



Annex EU.9
Syllabuses of the course for the period of three academic years
Academic Year 2019-2020, 2020-2021, 2021-2022

COURSE SYLLABUS: EU Law in the Albanian Legal System

For internal use.



EU Law in the Albanian Legal System

Instructor: Ph.D, Denard Veshi
No. of ECTS credits: 6 ETCS
Type: Elective
Academic Year/Period: 2019-2020 (Fall Semester)
Category: A
Study Program: PIND, MSc. in Law
Course ID: 772105
Lecturer's e-mail: denardveshi@unyt.edu.al
Head of Department: Ph.D. Enkelejda Koka

COURSE DESCRIPTION

The course is designed to complement the existing curricula in the Law Program. The course is divided into three separate parts and taught by different professors from the Law Programme. In this regard, students are expected to come out of this course having gained an interdisciplinary understanding of the impact of EU Law on the Albanian Legal system. The course aims to explain to students the importance of EU law and its impact in the Albanian legal system in different topics.

OBJECTIVES

On completion of this course students should be able to:

- Providing students with key knowledge of the EU's key legal institutions;
- Provide students with a deep understanding on how EU law effects the Albanian legal system;
- Critically analysis of case-law;
- Comprehending the relationship between CJ and ECtHR;
- Understand the role of EU law in driving integration forward;

KEY CONCEPTS:

- EU Values
- Venice Recommendation
- Vetting
- EU Inheritance Law
- EU Private Law

Course Outline

PART 1: EU and Albanian Integration

Week 1: Introduction to EU Law – Dr. Veshi, Dr. Koka, and Ass. Prof. Nuhije

- Presentation of the Course syllabus*
- History of the EU*
- Introduction to EU sources of law (TEU, TFEU & regulations, directives, decisions, opinions and recommendations)*



Readings:

- *Barnard, Catherine, and Steve Peers, eds. European union law. Oxford University Press, 2017. (Chapter 2: Development of the EU)*
- *Craig, Paul, and Gráinne De Búrca. EU law: text, cases, and materials. Oxford University Press, 2011. (Chapter 1: Development of the European Integration)*

Week 2: EU impact into national systems – Ass. Prof. Nuhije

- Institutions and Law Making*
- Juridical system of the EU*
- Enforcement of the EU law*
- Infringement Procedure*

Readings:

- *Barnard, Catherine, and Steve Peers, eds. European union law. Oxford University Press, 2017. (Chapter 4: The effects of the EU law in the national legal systems)*
- *Craig, Paul, and Gráinne De Búrca. EU law: text, cases, and materials. Oxford University Press, 2011. (Chapter 2: Institutions)*

Week 3: Albanian Integration in the EU – Dr. D. Veshi

- History of Albanian integration in the EU*
- The impact of the SSA into the Albanian legislation*
- The different Albanian reforms*

Readings:

- *Veshi, Denard. "The long process of transformation in Albania in the context of the EU integration process" in Milenković, Marko, ed. European Union and Legal Reform 2012. Clueb, 2013.*
- *Zahariadis, Yiannis. "The Effects of the Albania-EU Stabilization and Association Agreement: Economic Impact and Social Implications." London: Overseas Development Institute 20 (2007): 2007-2008.*

Week 4: Chapters of SAA – Dr. E. Koka, Dr. D. Veshi, and Ass. Prof. Nuhije

Readings:

- *Panagiotou, Ritsa. "Albania and the EU: from isolation to integration." Journal of Balkan and Near Eastern Studies 13.3 (2011): 357-374.*
- *Geiger, Martin. "Mobility, development, protection, EU-integration! The IOM's national migration strategy for Albania." The politics of international migration management. Palgrave Macmillan, London, 2010. 141-159.*

Analyses: Examining

- *Chapter 23: Judiciary and fundamental rights – in particular, in the relationship with property rights*
- *Chapter 24: Justice, freedom and security – in particular, migration and asylum law*
- *Chapter 28: Consumer and health protection – in particular, patient right to self-determination*

Week 5: First Exam

PART 2: Impact of EU law in the Albanian private law



Week 6: Property Law as Fundamental Right – Dr. Koka

- Introduction to Albanian private law*
- The concept of property*
- Protection of property in the Albanian legislation and in the EU level*

Legal norms

- *Article 1 of the first Protocol to the European Convention on Human Rights*
- *Article 11 of the Albanian Constitution*

Discussions: The indirect impact that EU law in property law through art. 345 TFEU.

Readings:

- *Veshi, D., E. Koka, and C. Venditti 'The Albanian Civil Codes from 1929 to 1994: the Impact of the Italian Civil Code in the Ways of Acquisition of Ownership in the Civil Code of 1994' accepted with revisions in Osservatorio del Diritto Civile e Commerciale 2019*
- *van Erp S. and B. Akkermans 'European Union Property Law' in Ch. Twigg-Flesner 'The Cambridge companion to European Union private law'. Cambridge University Press, 2010.*

Week 7: Cultural Objects – Dr. Veshi

- The concept of cultural objects in the Albanian legal system and in the EU level*
- The importance of cultural objects*
- The acquisition of property in the case of cultural objects*

Legal norms

- *Directive 2014/60/EU of The European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 (Recast)*
- *Article 187 of the Albanian Civil Code*

*Discussions: The future modification of Article 187 of the Albanian Civil Code according to the *acquis communautaire*.*

Readings:

- *Delepierre, Sophie, and Marina Schneider. "Ratification and Implementation of International Conventions to Fight Illicit Trafficking in Cultural Property." *Countering Illicit Traffic in Cultural Goods* (2015): 129.*
- *Barnard, Catherine, and Steve Peers, eds. *European union law*. Oxford University Press, 2017. (Chapter 12: Free Movement of Goods)*
- *Venditti, Carlo and Denard Veshi 'La disciplina del diritto di proprietà nel codice civile albanese: un approccio comparato col codice civile italiano' (currently: editing)*

Week 8: Timesharing Contract – Dr. Veshi

- The concept of timesharing contract*
- Differences and similarities between timesharing contract and co-ownership*

Legal norms



- *Directive 2014/60/EU of The European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 (Recast)*
- *Articles 199-231 Albanian Civil Code*

*Discussions: The future modification of Article 199-231 of the Albanian Civil Code according to the *acquis communautaire* by also recognizing the Timesharing Contract*

Readings:

- *Papp, Tekla. "The acquisition of real estate by timesharing contract in Europe." Zbornik Radova 51 (2017): 1029.*
- *Venditti, Carlo and Denard Veshi 'La disciplina del diritto di proprietà nel codice civile albanese: un approccio comparato col codice civile italiano' (currently: editing)*

Case-law:

EU Level – Court of Justice Case C-319/98

Albanian Level – Albanian High Court, 232 of 05.03.2002

Week 9: Inheritance – Dr. Veshi

- The concept of inheritance, heir and legacy*
- Certification of succession in the Albanian legal system and in the EU level*
- Protection of the inheritance in the Albanian legal system and in the EU level*

Legal norms

- *Regulation (Eu) No 650/2012 of the European Parliament and of The Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession*
- *Articles 316-418 Albanian Civil Code; in particular, articles 318, 318/1, 318/2 and 348 Albanian Civil Code*

*Discussions: The modification of Articles 318, 318/1, 318/2 and 348 of the Albanian Civil Code through the reform of 2013 in the light of the *acquis communautaire*.*

Readings:

- *Hertel, Christian. "European Certificate of Succession—content, issue and effects." ERA Forum. Vol. 15. No. 3. Springer Berlin Heidelberg, 2014.*
- *Venditti, Carlo and Denard Veshi 'La disciplina del diritto successorio nel codice civile albanese: un approccio comparato col codice civile italiano' (currently: writing the second draft)*

Case-law:

EU Level – Court of Justice Case C-218/16

Albanian Level – Albanian High Court, United Sections, 24 of 13.03.2002

Week 10: Second Exam

PART 3: Impact of EU law in the Albanian public law

Week 11: Patient Autonomy as a fundamental EU human right – Dr. Veshi

- Introduction to public law*



- Health as a fundamental human right*
- Application of EU values (dignity, freedom and protection of human rights established in article 2 TEU) in patient-physician relationship*

Legal norms

- *Article 55 of the Albanian Constitution*
- *Article 35 of the EU Charter of Fundamental Human Rights*

Discussions: Coherence of the Albanian legislation with the EU law

Readings:

- *Barnard, Catherine, and Steve Peers, eds. European union law. Oxford University Press, 2017. (Chapter 21: EU Health Law)*
- *Veshi, Denard, and Gerald Neitzke. "Council of Europe: Guide on the decision-making process regarding medical treatment in end-of-life situations." Medical Law International 16.1-2 (2016): 94-102.*

Case-law:

EU Level – Court of Justice Case C-268/13

Week 12: Patient Autonomy in end-of-life issues: national and EU level – Dr. Koka

- Different types of end-of-life issues*
- Advance directives as expression of human dignity*
- The role of surrogate in order to protection patient dignity*

Legal norms

- *Italian Law 217 of December 2017*
- *Article 55 of the Albanian Constitution*

Discussions: The importance of an ad-hoc policy ruling end-of-life issues in the Albanian legal system.

Readings:

- *Veshi, Denard, Enkelejda Koka, and Carlo Venditti, 'A New Law of Advance Directives in Italy: a critical legal analysis' in Journal of Law and Medicine 2019.*
- *Veshi, Denard, Enkelejda Koka, and Carlo Venditti, 'The Importance of Legal Proxy in End-Of-Life Decisions in Some Western European Countries' in Rivista Italiana di Medicina Legale e del Diritto in campo sanitario 3/2018, pp. 901- 915.*

Case-law:

EU Level – European Court of Human Rights n°46043/14

Week 13: Protection of Refugee Rights in the EU and in the Albanian legal system – Dr. Koka

- Introduction in the refugee protection*
- The refugee crisis*
- The impact of refugee law in the EU*

Legal norms

- *Article 16 Albanian Constitution*
- *Article 80 of the SSA between EU and Albania*



• *Article 3 TEU*

Discussions: Analysis of the empirical literature regarding the impact of migrants in the labour market.

Readings:

- *Koka, Enkelejda, and Veshi, Denard. "Irregular Migration by Sea: Interception and Rescue Intervention in Light of International Law and the EU Sea Borders Regulation" fully accepted in European Journal of Migration and Law. 21: 26-52.*
- *Barnard, Catherine, and Steve Peers, eds. European union law. Oxford University Press, 2017. (Chapter 26: Immigration and Asylum)*

Case-law:

EU Level – European Court of Human Rights (application no. 3394/03 and no. 55721/07)

Week 14: EU asylum law and the Albanian asylum law – Dr. Koka and Dr. Veshi

Legal norms

- *Articles 297-299 Albanian Criminal Code*
- *Albanian Law no. 121 of September 2014*
- *The Qualification Directive*
- *The Reception Directive*
- *The Temporary Protection Directive*
- *The Return Directive*

Discussions: The absence of the definition of subsidiary protection in the Albanian legislation

Readings:

- *Cherubini, Francesco. Asylum law in the European Union. Routledge, 2014 (chapter 4)*
- *Guild, Elspeth, and Jan Niessen. The developing immigration and asylum policies of the European Union: adopted conventions, resolutions, recommendations, decisions and conclusions. Brill Nijhoff, 1996.*

Case-law:

EU Level – Court of Justice Case C-373/13

Week XV- Final Exam

ASSIGNMENTS AND EVALUATION

ATTENDANCE: presence in the auditorium activities is mandatory to be at least 80%.

For Typology I Courses

- o First Exam: 30%
- o Second Exam: 30%
- o Third Exam: 30%
- o Class Participation 10%.



LITERATURE

- Barnard, Catherine, and Steve Peers, eds. *European union law*. Oxford University Press, 2017.
- Panagiotou, Ritsa. "Albania and the EU: from isolation to integration." *Journal of Balkan and Near Eastern Studies* 13.3 (2011): 357-374.
- van Erp S. and B. Akkermans 'European Union Property Law' in Ch. Twigg-Flesner 'The Cambridge companion to European Union private law'. Cambridge University Press, 2010.
- Delepierre, Sophie, and Marina Schneider. "Ratification and Implementation of International Conventions to Fight Illicit Trafficking in Cultural Property." *Countering Illicit Traffic in Cultural Goods* (2015): 129.
- Papp, Tekla. "The acquisition of real estate by timesharing contract in Europe." *Zbornik Radova* 51 (2017): 1029.
- Hertel, Christian. "European Certificate of Succession—content, issue and effects." *ERA Forum*. Vol. 15. No. 3. Springer Berlin Heidelberg, 2014.
- Koka, Enkelejda, and Veshi, Denard. "Irregular Migration by Sea: Interception and Rescue Intervention in Light of International Law and the EU Sea Borders Regulation" fully accepted in *European Journal of Migration and Law*. 21: 26-52.



COURSE SYLLABUS				
1.	Course Title	EU Law into Albanian Legal System		
2.	Instructor Name	PhD Denard Veshi		
3.	Teaching Load	3.1	ECTS	4
		3.2	Weekly Teaching Hours	3
		3.3	Teaching Activities	
		3.3.1.	Lectures- theory	30 hours
		3.3.2.	Exercises (laboratory, seminars, teamwork)	15 hours
		3.3.3.	Project, Homework	0 hours
		3.3.4.	Individual learning	55 hours
4.	Academic Year/ Semester	Academic Year 2020-2021, First Semester		
5.	Type of Course	Elective		
6.	Study Programme	Law		
7.	Email of Instructor	denard.veshi@unyt.edu.al		
8.	Code of Ethics	<p>Students are required to abide to the provisions of the UNYT Code of Ethics and to comply with ethical and moral standards. They must:</p> <ol style="list-style-type: none"> 1. Follow the class schedule and adhere to the rules of the UNYT Statute and Course Regulation; 2. Present in a serious and dignified manner in the premises of the institution, which implies appropriate dressing, as well as the use of appropriate vocabulary, in accordance with the norms of ethics, morality and decency; 3. Respect the academics, assistant academics and administrative staff, other students and Course Regulations. 4. Not engage in provocative or harassing actions or gestures against academics and assistant academic staff or other students. 5. Not offer privileges, benefits, interference, favouritism, payments or endowments of any form directly or through other persons, in order to obtain high results, or to seek benefits from the UNYT staff assigned for this duty. 6. Not commit plagiarism as required by the UNYT Student Honour Code signed by the student during registration period. 7. Not consume alcoholic beverages, tobacco, or other prohibited substances in the premises of the institution. 8. Not use the cell phone or any other electronic device as well as keep them turned off during class hours or exams. 		
9.	Course Description	<p><i>The course is designed to complement the existing curricula in the Law Program. The course is divided into three separate parts and taught by different professors from the Law Programme. In this regard, students are expected to come out of this course having gained an interdisciplinary understanding of the impact of EU Law on the Albanian Legal system. The course aims to explain to students the importance of EU law and its impact in the Albanian legal system in different topics.</i></p>		
10.	Learning Outcomes	<p><i>On completion of this course students should be able to:</i></p> <ul style="list-style-type: none"> • <i>Providing students with key knowledge of the EU's key legal institutions;</i> • <i>Provide students with a deep understanding on how EU law</i> 		



		<p><i>affects the Albanian legal system;</i></p> <ul style="list-style-type: none"> • <i>Critically analysis of case-law;</i> • <i>Comprehending the relationship between CJ and ECtHR;</i> • <i>Understand the role of EU law in driving integration forward.</i>
11.	Key Concepts	<ul style="list-style-type: none"> • <i>EU Values</i> • <i>Venice Recommendation</i> • <i>Vetting</i> • <i>EU Inheritance Law</i> • <i>EU Private Law</i>
12.	Course Outline	<p><i>PART I: EU and Albanian Integration</i></p> <p><i>Topic I: Introduction to EU Law</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Presentation of the Course syllabus</i> <input type="checkbox"/> <i>History of the EU</i> <input type="checkbox"/> <i>Introduction to EU sources of law (TEU, TFEU & regulations, directives, decisions, opinions and recommendations)</i> <p><i>Readings:</i></p> <ul style="list-style-type: none"> • <i>Barnard, Catherine, and Steve Peers, eds. European union law. Oxford University Press, 2017. (Chapter 2: Development of the EU)</i> <p><i>Topic II: EU impact into national systems</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Institutions and Law Making</i> <input type="checkbox"/> <i>Juridical system of the EU</i> <input type="checkbox"/> <i>Enforcement of the EU law</i> <input type="checkbox"/> <i>Infringement Procedure</i> <p><i>Readings:</i></p> <ul style="list-style-type: none"> • <i>Barnard, Catherine, and Steve Peers, eds. European union law. Oxford University Press, 2017. (Chapter 4: The effects of the EU law in the national legal systems)</i> • <i>Craig, Paul, and Gráinne De Búrca. EU law: text, cases, and materials. Oxford University Press, 2011. (Chapter 2: Institutions)</i> <p><i>Topic III: Albanian Integration in the EU</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>History of Albanian integration in the EU</i> <input type="checkbox"/> <i>The impact of the SSA into the Albanian legislation</i> <input type="checkbox"/> <i>The different Albanian reforms</i> <p><i>Readings:</i></p> <ul style="list-style-type: none"> • <i>Zahariadis, Yiannis. "The Effects of the Albania-EU Stabilization and Association Agreement: Economic Impact and Social Implications." London: Overseas Development Institute 20 (2007): 2007-2008.</i> <p><i>Topic IV: EU Values</i></p> <p><i>The EU as guarantor of peace</i></p> <p><i>Unity and equality as the recurring theme</i></p> <p><i>The fundamental freedoms</i></p> <p><i>The principle of solidarity</i></p> <p><i>Respect for national identity</i></p>



	<p><i>The need for security</i> <i>The fundamental rights</i> Readings: <i>Borchardt, Klaus-Dieter. The ABC of European Union Law. Luxembourg: Publications Office of the European Union, 2010.</i></p> <p>Topic V: First Exam</p> <p>PART 2: Impact of EU law in the Albanian public law</p> <p>Topic VI: EU Membership and Conditionality</p> <ul style="list-style-type: none"><input type="checkbox"/> Introduction to the concept of conditionality<input type="checkbox"/> The membership in the EU<input type="checkbox"/> The importance of EU membership and the legal reforms in the Albanian Public Law <p>Readings:</p> <ul style="list-style-type: none">• <i>Peshkopia, Ridvan. Conditioning Democratization: Institutional Reforms and EU Membership Conditionality in Albania and Macedonia. Anthem Press, 2014.</i> <p>Topic VII: Accession criteria</p> <ul style="list-style-type: none"><input type="checkbox"/> Copenhagen criteria of 1993<input type="checkbox"/> Madrid criteria of 1995<input type="checkbox"/> Thessaloniki meeting of 2003<input type="checkbox"/> Berlin Process of 2014<input type="checkbox"/> Sofia Declaration of 2018 <p>Readings:</p> <ul style="list-style-type: none">• <i>Hillion, Christophe. "The Copenhagen criteria and their progeny." EU enlargement (Oxford, Hart Publishing, 2004) (2014).</i> <p>Topic VIII: Recommendation of the Venice Commission</p> <ul style="list-style-type: none"><input type="checkbox"/> EU reform<input type="checkbox"/> Permanent judiciary reforms<input type="checkbox"/> Temporary judiciary reforms <p>Readings:</p> <ul style="list-style-type: none">• <i>Beshku, Klodiana, and Orjana Mullisi. "The European Union as a reforming power in the Western Balkans: the case of Albania." Journal of liberty and international affairs 4 (2018): 40-53.</i> <p>Topic IX: Vetting</p> <ul style="list-style-type: none"><input type="checkbox"/> The vetting: political aspects<input type="checkbox"/> Legal analysis of the Vetting <p><i>Legal norms</i> <i>Constitution of 2016 (Law 76/2016)</i></p>
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	<p>Law no. 84/2016 Law no. 95/2016 Law no. 98/2016 Law no. 99/2016 Law no. 115/2016</p> <p>Readings:</p> <ul style="list-style-type: none"> • Cela, Eda. "The re-evaluation of constitutional court judges in Albania." <i>Euro-Balkan Law and Economics Review</i> 1 (2019): 227-242. <p>Topic 10: Pre Exam</p> <p>PART 3: Impact of EU law in the Albanian private law</p> <p>Topic XI: Cultural Objects</p> <ul style="list-style-type: none"> <input type="checkbox"/> The concept of cultural objects in the Albanian legal system and in the EU level <input type="checkbox"/> The importance of cultural objects <input type="checkbox"/> The acquisition of property in the case of cultural objects <p>Legal norms</p> <ul style="list-style-type: none"> • Directive 2014/60/EU of The European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 (Recast) • Article 187 of the Albanian Civil Code <p>Discussions: The future modification of Article 187 of the Albanian Civil Code according to the <i>acquis communautaire</i>.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Delepierre, Sophie, and Marina Schneider. "Ratification and Implementation of International Conventions to Fight Illicit Trafficking in Cultural Property." <i>Countering Illicit Traffic in Cultural Goods</i> (2015): 129. • Barnard, Catherine, and Steve Peers, eds. <i>European union law</i>. Oxford University Press, 2017. (Chapter 12: Free Movement of Goods) • Venditti, Carlo and Denard Veshi 'La disciplina del diritto di proprietà nel codice civile albanese: un approccio comparato col codice civile italiano' (currently: editing) <p>Topic XI: Timesharing Contract</p> <ul style="list-style-type: none"> <input type="checkbox"/> The concept of timesharing contract <input type="checkbox"/> Differences and similarities between timesharing contract and co-ownership <p>Legal norms</p> <ul style="list-style-type: none"> • Directive 2014/60/EU of The European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation
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	<p>(EU) No 1024/2012 (Recast)</p> <ul style="list-style-type: none"> Articles 199-231 Albanian Civil Code <p><i>Discussions: The future modification of Article 199-231 of the Albanian Civil Code according to the <i>acquis communautaire</i> by also recognizing the Timesharing Contract</i></p> <p><i>Readings:</i></p> <ul style="list-style-type: none"> Papp, Tekla. "The acquisition of real estate by timesharing contract in Europe." <i>Zbornik Radova</i> 51 (2017): 1029. Venditti, Carlo and Denard Veshi 'La disciplina del diritto di propetà nel codice civile albanese: un approccio comparato col codice civile italiano' (currently: editing) <p><i>Case-law:</i> EU Level – Court of Justice Case C-319/98 Albanian Level – Albanian High Court, 232 of 05.03.2002</p> <p>Topic XII: Inheritance</p> <ul style="list-style-type: none"> <input type="checkbox"/> The concept of inheritance, heir and legacy <input type="checkbox"/> Certification of succession in the Albanian legal system and in the EU level <input type="checkbox"/> Protection of the inheritance in the Albanian legal system and in the EU level <p><i>Legal norms</i></p> <ul style="list-style-type: none"> Regulation (Eu) No 650/2012 of the European Parliament and of The Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession Articles 316-418 Albanian Civil Code; in particular, articles 318, 318/1, 318/2 and 348 Albanian Civil Code <p><i>Discussions: The modification of Articles 318, 318/1, 318/2 and 348 of the Albanian Civil Code through the reform of 2013 in the light of the <i>acquis communautaire</i>.</i></p> <p><i>Readings:</i></p> <ul style="list-style-type: none"> Hertel, Christian. "European Certificate of Succession—content, issue and effects." <i>ERA Forum</i>. Vol. 15. No. 3. Springer Berlin Heidelberg, 2014. Venditti, Carlo and Denard Veshi 'La disciplina del diritto successorio nel codice civile albanese: un approccio comparato col codice civile italiano' (currently: writing the second draft) <p><i>Case-law:</i> EU Level – Court of Justice Case C-218/16 Albanian Level – Albanian High Court, United Sections, 24 of 13.03.2002</p>
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		<p>Topic XIII: Patient Autonomy as a fundamental EU human right</p> <ul style="list-style-type: none"> <input type="checkbox"/> Introduction to public law <input type="checkbox"/> Health as a fundamental human right <input type="checkbox"/> Application of EU values (dignity, freedom and protection of human rights established in article 2 TEU) in patient-physician relationship <p><i>Legal norms</i></p> <ul style="list-style-type: none"> • Article 55 of the Albanian Constitution • Article 35 of the EU Charter of Fundamental Human Rights <p><i>Discussions: Coherence of the Albanian legislation with the EU law</i></p> <p><i>Readings:</i></p> <ul style="list-style-type: none"> • Barnard, Catherine, and Steve Peers, eds. <i>European union law</i>. Oxford University Press, 2017. (Chapter 21: EU Health Law) • Veshi, Denard, and Gerald Neitzke. "Council of Europe: Guide on the decision-making process regarding medical treatment in end-of-life situations." <i>Medical Law International</i> 16.1-2 (2016): 94-102. • working paper: Veshi Denard, Enkelejda Koka 'Living Wills in Albania: the need for an ad hoc law' <p><i>Case-law:</i> <i>EU Level – Court of Justice Case C-268/13</i></p> <p>Week XIV: EU Company Law: One or two tier board structure</p> <ul style="list-style-type: none"> <input type="checkbox"/> One Tier Board System In Europe <input type="checkbox"/> Two Tier Board System In Europe <input type="checkbox"/> Albanian reforms in company law (Law 9901/2008 and Law 129/2014) <p><i>Readings:</i></p> <ul style="list-style-type: none"> • Krivogorsky, Victoria. "Ownership, board structure, and performance in continental Europe." <i>The International Journal of Accounting</i> 41.2 (2006): 176-197. <p>Week XV- Final Exam</p>		
13.	Learning Methods	Lectures, Seminars, tutorials, interactive instruction, group and individual work		
14.	Attendance	Minimum 70% attendance at lectures and exercises.		
15.	Method of assessment	15.1.	Final Exam	40 points
		15.2.	Midterm Exam	30 points
		15.3.	Other Components	20 points
		15.4.	Active Participation	10 points



		BRITISH SYSTEM			ALBANIAN SYSTEM
		Grade Designation	Percentage (%)	Generic Assessment Criteria	Grade (4-10 Scale)
Assessment criteria		Distinction	86-100	The work examined is exemplary and provides clear evidence of a complete grasp of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also ample excellent evidence showing that all the learning outcomes and responsibilities appropriate to that Level are fully satisfied.	9.51 – 10
		Distinction	76-85	The work examined is outstanding and demonstrates comprehensive knowledge, understanding and skills appropriate to the Level of the qualification. There is also excellent evidence showing that all the learning outcomes and responsibilities appropriate to that Level are fully satisfied.	9.0-9.50
		Distinction	70-75	The work examined is excellent and is evidence of comprehensive knowledge, understanding and skills appropriate to the Level of the qualification. There is also excellent evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	8.50-8.99
				The work examined is very good and is evidence of the knowledge, understanding and skills appropriate to the Level of the	



		Merit	65-69	qualification. There is also very good evidence showing that all the learning outcomes and responsibilities appropriate to the Level are satisfied.	8.0-8.49
		Merit	60-64	The work examined is good and is evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also good evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	7.50-7.99
		Merit	55-59	The work examined is sound and is evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also sound evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	7.0-7.49
		Pass	50-54	The work examined is sound but provides limited evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also sound but limited evidence showing that all the learning outcomes and responsibilities to that Level are satisfied.	6.50-6.99



		Pass	45-49	The work examined is acceptable but provides significantly restricted evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also acceptable but significantly restricted evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.
		Pass	40-44	The work examined is acceptable but provides barely sufficient evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also acceptable but barely sufficient evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.
		Fail	0-39	Work that is significantly below average and does not meet minimum standards for passing a course.
REMARK: The minimum passing grade for any Course is D (40%). Details are given in the Program Rules and Regulations.				
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		<p>Albania and Macedonia. Anthem Press, 2014.</p> <ol style="list-style-type: none"> 3. • Beshku, Klodiana, and Orjana Mullisi. "The European Union as a reforming power in the Western Balkans: the case of Albania." <i>Journal of liberty and international affairs</i> 4 (2018): 40-53. 4. • Cela, Eda. "The re-evaluation of constitutional court judges in Albania." <i>Euro-Balkan Law and Economics Review</i> 1 (2019): 227-242. 5. • working paper: Veshi Denard, Enkelejda Koka 'Living Wills in Albania: the need for an ad hoc law' 6. Krivogorsky, Victoria. "Ownership, board structure, and performance in continental Europe." <i>The International Journal of Accounting</i> 41.2 (2006): 176-197. Barnard, Catherine, and Steve Peers, eds. <i>European union law</i>. Oxford University Press, 2017. 7. • Panagiotou, Ritsa. "Albania and the EU: from isolation to integration." <i>Journal of Balkan and Near Eastern Studies</i> 13.3 (2011): 357-374. 8. • van Erp S. and B. Akkermans 'European Union Property Law' in Ch. Twigg-Flesner 'The Cambridge companion to European Union private law'. Cambridge University Press, 2010. 9. • Delepierre, Sophie, and Marina Schneider. "Ratification and Implementation of International Conventions to Fight Illicit Trafficking in Cultural Property." <i>Countering Illicit Traffic in Cultural Goods</i> (2015): 129.
	16.2. Recommended	<ol style="list-style-type: none"> 1. • Papp, Tekla. "The acquisition of real estate by timesharing contract in Europe." <i>Zbornik Radova</i> 51 (2017): 1029. 2. • Hertel, Christian. "European Certificate of Succession—content, issue and effects." <i>ERA Forum</i>. Vol. 15. No. 3. Springer Berlin Heidelberg, 2014. 3. • Koka, Enkelejda, and Veshi, Denard. "Irregular Migration by Sea: Interception and Rescue Intervention in Light of International Law and the EU Sea Borders Regulation" fully accepted on <i>European Journal of Migration and Law</i>. 21: 26-52.
17.	<p>Final Remarks:</p> <p>Conduct: <i>Students are expected to behave with civility and appropriate etiquette toward faculty and one another. Please set your cell phones on silent ring before class begins and refrain from using them until class is over.</i></p> <p>Academic Dishonesty / Turnitin: <i>UNYT does not tolerate academic dishonesty. Read the UNYT Student Honor Code for a more detailed description of plagiarism and cheating. Please be aware that work submitted via Turnitin should not receive an overall plagiarism mark of more than 10-20% or they will be marked down. Be aware that a 0% plagiarism result from Turnitin does not automatically mean that the work is acceptable. Please note that having someone else write your essays and exams is cheating and will result in failing the course. Students who engage in such activities also risk more serious disciplinary action. All written assignments must adhere to APA format: A4 size, Times New Roman font, 12 pt, double spaced with standard margins and page numbers. You should always check</i></p>	



your work for spelling and grammar.

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Academic Support Center offers students tutoring and coaching.

UNYT Counseling Center. *For information on any of these centers, please contact Dr. Besmira Lahi besmiralahi@unyt.edu.al, or your academic advisor.*



COURSE SYLLABUS

1.	Course Title	EU Law into Albanian Legal System			
2.	Instructor Name	Assoc. Prof. Eda Gemi, PhD/ Av. Andrea Mazelliu, MSc			
3.	Teaching Load	3.1	BCTS/ ECTS	12/6	
		3.2	Weekly Teaching Hours	2+1	
		3.3	Teaching Activities		
		3.3.1.	Lectures- theory	30 hours	
		3.3.2.	Exercises (seminars, teamwork)	15 hours	
		3.3.3.	Project, Homework	30 hours	
		3.3.4.	Individual learning	75 hours	
4.	Academic Year/ Semester	Academic Year 2021-2022, First Semester			
5.	Type of Course	Elective			
6.	Study Programme	MSc in Law (Second Cycle Integrated Study Program)			
7.	Email of Instructor	edagemi@unyt.edu.al / andreamazelliu@unyt.edu.al			
8.	Code of Ethics	<p>Students are required to abide to the provisions of the UNYT Code of Ethics and to comply with ethical and moral standards. They must:</p> <ol style="list-style-type: none"> Follow the class schedule and adhere to the rules of the UNYT Statute and Course Regulation. Present in a serious and dignified manner in the premises of the institution, which implies appropriate dressing, as well as the use of appropriate vocabulary, in accordance with the norms of ethics, morality and decency. Respect the academics, assistant academics and administrative staff, other students, and Course Regulations. Not engage in provocative or harassing actions or gestures against academics and assistant academic staff or other students. Not offer privileges, benefits, interference, favouritism, payments, or endowments of any form directly or through other persons, in order to obtain high results, or to seek benefits from the UNYT staff assigned for this duty. Not commit plagiarism as required by the UNYT Student Honour Code signed by the student during registration period. Not consume alcoholic beverages, tobacco, or other prohibited substances in the premises of the institution. <ol style="list-style-type: none"> No use of the cell phone or any other electronic device as well as keep them turned off during class hours or exams. 			
9.	Course Description	<p><i>This module is offered in the frame of the Jean Monnet Project 'Centre of Excellence European Union Enlargement for the Western Balkans' 2019-2022. 610495-EPP-1-2019-1-AL-EPPJMO-CoE finance by the EU.</i></p> <p><i>This course is a comprehensive introduction to European integration of Albania and the process of the harmonization of its legislation. It provides students with clear institutional and legal knowledge necessary to understand major issues of European integration and the adoption of the EU norm in the Albanian legislation. The course will examine in detail the idea of European integration process of the legislations' harmonization in addition to widening (of EU membership) and deepening (of EU policy scope). This course will address the process of enlargement of the European Union, treaties, and membership criteria, as well as in chronological order all the steps and progress of the integration process of Albania.</i></p>			
10.	Learning Outcomes	<p><i>Students are expected to come out of this course having gained an interdisciplinary understanding of the impact of EU Law on the Albanian Legal system. The course aims to explain to students the importance of EU law and its impact in the Albanian legal system in different areas. In the end of this course, the students are expected to have a detailed tailor-made picture of the steps of the integration process, the importance of the Stabilization and Association Agreement and priorities of each of the Copenhagen criteria. Students are aimed to be focused on EU instruments and their management, strategic documents and plans regarding the legislations' harmonization. In the end of this course the student should be able to identify the legal, institutional, and administrative framework to this process.</i></p>			
11.	Key Concepts	<ul style="list-style-type: none"> • EU integrations • Harmonization with the EU acquis • IPA (Instrument of pre-accession assistance) • EU State Aid • Harmonization of the Albanian Legislation 			



		<ul style="list-style-type: none"> • <i>RIA (Regulatory Impact Assessment)</i> • <i>Integration Stages</i>
12.	Course Outline	<p>Topic I: EU Enlargement and Albania</p> <ul style="list-style-type: none"> • <i>Introduction to EU integration</i> • <i>European Treaties</i> <p><i>Readings:</i> Moussis. N. (2016). <i>Access to European Union. Law, Economics, Policies</i>. Intersentia. Chapter I & II, 22nd edition Barnard, Catherine, and Steve Peers, eds. <i>European union law</i>. Oxford University Press, 2017. (Chapter 2: Development of the EU)</p> <p>Topic II: Accession criteria and Pre-accession strategy on the EU Enlargement</p> <ul style="list-style-type: none"> • <i>Copenhagen criteria of 1993</i> • <i>Madrid criteria of 1995</i> • <i>Thessaloniki Summit of 2003</i> • <i>Berlin Process of 2014</i> • <i>Sofia Summit of 2018</i> • <i>Brdo Summit 2021</i> <p>Readings: https://eur-lex.europa.eu/summary/glossary/accession_criteria_copenhagen.html Džankić, J., Keil, S., & Kmezić, M. (Eds.). (2018). <i>The Europeanisation of the Western Balkans: a failure of EU conditionality?</i>. Springer. Chapter 1, 5, 6 & 10. Hillion, Christophe. 2014 "The Copenhagen criteria and their progeny." EU enlargement. Oxford, Hart Publishing.</p> <p>Topics III: Albanian Integration in the EU</p> <ol style="list-style-type: none"> 1. <i>History of Albanian integration in the EU</i> 2. <i>The Importance of Stabilization and Association Agreement with Albania</i> 3. <i>Albanian legal reforms</i> <p>Readings: Zahariadis, Yiannis. "The Effects of the Albania-EU Stabilization and Association Agreement: Economic Impact and Social Implications." <i>London: Overseas Development Institute</i> 20 (2007): 2007-2008</p> <p>Topic IV: EU enlargement strategy reform priorities: Enhancing the accession process - A credible EU perspective for the Western Balkans</p> <p>Readings: https://ec.europa.eu/commission/presscorner/detail/en/country_20_1794 Džankić, J., Keil, S., & Kmezić, M. (Eds.). (2018). <i>The Europeanisation of the Western Balkans: a failure of EU conditionality?</i>. Springer. Chapter I & II.</p> <p>Topic V: Instruments for pre-accession strategy IPA and IPA II Plan</p> <p><i>Readings:</i> European Commission. 2020. <i>Commission Communication on An Economic and Investment Plan for the Western Balkans</i> https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/albania-financial-assistance-under_en</p>



		<p>Topic VI: National Plan for the Albanian Integration to EU – Guest Lecturer</p> <p>Topic VII: Mid-Term</p> <p>Topic VIII: Albania and EU Acquis: Chapters for Negotiation CH 1-33, The Screening Process Readings: Materials to be delivered before the class.</p> <p>Topics IX: EU State Aid and SAA: The Approximation of the Legislation</p> <p>Topic X: Regulatory Impact Assessment & EU law transposition in Albania Readings Tunyan, B. (2021), "Regulatory impact assessment and EU law transposition in the Western Balkans: A comparative analysis of the practice of ex ante assessment of regulatory proposals and EU law transposition", SIGMA Papers, No. 61, OECD Publishing, Paris, https://doi.org/10.1787/2cbdb615-en.</p> <p>Topic XI: EU integration and the Role of the CSOs in the negotiation process Readings: Jano. D. 2015. <i>Albanian CSO Involvement at EU Accession Negotiations</i> Zornaczuk, T. (Ed.). (2014). <i>Civil Society in the EU Integration of the Western Balkans</i>. Polish Institute of International Affairs.</p> <p>Topic XII: Ethics in Media and EU – Guest Speaker Emiljano Kaziaj, PhD Readings Materials to be delivered before the class</p> <p>Topic XIII: Albanian accession towards EU and Governance of Migration Readings: Gemi, E., & Triandafyllidou, A. (2021). <i>Rethinking Migration and Return in Southeastern Europe: Albanian Mobilities to and from Italy and Greece</i> (p. 152). Taylor & Francis.</p> <p>Topic XIV: Opening of accession talks with Albania: Conditions of the Council of Europe</p> <ul style="list-style-type: none"> • Electoral Reform • Judicial Reform • Fight Against Corruption • Fight Against Organized Crime, etc. <p>Readings: Materials to be delivered before the class.</p> <p>Topic XV- Final Exam</p>	
13.	Learning Methods	Lectures, Seminars, tutorials, interactive instruction, group and individual work	
14.	Attendance	Minimum 70% attendance at lectures and exercises.	
15.	Method of assessment	15.1. Final Exam	40 points
		15.2. Midterm Exam	30 points
		15.3. Essay	20 points



Assessment criteria	15.4.	Active Participation			10 points	
	BRITISH SYSTEM			ALBANIAN SYSTEM	AMERICAN SYSTEM	
	Grade Designation	Percentage (%)	Generic Assessment Criteria	Grade (4-10 Scale)	Letter Grade & %	Generally Accepted Meaning
	Distinction	86-100	The work examined is exemplary and provides clear evidence of a complete grasp of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also ample excellent evidence showing that all the learning outcomes and responsibilities appropriate to that Level are fully satisfied.	9.51 – 10	A (96-100)	Outstanding Work
	Distinction	76-85	The work examined is outstanding and demonstrates comprehensive knowledge, understanding and skills appropriate to the Level of the qualification. There is also excellent evidence showing that all the learning outcomes and responsibilities appropriate to that Level are fully satisfied.	9.0-9.50	A- (90-95)	
	Distinction	70-75	The work examined is excellent and is evidence of comprehensive knowledge, understanding and skills appropriate to the Level of the qualification. There is also excellent evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	8.50-8.99	B+ (87-89)	Good work, distinctly above average
	Merit	65-69	The work examined is very good and is evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also very good evidence showing that all the learning outcomes and responsibilities appropriate to the Level are satisfied.	8.0-8.49	B (83-86)	
	Merit	60-64	The work examined is good and is evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also good evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	7.50-7.99	B- (80-82)	
	Merit	55-59	The work examined is sound and is evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also sound evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	7.0-7.49	C+ (77-79)	
	Pass	50-54	The work examined is sound but provides limited evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also sound but limited evidence showing that all the learning outcomes and responsibilities to that Level are satisfied.	6.50-6.99	C (73-76)	



		Pass	45-49	The work examined is acceptable but provides significantly restricted evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also acceptable but significantly restricted evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	6.0-6.49	C- (70-72)	Acceptable work
		Pass	40-44	The work examined is acceptable but provides barely sufficient evidence of the knowledge, understanding and skills appropriate to the Level of the qualification. There is also acceptable but barely sufficient evidence showing that all the learning outcomes and responsibilities appropriate to that Level are satisfied.	5.0-5.99	D (60-69)	Work that is significantly below average
		Fail	0-39	Work that is significantly below average and does not meet minimum standards for passing a course.	4.0-4.99	F (0-59)	Work that does not meet minimum standards for passing the course
16.	Textbooks	Author, Year, Title, Publisher					
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