



EUROPEAN SCIENTIFIC JOURNAL
by European Scientific Institute



Paper: “Criminal Liability of Legal Persons According to Albanian Judicial Practice”

Submitted: 16 February 2026

Accepted: 29 March 2026

Published: 31 March 2026

Corresponding Author: Lulzim Karini

Doi: 10.19044/esj.2026.v22n8p10

Peer review:

Reviewer 1: Delia Magherescu
State University of Moldova, Moldova

Reviewer 2: Olusola Karimu
Hofstra University, New York, USA

Reviewer 3: Giorgi Dzindzibadze
Grigol Robakidze University, Georgia

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Reviewer Name: Olusola Karimu Ph.D.	
University, Country: Hofstra University, New York, USA	
Date Manuscript Received: 02/20/2026	Date Review Report Submitted: 02/20/2026
Manuscript Title: Criminal Liability of Legal Persons According to Albanian Judicial Practice	
ESJ Manuscript Number: ESJ-PREPRINT-2.2026.p513	
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Evaluation Criteria:

Please give each evaluation item a numeric rating on a 5-point scale, along with a thorough explanation for each point rating.

<i>Questions</i>	<i>Rating Result</i> [Poor] 1-5 [Excellent]
1. The title is clear and it is adequate to the content of the article.	5

<p>The title accurately reflects the manuscript's content, which examines both the normative framework (Criminal Code provisions and Law No. 9754/2007) and its application in Albanian judicial practice, with particular emphasis on Supreme Court decisions. The title appropriately signals the dual focus on legal doctrine and case law analysis.</p>	
<p>2. The abstract presents objectives, methods, and results.</p>	<p>4</p>
<p>The abstract clearly states the objective (a balanced analysis of the normative framework and judicial practice) and identifies the primary focus on Supreme Court practice. However, the abstract would benefit from explicitly stating the methodological approach used (doctrinal legal analysis, case law analysis, comparative examination of court decisions). Additionally, including one or two key findings or conclusions would strengthen the abstract's completeness.</p>	
<p>3. There are a few grammatical errors and spelling mistakes in this article.</p>	<p>4</p>
<p>The manuscript is generally well-written with professional academic language. However, there are minor grammatical issues and stylistic inconsistencies throughout, particularly in sentence structure and article usage (e.g., "The liability of natural persons has existed" could be more precisely phrased). Some footnotes contain formatting inconsistencies. Careful proofreading would enhance readability.</p>	
<p>4. The study methods are explained clearly.</p>	<p>3</p>
<p>This is the primary area requiring improvement. While the authors clearly analyze legal provisions and case law, the manuscript does not explicitly articulate its methodological framework. The reader must infer that the authors employed doctrinal legal research methods, case law analysis, and possibly comparative analysis. The authors should add a brief methodology section or paragraph explaining: (1) the research approach (doctrinal analysis of primary and secondary legal sources), (2) the criteria for selecting cases (particularly Supreme Court decisions), (3) how judicial decisions were analyzed, and (4) any limitations to the methodological approach.</p>	
<p>5. The results are clear and do not contain errors.</p>	<p>4</p>
<p>The analysis of legal provisions and judicial decisions is accurate and well-documented. The authors effectively identify tensions between doctrine and judicial practice regarding the interpretation of "in the name of" and "for the benefit of" elements. The discussion of the Constitutional Court's analysis and the Shkodra Court of Appeal case is particularly illuminating. However, the presentation of results could be strengthened by organizing findings into clearer thematic categories and perhaps including a summary table of key cases with their holdings.</p>	

6. The conclusions or summary are accurate and supported by the content.	5
The conclusions flow logically from the analysis presented. The authors correctly identify the inconsistent application by courts, the doctrinal-judicial divergence on key elements, and the courts' reluctance to impose additional penalties. The recommendations for unifying Supreme Court decisions and potential legislative interventions are well-supported by the preceding analysis. The conclusion appropriately emphasizes the need for clarity and uniformity in application.	
7. The references are comprehensive and appropriate.	5
The reference list is thorough and includes primary sources (Criminal Code, Law No. 9754/2007, Constitutional Court decisions, Supreme Court decisions, lower court decisions), secondary sources (Albanian legal scholarship, including Bozheku & Elezi, Hoxha et al.), and international sources (Otajonov). The references appropriately balance doctrinal commentary with documentation of judicial practice. The footnote citations are properly formatted and effectively support the arguments.	

Overall Recommendation (mark an X with your recommendation) :

Accepted, no revision needed	
Accepted, minor revision needed	X
Return for major revision and resubmission	
Reject	

Comments and Suggestions to the Author(s):

Dear Authors,

Thank you for submitting this well-researched and timely manuscript examining the criminal liability of legal persons in Albanian law, with particular emphasis on judicial practice. The manuscript makes a valuable contribution to understanding how Albanian courts apply Article 45 of the Criminal Code and Law No. 9754/2007, and it appropriately identifies tensions between doctrinal interpretation and judicial application.

The manuscript has several notable strengths:

1. **Comprehensive legal analysis:** The authors demonstrate a strong command of both the normative framework and its evolution, tracing developments from the 1995 Criminal Code through the 2007 special law and subsequent amendments.
2. **Rich case law integration:** The inclusion and analysis of Supreme Court decisions (e.g., Decisions No. 6/2024, No. 154/2023, No. 54/2023, No. 105/2021) significantly strengthens the manuscript's contribution, as does the discussion of lower court decisions like the

Tirana District Court's termination case (No. 1323/2016) and the Shkodra Court of Appeal decision.

3. Critical assessment: The authors appropriately identify problematic areas, particularly the interpretive challenges surrounding "in the name of" and "for the benefit of" elements, and the inconsistency in applying additional penalties.
4. Practical recommendations: The conclusion's call for unifying Supreme Court decisions and potential legislative interventions is well-grounded in the analysis.

Recommended Revisions:

To strengthen the manuscript for publication, I recommend the following minor revisions:

1. Methodological clarification (Critical): Please add a brief methodology section (2-3 paragraphs) explaining your research approach. This should address:
 - The doctrinal legal research methods employed
 - How you selected and analyzed judicial decisions (e.g., which courts, time period, selection criteria)
 - Whether you employed any comparative or analytical framework
 - Any limitations to your methodological approach
2. Abstract enhancement: Consider adding a sentence indicating the methodological approach and one key finding to make the abstract more comprehensive.
3. Structural organization: Consider adding subheadings within the "Judicial Practice" section to improve readability (e.g., "Interpretation of 'In the Name of' and 'For the Benefit of,'" "Representative Liability," "Application of Penalties").
4. Minor grammatical review: A careful proofreading to address minor grammatical issues and ensure consistent article usage would enhance the manuscript's professional presentation.
5. Footnote consistency: Review footnotes for formatting consistency (e.g., some footnotes use "Ibid." while others repeat full citations).
6. Add concluding synthesis: While the conclusion is strong, consider adding a brief synthesis of how Albanian practice compares with international approaches or European standards, which would broaden the manuscript's appeal to an international audience.

The manuscript makes a meaningful contribution to the literature on corporate criminal liability and Albanian criminal law. The recommended revisions are minor and should not require extensive additional work. I look forward to seeing the revised manuscript.

Respectfully submitted,
Dr. Olusola O. Karimu