not to perform an action relating to their duty or function shall be sentenced from one to four years of imprisonment.

Article 319/b

Active corruption of a domestic or foreign arbitrator

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing or giving, directly or indirectly, of any kind of improper benefit for oneself or other persons, to a foreign or domestic arbiter, to perform or not to

perform an action related to their duty and function, shall be sentenced from one to four years of imprisonment.

Article 319/c

Active corruption of members of the foreign court juries

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Promising, proposing or giving, directly or indirectly, of any kind of improper benefit for oneself or other persons, to members of foreign court juries, to perform or not to perform an action related to their duties and functions, shall be sentenced from one to four years of imprisonment.

Article 319/ç

Passive corruption of judges, prosecutors and other justice officials

(Added up by Law no. 9275, dated 16/09/2004; numbered by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Soliciting or receiving, directly or indirectly, of any improper benefit or any such promise for oneself or third persons, or acceptance of an offer or promise deriving from an improper benefit by the judge, prosecutor or other officials of the judicial bodies to perform or not to perform an action related to their duty or function, shall be sentenced from three to ten years of imprisonment.

Article 319/d

Passive corruption of a judge or official of international courts

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Soliciting or receiving, directly or indirectly, of any kind of improper benefit or such promise for oneself or other persons, or acceptance of an offer or promise deriving from an improper benefit by the judge or official of an international court, to perform or not to perform an action related to their duty or function, shall be sentenced from three to ten years of imprisonment.

Article 319/dh

Passive corruption of a domestic or foreign arbitrator

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Solicitation or receiving, directly or indirectly, of any kind of improper benefit or such promise for oneself or other persons, or acceptance of an offer or promise deriving from an improper benefit, by a domestic or foreign arbitrator to perform or not to perform an action related to their duty or function, shall be sentenced from two to eight years of imprisonment.

Article 319/e

Passive corruption of members of the foreign court juries

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main

punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Solicitation or receiving, directly or indirectly, of any kind of improper benefit or such promise for oneself or other persons, or acceptance of an offer or promise deriving from an improper benefit, by a member of foreign court juries, to perform or not to perform an action related to their duty or function, shall be sentenced from two to eight years of imprisonment.

Article 320

Preventing the enforcement of court decisions

Hiding, altering, using, damaging or destroying the items 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 decision, shall constitute a criminal contravention and shall be sentence to a fine or up to two years of imprisonment.

Article 320/a

Failure to execute the court decision without grounded reasons

(Added up by Law no. 8733, dated 24/01/2001)

Failure to execute the criminal or civil decision of the court, with no grounded reasons, by the employee charged with the execution of the decisions, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

When this act is committed in order to obtain benefits or any other interests, given or promised, and when it favours persons that are interested not to see the decision being executed, it shall be sentenced to a fine or up to three years of imprisonment.

Article 321

Acts contrary to the decisions of the court

(Paragraph added up by Law no. 23/2012, dated 01/03/2012)

Committing acts contrary to a court decision in relation to the duties arising from ancillary sentences issued by it, shall constitute a criminal contravention and shall be sentenced to a fine or up to two years of imprisonment.

Performing actions contrary to the court's decision in relation to the duties arising from protection orders issued by it, shall constitute a criminal contravention and shall be sentenced 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 criminal prosecution and judicial bodies shall constitute a criminal contravention and shall be sentenced to a fine or up to six months of imprisonment.

Article 323

Escape of the prisoner from the place of detention

The escape of a person under arrest, custody, or of a person sentenced to

imprisonment from the place of mandatory detention or during transportation from one place to the other, shall be sentenced up to five years of imprisonment.

When the criminal offence is committed violently or through the use of firearms, inflammable material, explosives or poisonous material, it shall be sentenced from five to fifteen years of imprisonment.

Article 324

Assisting a prisoner to escape

(First paragraph changed with Law no. 135/2015, dated 05/12/2015)

Providing advice, information, or equipment to a detainee, arrested or imprisoned person, with the intention of assisting him/her to escape from the place of mandatory detention, shall be sentenced from three to seven years of imprisonment.

When the assistance is given by a person in charge of guarding, supervising or transporting, or who, because of his/her capacity has the right to enter in penitentiary institutions or make contacts with detainees, arrested or imprisoned persons, it shall be sentenced from five to ten years of imprisonment.

Article 324/a

Introducing or keeping prohibited items in the institution for the execution of decisions with imprisonment

(Added up by Law No. 135/2015, dated 05/12/2015)

Introducing or keeping prohibited items in the institution for the execution of decisions with imprisonment, which, according to the legislation in force, are prohibited, shall be sentenced from one to three years of imprisonment.

The same offense, when committed in complicity, more than once or by a person who is responsible for the physical security and safety or who, due to his/her duty or profession has the right to enter prison institutions, shall be sentenced from five to ten years of imprisonment.

CHAPTER X

CRIMINAL ACTS AFFECTING FREE ELECTIONS AND THE DEMOCRATIC
SYSTEM OF ELECTIONS

Article 325

Obstructing electoral subjects

(Amended by Law no. 23/2012, dated 01/03/2012; words changed by Law no. 89/2017, dated 22/05/2017)

Obstruction by means of threat, violence, or any other means, of electoral subjects or candidates to conduct their activities in accordance with the law during the election campaign, shall be sentenced from one to five years of imprisonment.

Article 326

Falsification of election material and election results

(Amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Counterfeiting, distributing or using voting ballots, election documents and material,

for purposes of changing the election result, by presenting in them data which are known to be inaccurate, replacing accurate data with inaccurate data, or through unlawful ballot casting in the box, shall be sentenced from one to five years of imprisonment.

When this offence has been committed by persons who have a duty to administer the electoral process, or it has caused serious consequences to the voting process, has affected the integrity of the election result, and caused them to be invalid, it shall be sentenced from three to seven years of imprisonment.

Article 326/a

Intentional damaging of electoral material

(Added up by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Intentional damaging, destroying, or replacing contrary to the law of equipment, seals, security codes or any other election material as provided for by law, shall be sentenced from six months to five years of imprisonment.

When this offence has been committed by persons responsible for electoral administration or in complicity, or more than once, or when it has brought about serious consequences to the conduct of the elections, has caused them to be invalid or affected the voting result, it shall be sentenced from three to eight years of imprisonment.

Article 327

Violating voting secrecy

(Amended by Law no. 23/2012, dated 01/03/2012, and Law no. 89/2017, dated 22/05/2017)

Violation of the rules that guarantee the secrecy of voting by a voter, through photographing the ballot, or filming it, or documenting by any means and form the manner in which he/she voted, showing them to other persons, shall constitute a criminal offense and shall be sentenced from three months to three years of imprisonment.

Violation of the rules that guarantee the secrecy of voting by persons in charge of elections shall constitute a criminal offense and shall be sentenced from six months to three years of imprisonment.

Incitement with or without reward, or the obligation of a voter to violate the rules that guarantee the secrecy of voting, according to the first paragraph of this article, shall constitute a criminal offense and shall be sentenced from one to four years of imprisonment.

Article 327/a

Voting more than once or without being identified

(Added up by Law no. 23/2012, dated 01/03/2012; third paragraph amended by Law no. 89/2017, dated 22/05/2017)

Voting more than once in the same elections, voting for other persons, presenting false identification documents or using documents of other voters shall be sentenced from one to three years of imprisonment.

Intentional allowing by election commissioners of the commission of that offence shall be sentenced from one to five years of imprisonment.

Intentional allowing by election commissioners of voting without identifying the citizens in compliance with the law shall be sentenced from six months to three years of

imprisonment.

Article 328

Active corruption in elections

(Amended by Law no. 23/2012, dated 01/03/2012 and Law no. 89/2017, dated 22/05/2017, words removed with Law no. 136/2020, dated 17/12/2020)

Offering or giving money, material goods, the promise of a job or other favours in any form, to a voter or other persons related to the voter, for the purpose of obtaining a signature to present a candidate in the elections, to vote in a certain way, to participate or not to participate in the elections, or to engage in illegal activities in support of a candidate or political party, shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

Article 328/a

Use of public office for political or electoral activities

(Added up by Law No. 23/2012, dated 01/03/2012; amended by Law No. 89/2017, dated 22/05/2017, words removed in the last paragraph by Law No. 146/2020, dated 17/12/2020)

Participation of an employee performing a state duty in civil service or in a non-political function in the state administration, in violation of the law, in activities or election campaign of a political party or candidate in the elections, shall constitute a criminal offense and shall be sentenced from six months to three years of imprisonment.

Coercion or organization of pre-university education students to participate in electoral activities of an electoral entity by employees performing a state duty in public education, or a duty or function in non-public education, shall constitute a criminal offense and shall be sentenced from six months to three years of imprisonment.

Coercion or request addressed to citizens, by an employee performing a state duty, against their will or under the threat of the use of administrative or disciplinary measures, to participate in electoral activities of an electoral subject, to participate or not to participate in the elections, to support or not to support a political party or a candidate in the elections, or to vote in a certain manner, shall constitute a criminal offense and shall be sentenced from one to three years of imprisonment.

The use by an employee performing a state duty, of public goods, state function or activity, or financial or human resources, with the aim of favouring a political party or candidate in the elections, shall constitute a criminal offense and shall be sentenced from one to three years of imprisonment.

Article 328/b

Passive corruption in elections

(Added up by Law No. 89/2017, dated 22/05/2017, words removed by Law No. 146/2020, dated 17/12/2020)

Solicitation or acceptance by a voter of money, material goods, or other favours in any form, for oneself or others, with the intention of signing for the nomination of a candidate in the elections, to vote in a certain manner, to participate or not to participate in the elections, or to engage in illegal activities in support of a candidate or political party, shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

Article 329

Intimidation or abuse against participants in elections

(Amended by Law no. 23/2012, dated 01/03/2012; amended by Law no. 89/2017, dated 22/05/2017)

Intimidating a voter to vote in a certain way, or to participate or not to participate in voting, shall constitute a criminal offence and shall be sentenced from six months to three years of imprisonment.

Intimidating or using violence against a commissioner, observer, vote-counting staff, and any other official in charge of elections, in order to prevent them from performing their duty, or due to their activity in electoral administration, shall be sentenced from one to four years of imprisonment.

When this offence is committed in complicity, or more than once, it shall be sentenced from two to five years of imprisonment.

Article 330

Obstructing voters

(Amended by Law no. 23/2012, dated 01/03/2012; words added by Law no. 89/2017, dated 22/05/2017)

Obstructing a voter to vote at his/her polling centre, in violation of the voting rules, by taking or damaging his/her identification document, or in any other form, shall be sentenced from one to five years of imprisonment.

When this offence is committed more than once, against more than one voter, or by the election commissioners, it shall be sentenced from three to seven years of imprisonment.

Article 330/a

Abandonment of duty by election commission members

(Added up by Law no. 23/2012, dated 01/03/2012; words changed by Law no. 89/2017, dated 22/05/2017)

Abandonment of duty or refusal to perform duties by persons responsible for managing the voting and counting process shall constitute a criminal offense and shall be sentenced from six months to three years of imprisonment.

When this offence has been committed by taking or removing election materials, or has caused serious consequences in the voting process, or has caused the elections to be invalid, it shall be sentenced from two to seven years of imprisonment.

Article 331

Violating the voting right

(Amended by Law no. 23/2012, dated 01/03/2012; the part providing for a fine as main punishment in addition to imprisonment repealed by Law no. 144, dated 02/05/2013)

Intentional exclusion from the voter list of persons who have the right to vote or intentional registration in the voter list of persons who do not have such right shall be sentenced from one to five years of imprisonment.

When this offence has been committed in complicity, and has caused grave consequences to voter interests and the election process, it shall be sentenced from two to five years of imprisonment.

Article 331/a

Illegal taking or use of identification documents*(Added up by Law No. 89/2017, dated 22/05/2017)*

Providing an identification document with the intention of using it illegally for elections, ensuring non-participation in the elections, to influence the manner of voting, or for any other illegal purpose related to the elections, shall constitute a criminal offense and shall be sentenced from one to three years of imprisonment.

Taking the identification document of other citizens, with the intention of using it illegally for elections, preventing them from voting, to influence the manner of voting, or for any other illegal purpose related to the elections, shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

Article 332

Abuse of military authority*(Words changed with Law no. 89/2017, dated 22/05/2017)*

Abuse of military authority by an officer or military cadre to influence the voting of other military personnel under their command, by giving orders, advice or any type of propaganda, shall constitute a criminal offense and shall be sentenced from six months to three years of imprisonment.

Article 332/a

Abuse of police authority*(Added up by Law No. 89/2017, dated 22/05/2017)*

Abuse of police authority by an employee of the State Police or the Prison Police to influence the support of a political party or candidate in the elections, through failure to exercise the function impartially according to the law, participation in the political activity of a political party or candidate in the elections, by performing any action or giving orders, advice or any other type of propaganda that favours a political party or candidate in the elections, shall constitute a criminal offense and shall be sentenced from one to five years of imprisonment.

CHAPTER XI

CRIMINAL ACTS COMMITTED BY ARMED GANGS OR CRIMINAL ORGANIZATIONS

Article 333

Criminal organization*(Amended by Law no. 9275, dated 16/09/2004)*

Establishment, organization or leading of the criminal organization shall be sentenced from five to fifteen years of imprisonment.

Participation in a criminal organization shall be sentenced from four to eight years of imprisonment.

If the criminal organization is armed and its members possess weapons and explosive materials for the purpose of fulfilling its criminal activity, even if they are hidden or kept in special places, the imprisonment sentence shall increase with one third.

When the economic activities undertaken or controlled by the members of the

criminal organization are fully or partially financed by proceeds of criminal acts, the sentence according to the above-mentioned paragraphs in this article shall increase from one third to one half.

Article 333/a

Structured criminal group

(Added up by Law no. 9275, dated 16/09/2004)

Establishment, organization or leading of a structured criminal group with the purpose of committing crimes, shall be sentenced from three to eight years of imprisonment.

Participation in a structured criminal group shall be sentenced from two to five years of imprisonment.

Article 334

Commission of criminal offences by a criminal organization or structured criminal group

(Amended by Law no. 8733, dated 24/01/2001; amended by Law no. 9275, dated 16/09/2004)

1. Commission of criminal offences by the members of the criminal organization or structured criminal group shall be sentenced according to the respective criminal provisions by increasing the sentence for the offence committed with five years of imprisonment, as well as a fine in the measure of one third, but without exceeding the maximum limit of the imprisonment sentence.
2. When the respective referring criminal provision contains imprisonment or life imprisonment, it shall be sentenced to twenty-five years of imprisonment or to life imprisonment.
3. When the respective referring criminal provision contains only life imprisonment, it shall be sentenced to life imprisonment.

Article 334/1

(Added up by Law no. 9017, dated 06/03/2003)

Regardless of Article 278, persons who, in accordance with the legislation in force, voluntarily hand over their weapons by 05/31/2005 shall be exempted from criminal prosecution for illicit possession of military weapons and ammunition.

In any case, persons who have committed a criminal offence using military weapons and ammunition as a means for this purpose shall not be exempted from criminal prosecution for illicit possession of military weapons.

Persons who, after the entry into force of this law, declare that they do not possess military weapons or ammunition, and who, during controls carried out in accordance with the relevant provisions of the Code of Criminal Procedure, are found to have hidden weapons and ammunition shall not be exempted from criminal prosecution.

Article 335

This code shall enter into force on June 1, 1995. The legal acts to be repealed, as well as the effects and manner of its entry into force, shall be determined by a separate law.

Transitional provision*(Provided for by Law no. 23/2012, dated 01/03/2012)*

Criminal prosecutions are suspended for cases under investigation, for court pending cases, as well as for reports filed with these bodies and public order bodies for criminal offences that are abolished upon the entry into force of this law.

I, Alina Karaulli, official translator of the English language, certified by the Ministry of Justice with certificate no. 14, dated 31/07/2024, declare that I have translated the text presented to me from the source language Albanian into the target language English accurately, with due care and with legal responsibility.

September 11, 2025