

High Inspector of Justice

Newsletter

January 2021



ILD

INSPEKTORI I LARTË
I DREJTËSISË

Who are we?

The High Inspector of Justice is a new independent constitutional institution established in 01.02.2020. HIJ is responsible for verifying complaints, investigating disciplinary violations and initiating disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General.

The High Inspector of justice is Mr. Artur Metani, who has been performing his duty since January 20, 2020, pursuant to Decision no.2/2020 of the Assembly of the Republic of Albania “On the election of Mr. Artur Metani High Inspector of Justice”

Legislation

- ◇ The Constitution of the Republic of Albania
- ◇ Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania” as amended
- ◇ Law No. 115/2016 “On the Governance Bodies of the Justice System”, as amended
- ◇ Council Of Ministers Decree “On the Establishment of Conditions for the High Inspector of Justice, the Verification and the Fulfillment of the Conditions and Legal Criteria, the Figure and Assets Verification of the Non-Magistrate Candidates for the Inspector Position”

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[Click here](#) to read the complaint instructions

Complaint process at HIJ

Any natural or legal person can file a complaint at the High Inspector of Justice Office. When there is credible evidence that a magistrate (judge or prosecutor) has committed a disciplinary offense, the complaint is submitted to the High Inspector of Justice by the following entities:

- The Minister of Justice;
- A Member of the Council (High Judicial Council or High Prosecutorial Council)
- The Head of the Court or the Prosecution Office

Complaints can be issued in three ways:

- ⇒ By filling the online complaint form at the official website ild.al.
- ⇒ By downloading [the complaint form](#), which with other documents (if any) will be sent at the electronic address info@ild.al.
- ⇒ In Person: The complainants may appear in ILD Office in person to fill out a Complaint form while being assisted by the Complaint Unit Staff. This service is offered from Monday to Friday, from 10.00 to 13.00

“The main commitment of the High Inspector of Justice Office is that judicial functions in the Republic of Albania must be performed independently, impartially and with integrity through a system of responsibility and accountability.”

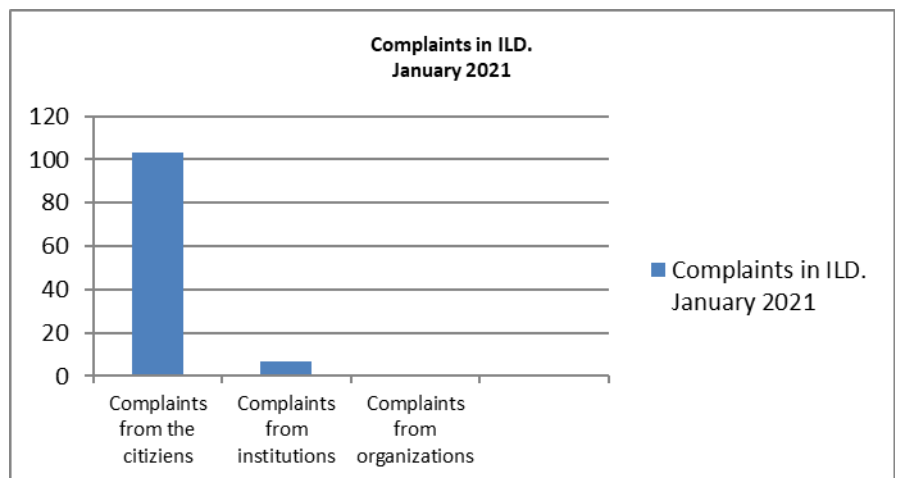
Filling the Complaint Form

You can file your complaint by filling out the complaint form. The complaint form can be completed by hand or it can be used a computer to type it. If it is completed by hand, please use uppercase letters so that the text can be legible. Write accurately the name of the subject you are complaining about and the institution where this subject performs the duty. Correctly state the facts regarding the alleged violation of the judge/prosecutor, of one of the members of the High Judicial Council, High Prosecutorial Council and the Prosecutor General. Identify as much as you can on the complaint form if the alleged disciplinary violation is related to his/her performance of the duty, it is committed outside his/her function performance or if it has to do with committing a criminal offense.

STATISTICS

111 complaints have been filed at the ILD Office during January: 103 complaint were filed by the citizens, seven complaints by institutions for competence- like KLP, ILDKPKI etc., one complaint by the Petroleum Independent Union Patos. All the complained filed in January have undergone the confirmation standard process.

The complaints which were about judges and prosecutors have been referred to the inspectors and they are at different stages of the process like the initial consideration, the verification or the archiving process together with relevant decisions.





High Inspector of Justice Mr, Artur Metani, during his interview with the journalist Klodiana Lala done at the beginning of January.

[Click here](#) to see the whole interview.

HIGH INSPECTOR OF JUSTICE MR. ARTUR METANI MEET WITH THE REPRESENTATIVE OF OPDAT MRS. MICHELLE LAKOMY



The High Inspector of Justice Mr. Artur Metani met with the Resident Legal Advisor of the OPDAT program at the US Embassy in Albania, Mrs. Michelle Lakomy.

Mr. Metani informed Mrs. Lakomy about the work at the High Inspector of Justice

Justice Office related to the verification of

complaints, the investigation of disciplinary violations and the initiation of disciplinary proceedings against judges and prosecutors of all levels as well as with the vision of this process as a balance between the principles of public interest for the administration of justice, and the independence of the magistrates.

OPDAT Legal Advisor Mrs. Lakomy, expressed her willingness to assist the High Inspector of Justice Office with the capacity building and the professional expertise.

Mr. Metani and Mrs. Lakomy shared the willingness to build cooperation between the High Inspector of Justice Office and the OPDAT program of the U.S. Department of Justice.

Interview for News 24

The High Inspector of Justice Mr. Artur Metani had a conversation with the journalist of News 24 Klodiana Lala, on the work of the institution during its 11 months of operation and on the effects and expectations of the Justice Reform.

Mr. Metani highlighted that the profound constitutional, legal and institutional Reform, which the justice system with a new architecture underwent, obviously takes its time because the system can be in trouble but the mechanism has started to move and it is time for results now.

“A very important challenge starts now- the implementation of the competencies that these institutions have and the fulfillment of the purposes these institutions were created for, such as restoring public

Regarding the High Inspector of Justice Office work philosophy, Mr. Metani said that by balancing the public interest and the independence of magistrates, the judges and prosecutors who violate the law should obviously be afraid, because they would face the consequences provided by law.

“What I think is important is the fact that the institutions are showing that the mechanism has started to work and I fully agree with the general opinion that citizens need to see the results. Now it is time for no excuses but results, and this should be done by balancing the results for demands with challenges. Obviously, the judges and prosecutors who have violated the law or the sacred interest of justice, should be afraid. The time when there were judges and prosecutors who played with the public interest without having any consequences does not exist anymore.”

High Inspector of Justice meets with Albanian American Development Foundation Co-Coe's

The High Inspector of Justice, Mr. Artur Metani, met with the Albanian-American Development Foundation (AADF) Co-CEOs Mr. Martin Mata and Mr. Aleksandër Sarapuli, as well as with the LEAD Albania Project Manager Mrs. Elvana Kurti.

Appreciating the Foundation role in the development of a democratic society as well as a sustainable market economy in Albania over the years, the High Inspector of Justice presented the focus of the work and the vision of the High Inspector of Justice Office, towards creating a culture of independence, professionalism and effectiveness in the entire corpus of magistrates in Albania.

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HIJ Signed the Memorandum of Understanding on the Leadership Development Program with AADF

A memorandum of understanding was signed today between the High Inspector of Justice Office and the Albanian-American Development Foundation (AADF) for the Leadership Development Program, LEAD Albania. This program aims to provide young and talented Albanian professionals with direct experiences in the process of governing Albania.



Memorandum of Understanding



Work Meeting with Euralius Experts on the Electronic Complaints System at the High Inspector of Justice Office

The High Inspector of Justice Artur Metani held a work meeting today with Mrs. Anita Mihailova and with local experts of the EURALIUS mission, on the development of the complaint and document management electronic system at the High Inspector of Justice Office. Building this intelligent system brings a number of conveniences such as the use of real-time data, the generation of accurate information through digital and "paperless" methodology, creating easy access for the users of this system. This work meeting was held so as to inform the ILD employees about the system improvement and it will be followed by training sessions for the users at the High Inspector of Justice Office.



Magistrate Inspectors are Crucial for the HIJ Work

The High Inspector of Justice, Mr. Artur Metani gave an interview for the journalists Preç Zogaj and Lorenc Vangjeli in "Java", a show on RTSH, about the first year performance of the institution he leads. Among the challenges during his first year of work, Mr. Metani singled out the fact that although the ILD office had the function of investigations and disciplinary proceedings conducted by the inspectors with the profile of judges and prosecutors, there was only one magistrate inspector available.

The High Inspector of Justice said that the low interest for applications (zero applications from judges) is related to the high level of required criteria- 13 years of work experience, which is the

same experience it takes to run for a Member of High Court. For this reason, Mr. Metani explained that he had proposed to reduce this limit, from 13 years to 7 years, the same criterion required to run for the appellate court with a view to increasing the number of people to be selected. "I think that judges should be a very important part of the High Inspector of Justice Office, firstly as a balance between magistrate and non-magistrate inspectors and secondly because people who come from the judicial system should maintain the independence of internal conviction of decision-making, which a judge feels more than a person who is not part of the system." When asked about the promise made, when he



"I mentioned before the independence of judges and of course HIJ cannot breathe down judges' necks, but on the other hand, no judge who has committed, will commit or intends to commit violations of the disciplinary level, i.e. the competence HIJ represents, will not go unpunished."

first took office, about reviewing the cases of release from prison of convicts sentenced to life imprisonment, Mr. Metani said that as well as the cases of magistrates investigated by the High Inspector of Justice during this year, the thematic inspection would continue and in case of finding any illegalities or disciplinary violations, ILD would intervene according to the competencies provided by law. When asked whether justice reform has reduced the impact of politics on the justice system, the High Inspector of Justice replied that he was convinced of this effect. "Absolutely yes! I am convinced when I say 'yes', because now the constitution and the law do not create any possibility for the institutions to



have illegal, political or any other kind of influence in their decision-making process."

"In my opinion Justice Reform is one of the most important things happened in this country in the last 30 years. Taking into account that the US and the EU are Albania's strategic partners, the Justice Reform received their support in every aspect and this was also reflected in its unanimous approval in the Assembly (140 votes). This means that the Justice Reform, its implementation, efficiency and result are a great priority for the society." According to Mr. Metani the implementation of the competences of each institution emerged from the reform as well as the cooperation among them in order to make them functional, because the law and the Constitution exist, are a challenge now. "The success or the failure of an institution of justice depends on all justice institutions. We need to cooperate so as to make the Reform successful. Personally, I would like to leave office at the end of my term thinking that I tried and did something for my country. I contributed to the Albanian development.

[Click here](#) to see the full interview.

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[Inspektori i Larte i Drejtësisë Artur Metani @ILD_Albania](https://twitter.com/ILD_Albania)



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