

Types of security measures in Albania

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Abstract

This paper introduces personal security measures and property security measures, as conservative and preventive sequestration. Personal security measures are imposed by the court at the request of the prosecution to persons who have a reasonable suspicion based on evidence of having committed an offense and when there are reasonable doubts that the defendant can avoid investigation or may perform another criminal offense and jeopardizes the evidence. In this sense, the Albanian Criminal Procedure Code provides the types of restrictive measures:¹

Prohibition to leave the country; obligation of appearance to the judicial police; property guarantee; Arrest in prison; house arrest and temporary hospitalization in a psychiatric hospital, and prohibitive measures: suspension of the exercise of a public duty or service; temporary prohibition of the exercise of certain personal and commercial activities. Property security measures are an important tool to ensure the payment of taxes or prevent the free disposal of an object related to the offense, through lying down on the movable and immovable property of the defendant and other persons. As to the seizure, the request for the provision of property can be made by the prosecutor and civil plaintiff when he is legitimized as a civil plaintiff or the aggrieved party in the criminal process and requires indemnified for the damage that the defendant has caused.

Keywords: Personal security measures, detention, arrest, charge for appearance, judicial police, courts, and prosecutor.

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