

**STRATEGIC PLAN AND ACTION PLAN
OF THE OFFICE OF THE HIGH
INSPECTOR OF JUSTICE
2020-2022**

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LIST OF ACRONYMS

HIJ	High Inspector of Justice
HJC	High Judicial Council
HPC	High Prosecutorial Council
CoM	Council of Ministers
MoJ	Ministry of Justice
NSDI	National Strategy for Development and Integration
CSJS	Cross-Sector Justice Strategy
CSACS	Cross-Sector Anti-Corruption Strategy
CSRPA	Cross-Sector Strategy for the Reform in Public Administration
MBP	Medium-Term Budget Program
IPS	Integrated Planning System
EU	European Union
NPEI	National Plan for European Integration
DCM	Decision of the Council of Ministers
IT	Information technology
ICT	Information and Communication Technology
GDLAS	General Directorate of Legal Affairs and Services
ESSD	Economic and Support Services Directorate

GREETING ADDRESS OF THE HIGH INSPECTOR OF JUSTICE



The justice system in Albania has recently undergone a series of profound reforms, in order to meet the European standards in this system. One of the new bodies, which was established in the framework of the justice reform, is also the High Inspector of Justice.

The establishment and functioning of this new constitutional institution should be carried out through an Integrated Planning System (IPS), and the provision of a set of appropriate mechanisms of governance, monitoring, reporting, methods and well-defined indicators, along with appropriate financial support for their implementation. This process requires a cross-sectoral approach, as comprehensive and coordinated as possible.

The main purpose of this document is to draft a Strategic Plan and Action Plan for the period 2020-2022 for the Office of the High Inspector of Justice, in order to organize and operate the Office of the High Inspector of Justice in harmony with the entire strategic planning process, such as the National Strategy for Development and Integration, the European Integration Agenda, planning methods of the medium-term budget program, foreign assistance, and the harmonization and coordination of the institution's work activity with other bodies of the justice system.

Establishment and functioning of the Office of the High Inspector of Justice according to an integrated planning system ensures planning, evaluation of implementation, and changing or improving the content of concrete activities, which will be followed up by the institution within its organization and functioning. At the same time, drafting and planning objectives or anticipated measures were made on the basis of the needs identified by the experts engaged in the process of drafting this strategic plan, needs that are reflected by the general institutional and legal framework governing the organization and functioning of the Office of the High Inspector of Justice, and needs reflected by external or internal risk factors that potentially affect the activity of the High Inspector of Justice.

This document determines the strategic objectives of the Office of the High Inspector of Justice in several main directions, for the period 2020 - 2022. Each targeted strategic objective is related to measures/activities for their implementation and the deadline for their implementation, which will be monitored according to periodic reports, related to the level of implementation of the foreseen activities.

The realization of this document has gone through a comprehensive inter-institutional and public consultation process and on behalf of the Office of the High Inspector of Justice I take this opportunity to express my sincere gratitude to all those who helped us draft this document and believed in the work of the staff of the Office of the High Inspector of Justice.

Artur Metani
High Inspector of Justice

CHAPTER I - INTRODUCTION AND METHODOLOGY USED

Upon the establishment of the Office of the High Inspector of Justice, it became necessary to set work objectives for the next two years and achieve results based on objectives. In assessing the objective competencies and opportunities, the strategic plan for the Office of the High Inspector of Justice aims to:

- a) Provide contributions for action plans for the next phase of the justice reform conduct for 2021-2025 (CSJS II);
- b) Serve as a basis for a general planning for the Office of the High Inspector of Justice and for performance management, which requires to be supplemented with detailed annual work plans and periodic data obtained from the structures of the institution.

Work on the strategic plan and action plan began in May 2020 and continued until the end of June with an initial draft. During September-November, the draft strategy was revised by reviewing and verifying the indicators. In October 2020, owing to the joint institutional commitment, the draft strategy and action plan were agreed and finalized, which at the end of October was consulted again with all internal structures of the Office of the High Inspector of Justice, civil society, international organizations and central institutions.

The budget was agreed with the ministry responsible for finance and economy in October 2020, which resulted in the final document since November.

The work initially involved a group of 2 people, as in May 2020 the Office of the High Inspector of Justice had a lack of human resources and then in September-November, the General Directorate of Legal Affairs and Services was part of the group, finalized the strategy plan and action plan with the help of the unit of assistant inspectors, too.

The strategic plan of the Office of the High Inspector of Justice was drafted in accordance with the framework of the Integrated Planning System, based on coordination between institutions in order to achieve the objectives included in the NSDI, and implementing a systematic and integrated approach in the developments of the European Integration process, in the requirements of the Medium-Term Budget Program, in the public investment program and foreign assistance program.

The plan is in line with the mid-term and long-term governance objectives, set out in the National Strategy for Development and Integration 2015-2020, and in the Cross-Sector Justice Strategy.

At the same time, the content of this strategic plan is drafted in accordance with the objectives and a series of measures anticipated in the Cross-Sector Strategy against Corruption for the period 2015-2023, and in the Cross-Sector Strategy for the Reform in Public Administration (CSRPA) 2015-2020.

Special attention has been given to the challenges dealt by the Office of the High Inspector since its establishment, starting with the lack of human resources and infrastructure and the situation caused by the global pandemic. An analysis was also made about the current situation in which the institution is found, and summary information was provided regarding the number of complaints and their processing and the current situation of the staff.

The process of drafting the strategy and action plan was carried out by taking into consideration the combination of advantages with the opportunities available to the institution, and the elimination of the institution's weaknesses and the avoidance of potential risks. The method used to assess the risk in the Office of the High Inspector of Justice is related to the analysis of potential risk factors dealt by the institution, with internal influence from work processes, but also from external factors. SWOT (Strengths-Weaknesses-Opportunities-Risks) analysis was applied in the potential risk assessment, where the internal capacities and shortcomings of the Office of the High Inspector of Justice were combined with the external requirements and challenges that it may deal with during the exercise of its activity.

The implementation of the strategic plan and action plan 2020-2022 will be ensured through a monitoring and evaluation system related to the implementation of planned objectives, measures or activities.

The monitoring and evaluation process will be carried out by the structures of the Office of the High Inspector of Justice under the conduct and supervision of the High Inspector of Justice through continuous monitoring of the level of implementation of the strategic plan in accordance with the deadlines provided in the action plan; periodic reporting on the level of implementation of each activity/measure according to the field of activity of each organizational unit of the HIJ Office; coordination of the relevant activities and structures in case of delays or non-conduct of planned activities, and harmonization with other strategic documents and financial resources provided for the period 2020-2022.

While reporting on the implementation of the action plan will be carried out on a periodic quarterly basis, based on the reports of the structures (*organizational units*) of the Office of the High Inspector of Justice, in order to establish an effective, unified and systematic reporting system by all organizational units involved in the implementation of the strategic plan and action plan.

CHAPTER II - CURRENT SITUATION ANALYSIS

1. CURRENT SITUATION

The approval of Law no. 76/2016 “On some addenda and amendments to Law no. 8417, dated 21.10.1998 “The Constitution of the Republic of Albania”, the Republic of Albania started the implementation of the justice reform. The constitutional amendments provide, in addition to the new governance bodies of the justice system, the establishment of a unified inspection structure (High Inspector of Justice) responsible for verifying complaints, investigating violations, and initiating disciplinary proceedings against judges and prosecutors, and for the institutional inspection of courts and prosecution offices. This system will replace the previous triple system of inspection that was carried out under the responsibility of the Ministry of Justice, the High Council of Justice and the General Prosecution Office.

After the approval of the constitutional amendments, the Assembly continued with the approval of Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended and Law no. 115/2016 “On the governance institutions of the justice system”, as amended, acts which provide a complete and comprehensive legal framework for the organization and functioning of the Office of the High Inspector of Justice.

These legal acts clearly define the principles that should guide the justice system in the Republic of Albania. The justice system must be independent of any kind of influence, impartial in its functioning, responsible, accountable, with high moral and professional integrity in all its structural levels, efficient and professional, reliable, transparent and accessible to the public, and cooperative at the institutional level when exercising decision-making power for the appointment of senior officials of the system.

The package of two legal acts of the justice reform brought some essential in terms of:

- a) Separation of the inspection process from the decision-making process for issuing a disciplinary measure;
- b) Resolving the issue of the exclusive competence of the Minister of Justice to initiate disciplinary proceedings against judges, leaving this competence to the High Inspector of Justice and reserving to the Minister the right to request the High Inspector of Justice to initiate an investigation against one or more judges with regard to the charges of disciplinary misconduct.
- c) Ensuring a transparent and fair procedure for the appointment of magistrate and non-magistrate inspectors;
- d) Detailing disciplinary violations committed by judges and prosecutors and proportionate sanctions in accordance with the violations, orientating the system of disciplinary responsibility on the most objective criteria;
- e) Sanctioning a system of disciplinary proceedings that provides mechanisms that guarantee the principle of a due legal process in accordance with international standards.

Pursuant to Article 147/d et seq., of the Constitution of the Republic of Albania, Chapter IV, of Law No. 115/2016 “On the governance institutions of the justice system”, as amended, Decision no. 2/2020, of the Assembly of the Republic of Albania “On the election of Mr. Artur Metani, High Inspector of Justice” from the date of 01.02.2020, it was established the Office of the High Inspector of Justice.

Based on all the activity and work done so far, it is concluded that in order to fulfil its constitutional duties, the activity of the Office of the High Inspector of Justice is initially focused on its organization and internal functioning, in the administrative aspect and regulatory aspect.

As part of the start of the activity, for the period February-November 2020, vacancies were filled, and there were partially filled vacancies at the cabinet, vacancies of the civil service and supporting employees. Regarding the filling of the positions of inspectors, currently at the Office of the High Inspector of Justice, only one vacancy is filled, while the other positions remain to be filled, according to the organizational structure. In parallel, in the period March 2020¹, the announcements for the vacancies on the recruitment of non-magistrate inspectors started, procedures which until the time of drafting and approval of this plan, are still ongoing.

At the same time, the High Inspector of Justice in the capacity of state authority responsible for conducting disciplinary investigation and initiating disciplinary proceedings against magistrates, in addition to drafting the necessary bylaws, is in the process of administering and initial review of a large number of complaints regarding the activity of magistrates, received from the time of establishment, but also complaints filed with other institutions before the start of the activity of the High Inspector of Justice.

During this period, the priority of the work of the Office of the High Inspector of Justice has been the serious review and evaluation of all cases, which have had a public impact.

In concrete terms, for the period February-October 2020, 2945 complaints² were filed at the Office of the High Inspector of Justice, complaints which had been filed in the existing institutions before the entry into force of Law no. 96/2020, and in the new institutions of the justice system, after the entry into force of Law no. 96/2016 and their respective establishment, we mention herein complaints received from the High Judicial Council, the High Prosecutorial Council, the General Prosecution Office, the Ministry of Justice, the President of the Republic, the Special Anti-Corruption Structure, the General Directorate of Prisons, the court, municipalities, organizations, complaints of citizens, etc.

¹<https://www.ild.al/wp-content/uploads/2020/02/SHPALLJE-PE%CC%88R-PRANIM-TE%CC%88-DREJTPE%CC%88RDREJTE%CC%88-INSPEKTORE%CC%88-1.pdf>

² Statistical division of incoming complaints:

- 757 complaints received by the High Judicial Council as complaints carried over;
- 185 complaints filed by other institutions (HPC, General Prosecution Office, Ministry of Justice, President of the Republic, SPAK, General Directorate of Prisons, courts, municipalities, etc.);
- 9 complaints from organizations;
- 647 complaints from citizens, including complaints

After receiving the complaints, the Office of the High Inspector of Justice continued with the relevant confirmations³, pursuant to the law, from which it results that for the period February – October 2020, 841 confirmations were made.

Regarding the examination of complaints during the period February-October 2020, 210⁴ relevant decisions were adopted. At the same time, the Office of the High Inspector of Justice continues to work with the current capacity of human resources and has started processing complaints by setting up working groups to handle them with priority.

Pursuant to the legal provisions, investigations have started for disciplinary violations, and some of them have been initiated by the High Inspector of Justice and some of them are based on complaints⁵.

In addition to verifying complaints, the High Inspector of Justice conducts institutional and thematic inspections on every aspect of the work of courts, judicial administration, prosecution offices and administration of the prosecution office, based on a motivated written request from the High Judicial Council, the High Prosecutorial Council, the Minister of Justice, the Prosecutor General and in the annual plan of inspections, where the High Inspector has undertaken thematic inspections at the courts and prosecution offices for requests with the subject “Parole”⁶

The Office of the High Inspector of Justice, despite the challenges encountered since the beginning of its work, such as lack of human resources and the situation caused by the pandemic, has already started fulfilling a considerable part of the legal obligations, which will be finalized. in accordance with the terms of the Action Plan.

The Office of the High Inspector of Justice, during the following period will have as its main objective the exercise of its activity in an independent, efficient, professional, and as much transparent and reliable to the public. At the same time, the aim will be to increase the standards in order to develop the disciplinary investigation process in accordance with the principles of legality and due legal process according to international standards, guaranteeing active participation in the processes of strategic planning and inter-institutional cooperation.

³ For the period February - October 2020, the following were made:

- 647 confirmations on complaints filed by citizens;
- 185 confirmations on complaints filed by other institutions;
- 9 confirmations on complaints received from organizations.

⁴- 68 decisions on archiving complaints after the initial review;

- 68 notifications on the decision of archiving complaints;
- 28 decisions on the verification of complaints after the initial review;
- 40 requests addressed to courts or prosecution offices, on information against judges or prosecutors requested by the Office of the High Inspector of Justice, in the framework of verification of complaints;

- 6 decisions to initiate a disciplinary investigation

⁵ 2 decisions to start investigations at the initiative of the HIJ are for one magistrate and one prosecutor, while 4 other decisions are for 3 judges and 1 prosecutor initiated upon complaint of subjects provided by law.

⁶ The following were approved:

- Decision no. 1 dated 11.02.2020, “ On conducting the thematic inspection of courts and prosecution offices attached to them on processing requests subject to “Parole”;
- Decision no. 1/1 dated 20.02.2020 “ On the addition of the thematic inspection object determined by decision no. 1 dated 11.02.2020 of the High Inspector of Justice”;

The establishment and functioning of this new constitutional institution should be carried out through an Integrated Planning System (IPS), and the provision of a set of appropriate mechanisms of governance, monitoring, reporting, methods and well-defined indicators, along with appropriate financial support for their implementation. This process requires a cross-sectoral approach, as comprehensive and coordinated as possible.

2. RISK EVALUATION

The process of drafting the strategy and action plan was carried out by taking into consideration the combination of advantages with the opportunities available to the institution, and the elimination of the institution's weaknesses and the avoidance of potential risks.

The method used to assess the risk in the Office of the High Inspector of Justice is related to the analysis of potential risk factors dealt by the institution, with internal influence from work processes, but also from external factors.

SWOT (Strengths-Weaknesses-Opportunities-Risks) analysis was applied in the potential risk assessment, where the internal capacities and shortcomings of the Office of the High Inspector of Justice were combined with the external requirements and challenges that it may deal with during the exercise of its activity.

In these conditions, the Office of the High Inspector of Justice along the drafting of this strategic plan, in anticipation of its objectives, has developed this analysis, which is reflected in the following graph:



In the risk analysis (The Annex attached to the action plan), it is also provided the relevant matrix of assessment, which is prepared according to the risk identified by weaknesses and possible threats in case of non-achievement of objectives, including an assessment of the probability of the occurrence of the risk, the potential impact of the risk and the proposal for mitigation actions to avoid the occurrence of the risk or to mitigate it if it occurs.

3. CONNECTION WITH OTHER STRATEGIC DOCUMENTS

The strategic plan of the Office of the High Inspector of Justice was drafted in accordance with the framework of the Integrated Planning System, based on the coordination between institutions in order to achieve the objectives included in the NSDI, and implementing a systematic and integrated approach in the developments of the European Integration process, in the requirements of the Medium-Term Budget Program, in the public investment program and and foreign assistance program.

The plan is in line with the mid-term and long-term governance objectives, set out in the National Strategy for Development and Integration 2015-2020^[7], and in the Cross-Sector Justice Strategy ^[8]. At the same time, the content of this strategic plan was drafted in accordance with the objectives and a series of measures anticipated in the Cross-Sector Strategy against Corruption for the period 2015-2023^[9], and in the Cross-Sector Strategy for the Reform in Public Administration (CSRPA) 2015-2020 ^[10].

The National Strategy for Development and Integration 2015-2020 in the framework of consolidating the independence and efficiency of the judiciary has provided, inter alia, that this objective should be achieved through:

- Regular review of the justice system, including gap analysis and identification of areas that require improvement;
- Enforcement of legislation alongside measures that will increase the independence, efficiency, integrity and accountability of the judiciary at all levels of the system;
- Stronger control mechanisms within the judicial system related to the status and professional skills of inspectors and verification methods.

Increasing transparency and consolidating public trust in the justice system will be achieved through increased professionalism and fulfilment of duties through inspections of courts/prosecution offices, and creating opportunities for the public to get acquainted with the legal framework. These anticipations were taken into consideration when setting strategic and specific objectives in this document.

At the same time, in the framework of the coordination of this plan with the strategies of other sectors, the compliance with the provisions of the Cross-Sector Justice Strategy was taken into consideration¹¹.

In order to successfully implement reforms in the justice system, to ensure an effective, efficient, independent and transparent judicial system, in line with the best European practices, the Cross-Sector Justice Strategy anticipates, inter alia, the following high-level strategic objectives:

^[7] Approved by Decision no. 348 of the Council of Ministers, dated 11.5.2016 “On the approval of the National Strategy for Development and Integration 2015 - 2020”.

^[8] Approved by Decision no. 773 of the Council of Ministers, dated 2.11.2016, “On the approval of the Cross-Sector Justice Strategy and its Action Plan”.

^[9] Approved by Decision no. 247 of the Council of Ministers, dated 20.3.2015, “On the approval of the Cross-Sector Anti-Corruption Strategy for the period 2015-2020”, as amended.

^[10] Approved by Decision no. 319 of the Council of Ministers, dated 15.04.2015, “ On the approval of the Cross-Sector Strategy for the Reform in Public Administration (CSRPA) 2015-2020”.

¹¹ Along the drafting phase of the strategic plan and action plan of the Office of the High Inspector of Justice, the New Cross-Sector Justice Strategy is being drafted. For this purpose, the reference made in this document refers to the strategy approved by decision no. 763/2016 of the Council of Ministers and the Draft Document forwarded by the Ministry of Justice, accessible dated 13.11.2020, in the link

<http://drejtesia.gov.al/newsroom/lajme/koncept-dokumenti-strategjik-per-CSJS-ne/>

- Strengthening the independence, efficiency, effectiveness and accountability of the institutions of the justice system;
- Improving the operation of the judicial system by strengthening its efficiency, transparency and approach in line with the European standards;
- Improving the functioning of the justice system by providing modern electronic systems and facilities for the development of cross-institutional collaboration;
- Improving the protection of fundamental human rights;
- Improving the functioning of the justice system institutions.

The objectives of the Cross-Sector Justice Strategy are organized and divided into sub-objectives in order to make possible a better and more direct organization of the anticipated and related measures, as follows hereunder:

- Improving the accountability of justice system institutions and judges and prosecutors according to the European standards;
- Improving the operation of the judicial system by strengthening its efficiency, transparency and accessibility in line with the European standards;
- Improving the functioning of the judiciary through the establishment of IT administration systems and other improvements in infrastructure;
- Improving the functioning of the newly established or completely changed institutions of the justice system.

The planning of these sub-objectives aims to intensify the organization and functioning of the new institutions of the justice system, including the Office of the High Inspector of Justice.

At the same time, priority is given to the infrastructural improvement of the justice system institutions through the establishment, operation and administration of IT systems. The new institutions of the justice system are anticipated to be provided with working devices and have conditions of the highest standards, which will guarantee their normal functioning.

At the same time, a series of concrete measures are foreseen in terms of structural, organizational development and improvement of human and professional capacities to enable the implementation of the obligations deriving from the strategy.

Pursuant to these sub-objectives, a number of measures and activities are anticipated, which are related to the organization and functioning of the Office of the High Inspector of Justice in accordance with European standards. These anticipations were taken into consideration along the drafting of measures and activities within this strategic plan.

Regarding transparency and increasing accessibility to the activity of the Office of the High Inspector of Justice, a number of measures and activities are anticipated, which are related to

increasing transparency, ensuring public access to information in cases of public interest, improving media relations.

Regarding the application of IT systems, administration and other improvements in infrastructure, measures and activities are foreseen which are related to the improvement of the functioning of the Office of the High Inspector of Justice. Specifically, in order to ensure the strengthening and realization of the HIJ objectives, it is foreseen to provide and make functional the necessary IT infrastructure. For this purpose: inclusion of concrete measures for the development of technology, starting with the provision of the necessary infrastructure related to the development of the Case Management System, which will be a contemporary system with the aim of digitizing archive-protocol documentation, collection and analysis of evidence and processing of the complaint digitally.

The case management system enables data collection, report generation, interconnection with other electronic communication systems and the promotion of sophisticated data collection queries, thus improving the efficiency of organization and operation.

In addition to the above, a number of measures and activities are foreseen, which are related to improving the functioning of the Office of the High Inspector of Justice by ensuring the design and implementation of financial management and control systems, integrity and accountability in operational management, in order to guarantee the efficient and effective fulfilment of the constitutional responsibilities and competencies of this institution.

In the framework of the specific objectives of the Cross-Sector Anti-Corruption Strategy, the Office of the High Inspector of Justice has the obligation to take a series of measures aimed at increasing transparency in relation to its activity and improving citizens' access to information. This objective is foreseen to be achieved through the establishment of the required structures for the implementation of Law no. 119/2014 "On the right to information", implementation of Law no. 146/2014 "On public notification and consultation", and the planning of various activities in order to inform and make available to the public, through the publication on the official website of the Office of the High Inspector of Justice, all the sub-legal acts providing the procedures for processing the complaints, deadlines submitted to the High Inspector of Justice, and the form for complaints.

In terms of improving the efficiency, control, inspection and systematic use of risk analysis, a number of measures have been anticipated, which reflect the implementation of a general, organizational, structural, infrastructural plan or working methods on how to exercise the functional competencies of the Office of the High Inspector of Justice, which deal with the verification, investigation or development of thematic or institutional inspections. This is planned to take place through a preventative, awareness-raising, supervisory, or punitive approach. At the same time, the aim is to establish and increase the capacity of the internal audit structure, which will guarantee the effectiveness of the internal control system in the institution.

In addition, in the framework of strengthening the integrity of the staff of the Office of the High Inspector of Justice, a series of measures have been foreseen which are related to increasing the capacity of the staff for the integrity testing system, implementing the integrity testing procedures in a continuous manner, and including integrity-related questions in administration recruitment tests or including these criteria for job positions.

While in the framework of increasing transparency in the planning, management and control of budget funds, in order to guarantee transparency, a series of measures have been foreseen which are related to the publication on the official website of the Office of the High Inspector of Justice of allocated budget funds pursuant to the annual budget law and public procurement procedures carried out by this institution.

In the framework of the specific objectives of the Cross-Sector Strategy for the Reform in Public Administration 2015-2020, the High Inspector of Justice is obliged to take a series of measures aimed at developing planning and coordination policies in order to improve the drafting, implementation and monitoring of documents. strategic through data collection, drafting and implementation of legislation.

Another important aspect is the strengthening of the administration structures of the Office of the High Inspector of Justice in order to improve the provision of services to the public, and the development of an ICT infrastructure capable of supporting the day-to-day activities of the administration of the Office of the High Inspector of Justice. This is intended to be achieved through the application of working methods and information technology tools by reducing the time to access, process and transmit information, in order to improve the information flow throughout daily work.

Furthermore, in order to exercise the activity of the Office of the High Inspector of Justice in an independent, efficient and professional manner through the anticipated measures, it is aimed at the stability, professionalism of the administration of the Office of the High Inspector of Justice, rigorous implementation of legislation for recruitment procedures, and increase of accountability of public servants in the performance of their duties.

In addition to the coordinating approach with these strategic documents, the strategic plan of the Office of the High Inspector of Justice takes into consideration a set of functional principles in order to meet the standards related to the European integration process. This has been achieved through the combination of the activity of the Office of the High Inspector of Justice with that of the country's integration processes, making possible, as instructed in the progress report of the European Commission for 2020, to bring concrete and credible results aimed at strengthening and consolidating the independence, impartiality, professionalism through increasing the capacity of the Office of the High Inspector of Justice to effectively verify and investigate the large number of backlogs (carried over complaints) in order to guarantee the accountability of the system justice.

The implementation of the strategic plan of the Office of the High Inspector of Justice is supported by financial resources, which are calculated referring to the medium-term state budget, allocated to MBP 2020-2022¹² and to MBP 2021-2023¹³, for the Office of the High Inspector of Justice. In the calculation of financial needs, projects with foreign funding (ongoing or planned) in the field of justice have also been taken into consideration.

CHAPTER III – VISION, MISSION, VALUES AND STRATEGIC OBJECTIVES

Vision:

The justice system shall be independent from any influence, impartial in its functioning, responsible, accountable, with high moral and professional integrity in all its structural levels, efficient and professional, reliable, transparent and accessible by the public as well as cooperative in the institutional level.

Mission:

The mission of the High Inspector of Justice is to set standards on how to verify complaints, their processing as soon as possible in order to increase the accountability of judges and prosecutors in the exercise of duty on the one hand and motivate and increase the trust of citizens and institutions to which the law recognizes the right to file complaints against the judicial system, on the other hand.

Values:

Impartiality: Inspectors should be impartial and subject only to the Constitution and the powers conferred by law, in conducting verifications, administrative investigations and inspections.

Integrity: Inspectors during the exercise of duty should show high integrity by avoiding inappropriate behaviour that could affect the image of the institution or the public trust in the justice system.

Professionalism and competence: Inspectors must demonstrate and promote high standards of professional knowledge and ethics, in order to strengthen public trust.

Accountability: Inspectors will be subject to a regime of supervision, conduct, accountability and discipline by the highest body.

¹²DCM no. 845, dated 24.12.2019 “On the approval of the document of the Medium-Term Budget Program, revised”.

¹³DCM no. 577, dated 22.07.2020 “On the approval of the final expenditure ceilings of the medium-term budget program 2021-2023”

GENERAL APPROACH TO STRATEGIC OBJECTIVES

Based on the assessments and analysis of the situation presented above, the strategic plan and strategic objectives are defined in four general objectives, where each of them defines the general goal, broken down into specific objectives with a description of the expected results, which will be achieved during the strategy period together with the relevant indicators, which will serve as clear (qualitative and quantitative) indicators in terms of assessing the achievement of each strategic objective.

Strategic Objective 1: Strengthening and assuming the activity of the Office of the High Inspector of Justice in an independent, efficient and professional manner.

- Specific Objective 1.1: Developing the infrastructure being necessary for the assumption of functions by the Office of the High Inspector of Justice through making available facilities, equipment and working conditions.

The expected outcome for this specific objective consists in the provision of working facilities in order to start the activity after the approval of the Decision no. 507, dated 24.06.2020 of the Council of Ministers "On the transfer of administration responsibilities of the building of the former Ministry of European Integration from the Department of Public Administration and the Public Procurement Commission to the High Inspector of Justice", planning the adjustment of the suitable work premises and supplying with logistical basis for the exercise of functional duties for ILD employees.

- Specific Objective 1.2: Ensuring the financial and administrative autonomy of the Office of the High Inspector of Justice.

The expected outcome for this specific objective consists in filling out the vacancies in the institution to the effect of preparing and compiling the necessary budget requests.

- Specific Objective 1.3: Improving the management and internal organizational communication of the administration of the Office of the High Inspector of Justice.

The expected result for this specific objective consists in the preparation of job descriptions for all positions according to the organizational structure, drafting the basic rules of operation of the institution, internal communication, identifying the documents and determining the rules for the use of electronic systems of HIJ.

- Specific Objective 1.4: Development of an electronic information technology system for the Office of the High Inspector of Justice.

The expected result for this specific objective consists in designing the case management system project, the creation of modern electronic infrastructure to

provide interconnection with other systems, the provision of software and documentation management equipment, the collection of data and the generation of reports, providing specific training for system users.

- Specific Objective 1.5: Increasing the professional knowledge and skills of inspectors and civil servants, by providing continuous opportunities for professional development, so that each of them, in the respective position, can efficiently fulfil its functional tasks.

The expected result for this specific objective consists in increasing the capacities of human resources in the cooperation between state institutions or foreign experts in order to conceive training curricula in the performance of functional tasks.

- Specific Objective 1.6: Establishment of an effective, transparent and objective system for evaluating the performance of inspectors.

The expected result for this specific objective consists in setting up internal structures for the criteria and evaluation of non-magistrate candidates and rules for evaluating the performance and performance results of inspectors.

Strategic Objective 2: Development of the process of verification, disciplinary investigation and inspection in accordance with the principles of disciplinary proceedings and international standards.

- Specific Objective 2.1: Establishing the basis for the proper interpretation and implementation of the legal framework related to the disciplinary responsibility of magistrates.

The expected result for this specific objective consists in drafting supporting documents for inspectors and ensuring the uniform implementation of legislation on the disciplinary responsibility of the magistrate.

- Specific Objective 2.2: Standardization/Unification of working methods and processes for handling complaints or conducting inspection and investigative activity.

The expected result for this specific objective consists in the adoption of rules for handling complaints.

- Specific Objective 2.3: Approximation of working methods/processes to International Standards for disciplinary investigation and inspection.

The expected result for this specific objective consists in the adoption of standard inspection rules in line with international standards.

- Specific Objective 2.4: Increasing the number of complaints handled within the legal deadlines.

The expected result for this specific objective consists in taking measures for handling complaints submitted by institutions before the transition period, as well

as taking internal organizational measures to increase the number of complaints handled progressively.

Strategic Objective 3: Active participation in inter-institutional coordination and cooperation processes.

- Specific Objective 3.1: Development of an effective, unified and systematic reporting system by all organizational units of the Office of the High Inspector of Justice for drafting, monitoring and reporting in the framework of cooperation with other institutions.

The expected result for this specific objective consists in determining the manner of follow-up and internal monitoring of reporting by reporting units.

- Specific Objective 3.2: Follow-up/implementation of the activities that the Cross-Sector Justice Strategy has foreseen for the Office of the High Inspector of Justice.

The expected result for this specific objective consists in the adoption of recommendations set out in the Cross-Sector Justice Strategy.

Strategic Objective 4: Increasing transparency and public access to the Institution of the High Inspector of Justice

- Specific Objective 4.1: Increasing public access through communication and cooperation with citizens.

The expected result for this specific objective consists in preparing a detailed form and guidelines for completing it so that the lodging of the complaint be clear and easy to fill out.

- Specific Objective 4.2: Development of information technology infrastructure and tools in order to cooperate with the public, as well as increase the transparency of the Office of the High Inspector of Justice.

The expected result for this specific objective consists in increasing the number of site visitors, through which it will cooperate with the public in simplifying communication.

- Specific Objective 4.3: Encouraging the public to actively use the mechanisms for denouncing corruption of inspectors.

The expected result for this specific objective consists in launching awareness public campaigns.

CHAPTER IV - FINANCIAL SOURCES

1. STATE BUDGET

The costing process is based on the consultation of national documents, including hereunder the Law no. 88/2019 "On the budget for 2020", as amended, the Medium Term Budget Program 2020-2022 and the Medium Term Budget Program 2021 - 2023, as well as consultations with the actors involved in the drafting of this strategic plan. It is intended that through this process financial overlaps in other strategic documents be avoided, and the action plan is accompanied by an analytical cost of each measure.

The distribution of financial resources that finance the activities of the action plan in implementation of this strategic plan will be provided according to the budget years for each, strategic objective and specific objective and activity.

The total estimated cost for the implementation of this strategic plan and action plan for 2020-2022 is 192 million and 570 thousand ALL.

The financing of the action plan of this strategic plan will be realized, from the state budget and from the financial support of the donor community which is expected to be realized, through agreements with the donors.

The action plan will be reviewed on an annual basis to adjust it to the progress of implementing the measures, but also to update it in line with the annual budget programming cycle. Regarding the measures of the action plan not yet financially covered, the responsible institutions will plan the needs for budget financing through the respective budget programs, as part of the planning process of the Medium Term Budget Program and the annual budget.

The High Inspector of Justice will with the donor community also identify the opportunities for financial support needed for those measures, which are not currently financially covered.

CHAPTER V - MONITORING AND REPORTING

1. MONITORING

The effective implementation of the Strategic Plan and Action Plan 2020-2022 of the Office of the High Inspector of Justice will be ensured through a monitoring and evaluation system related to the implementation of planned objectives, measures or activities. This process will make it possible to review objectives, measures or activities, as well as the allocation of financial resources.

The monitoring and evaluation process will be carried out by the structures of the Office of the High Inspector of Justice under the direction and supervision of the High Inspector of Justice through the continuous monitoring of the level of implementation of the strategic plan in accordance with the deadlines provided in the action; Periodic reporting on the level of

implementation of each activity/measure according to the field of activity of each organizational unit of the Office of the High Inspector of Justice; coordination of relevant activities and structures in case of delays or non-development of planned activities, as well as harmonization with other strategic documents and financial resources provided for the period 2020-2022.

The action plan, being part of this strategic document, will be subject to periodic annual review, a process which will be carried out with the contribution of all constituent structures of the institution, under the coordination of the General Directorate of Legal Affairs and Services to ensure a more realistic assessment of its implementation, as well as to reflect the changes and the progress of the activity of this institution towards the achievement of strategic and specific objectives foreseen in advance.

2. REPORTING

The Office of the High Inspector of Justice shall, within one month from the approval of the strategic plan and action plan, establish a reporting system, which will provide periodic information on the progress of implementation of activities.

Reporting on the implementation of the action plan will be performed on a periodic quarterly basis based on the reports of the structures (*organizational units*) of the Office of the High Inspector of Justice, in order to establish an effective, unified and systematic reporting system for all the organizational units involved in the implementation of the strategic plan and action plan.

ACTION PLAN 2020-2022

Strategic Objective 1: Strengthening and assuming the activity of OHJ in an independent, efficient and professional manner.									
<i>Specific Objective 1.1 Developing the infrastructure being necessary for the assumption of functions by the Office of the High Inspector of Justice through making available facilities, equipment and working conditions.</i>									
Foreseen Measures / Activities	Responsible structure	Implementation Timing	Budget/Cost (in thousand ALL) 2020		Budget/Cost (in thousand ALL) 2021		Budget/Cost (in thousand ALL) 2022		Qualitative/Quantitative Indicator
			MBP	Donnors	MBP	Donnors	MBP	Donnors	
Providing for the facilities (HIJD headquarters) necessary for assuming the functions and achievement of legal objectives	HIJ	August 2020 ongoing	1.184		8.124		8.124		1. Building 2. Sufficient number of offices for 93 employees 3 Office premises, meeting room
Reconstruction of internal premises for the provision of working premises for the entire number of employees, according to the structure and staff approved by the Albanian Parliament upon the Decision no. 28/2020.	Secretary General and DESHM	December 2021			20.000				Project implementation/ Completion of project implementation

Providing for special facilities with technical standards for the information technology development equipment (separate server room), in accordance with European standards	Secretary General DESHM/ IT Sector	December 2021			2.687			Project implementation/ Completion of project implementation, by setting up the server room. Setting up a server room consisting of network infrastructure (Rack, patch panels, switches, routers, unify), access control to restrict the entrances of persons, technological floor or constant temperature solution, fire protection system and backup electrical power supply system (CENTRAL UPS), Server for Webmail, Webserver as well as Server for Active Directory, and Server for complaint management setting up telephone exchange for internal telephone communication
Development of a system for connection to the “Government Gate” network that enables access to the IT Systems of justice institutions, HJC/HJC necessary for the work of HIJ.	Secretary General DESHM/ IT Sector	December 2021			1.109			Installation of equipment (firewall, routers, VPN installation, etc.) that enables a more secure communication with the IT systems of the Justice System Institutions
Equipping employees with the logistical items being necessary to perform the functions defined by	Secretary General	December 2020 March 2021 March 2022	6.911		32.000		2.000	Digital equipment such as PC, UPS, printers, scanners, photocopiers, as well as office equipment and furniture for recruited employees

law.									
Planning the necessary logistical basis for performing the functions defined by law, for the total number of employees approved according to the structure and staff approved by the Albanian Parliament upon the Decision no. 28/2020	Secretary General	December 2020 March 2021 March 2022	3.833		19.526		6.876		% of operating expenditure budget dedicated to providing the necessary logistics for the recruited staff through the purchase of materials and services necessary for the performance of functions
<i>Specific Objective 1.2 Ensuring the financial and administrative autonomy of the Office of the High Inspector of Justice.</i>									
Filling out the vacancies in the Institution	Secretary General and Human Resources Unit	2020-2021	2.179		1.597				Number of employees recruited according to the structure
Drafting budget requests	Secretary General and DESHM	2020/2021/2022	1.159		2.293		2.293		% of requests included in the approved MTBP
<i>Specific Objective 1.3 Improving the management and internal organizational communication of the administration of the Office of the High Inspector of Justice.</i>									
Completion of job descriptions, for all positions.	DGLIS, in cooperation with all constituent structures of the Office of the High Inspector of Justice	December 2020	274						Number of job descriptions
Drafting the regulation for the	DGLIS in cooperation	December 2020	6.122						Issuing the order approving the Regulation

organization and functioning of the Office of the High Inspector of Justice	with the Inspectors Unit								
Identification of administrative documents issued by HIJ.	DGLIS	September 2020	119						Issuing the order identifying the documents
Drafting the regulation of roles and use of the system	DGLIS	2020-2021	5.280		5.280				Issuing the order approving the Regulation of the system users
<i>Specific Objective 1.4 Development of an electronic information technology system for the Office of the High Inspector of Justice.</i>									
Drafting the project/terms of reference of the case management system	Secretary General in cooperation with all foreign structures and experts.	2021			938				Designing the project Implementing the project
Equipping with specific documentation management software	Secretary General in cooperation with ICT, and NAIS.	2021							Piloting the software Installing the software
Specific trainings for the system users		2021							Number of performed trainings job descriptions
<i>Specific Objective 1.5 Expanding the professional knowledge and skills of inspectors and civil servants, so that each of them, in the respective position, can efficiently fulfil its functional duties.</i>									
Cooperation with ASPA, the School of Magistrates and foreign experts to provide training	DGLIS in cooperation with the Sector of human resources	Ongoing	26		26		26		Planning and formalization of requests for cooperation

Capacity building through job-specific training	ASPA, School of Magistrates and foreign experts	2021							Number of trainings for each sector
Conception of training terms in collaboration with the School of Magistrates and foreign experts.	School of Magistrates and foreign experts	Ongoing	26		26		26		Drafting the curricula for each training
<i>Specific Objective 1.6: Establishment of an effective, transparent and objective system for evaluating the performance of inspectors.</i>									
Establishment of the Appointment and Performance Evaluation Committee	HIJ	March 2020	243						Number of evaluated inspectors
Drafting rules for the criteria of evaluation, scoring and ranking non-magistrate candidates	HIJ	March 2020	243						Drafting act for determining the criteria of evaluation, scoring and ranking non-magistrate candidates
Drafting the regulation for the evaluation of inspectors	HIJ	March 2021	1.885		5.655				Approval of regulation
Strategic Objective 2: Development of the process of verification, disciplinary investigation and inspection in accordance with the principles of disciplinary proceedings and international standards.									
<i>Specific Objective 2.1: Establishing the basis for the proper interpretation and implementation of the legal framework related to the activity of disciplinary responsibility of magistrates.</i>									
Foreseen Measures / Activities	Responsible structure	Timing	Budget/Cost (in thousand ALL) 2020		Budget/Cost (in thousand ALL) 2021		Budget/Cost (in thousand ALL) 2022		Qualitative/Quantitative Indicator
			MBP	Donors	MBP	Donors	MBP	Donors	

Drafting the disciplinary investigation manual which includes the commentary of the laws that regulate the activity of the High Inspector of Justice	DGLIS, in cooperation with inspectors, assistant inspectors, with the assistance of EURALIUS V mission experts	2021	26						Drafting the act for the annual approval
<i>Specific Objective 2.2: Standardization/Unification of working methods and processes for handling complaints or conducting inspection and investigative activity.</i>									
Drafting the regulation for the treatment of complaints	DGLIS in cooperation with the inspectors and foreign assistance	January 2021	5.098		1.020				Drafting the act for the approval of the procedural rules for handling the complaints
Development of inspection methodology	DGLIS in cooperation with the inspectors and foreign assistance	2021			6.118				Drafting the act for the approval of inspection methodology
<i>Specific Objective 2.3 Approximation of working methods/processes to International Standards for disciplinary investigation and inspection.</i>									
Analysis of legal provisions in relation to international standards	DGLIS	Ongoing	878		878		878		Identification of standards
Addressing the need for legal amendments	DGLIS	Ongoing	2.634		2.634		2.634		Identification of acts due to be amended
<i>Specific Objective 2.4 Increase the number of complaints handled in accordance with legal deadlines</i>									
Establishment of working groups for the identification and	DGLIS and the unit of inspectors and	December 2020	579						Approval of the Order "On the establishment of the working group"

categorization of complaints received by other institutions, according to the scope	assistant inspectors								
Drafting bylaws for special treatment of complaints received by other institutions	DGLIS and the unit of inspectors and assistant inspectors	December 2020	234						Approval of the Order "On determining the rules for handling complaints"
Examining the complaints with priority depending on the findings of working groups for the identification and categorization of complaints received by other institutions, according to the scope	Unit of inspectors and assistant inspectors	March 2021	6.072		4.048				Monthly handling of 20% of complaints

Strategic Objective 3: Active participation in inter-institutional coordination and development of cooperation processes.

Specific Objective 3.1: Development of an effective, unified and systematic reporting system by all organizational units of the Office of the High Inspector of Justice for drafting, monitoring and reporting in the context of strategic planning processes.

Foreseen Measures / Activities	Responsible structure	Timing	Budget/Cost (in thousand ALL) 2020		Budget/Cost (in thousand ALL) 2021		Budget/Cost (in thousand ALL) 2022		Qualitative/Quantitative Indicator
			MBP	Donors	MBP	Donors	MBP	Donors	
Identification of reports where to the Office of the High Inspector of Justice contributes	DGLIS	Ongoing	139		139		139		Number of reports performed by HIJ for foreign and domestic institutions

Coordination within the structures of the Office of the High Inspector of Justice according to the deadlines set for reporting	DGLIS in cooperation with all other structures of HIJ	Ongoing	191		191		191		Number of reports
Following the implementation of the recommendations of domestic and international institutions according to the relevant reports	DGLIS	Ongoing	14		14		14		Implemented recommendations
<i>Specific Objective 3.2: Follow-up/implementation of the activities that the Cross-Sector Justice Strategy has foreseen for the Office of the High Inspector of Justice.</i>									
Identification of financial resources for the implementation of activities	DESHM and foreign assistance + MoJ	Ongoing	207		347		347		Way of financing
Implementation of activities according to the set deadlines	DGLIS	Ongoing							Number of activities
Strategic Objective 4: Increasing transparency and public access to the activity of the Office of the High Inspector of Justice									
<i>Specific Objective 4.1: Increasing public access through communication and cooperation with citizens.</i>									
Foreseen Measures / Activities	Responsible structure	Timing	Budget/Cost (in thousand ALL) 2020		Budget/Cost (in thousand ALL) 2021		Budget/Cost (in thousand ALL) 2022		Qualitative/Quantitative Indicator
			MBP	Donors	MBP	Donors	MBP	Donors	
Drafting and publishing the model of the complaint form	DGLIS	September 2020	199						Clear definition of the elements that the Complaint Form should contain

and the guide								
Providing infrastructure facilities to set up a reception unit for the public	DGLIS	March 2021						Evaluation survey
Provide the necessary assistance regarding possible meetings and provide advice on completing the form	DGLIS	Ongoing	546		546		546	Evaluation survey
Provide simplified information (reports, statistics generated by the system) on the website for								Number of reports published on the website
Publication of inspection results and decisions taken in accordance with the provisions of the law, in a simplified language for the public								
Providing training to those responsible for public reception	DGLIS and Human Resources sector	December 2020	11					Number of trainings and persons to be trained
<i>Specific Objective 4.2: Development of information technology infrastructure and tools in order to cooperate with the public, as well as transparency of the Office of the High Inspector of Justice.</i>								
Re-framing the 'design' of the official website for facilitating and accessibility of obtaining information.	IT Sector	December 2020	120					Number of people visiting the official HIJ website

Publication of information on the functioning of HIJ in the framework of transparency	IT Sector and DGLSI	Ongoing	1.183		1.133		1.133	No. of published documents
Creating conditions (development of the portal on the HIJ Web site) for completing complaints in electronic form (on-line) and uploading the accompanying documentation Development of public announcements on the portal	IT and DGLSI	September 2020	1.133		1.133		1.133	No of online complaints
<i>Specific Objective 4.3: Encourage the public to actively use mechanisms to flag suspected acts or practices of corruption</i>								
Raising public awareness to flag the corrupt actions or practices of the High Inspector of Justice	Secretary General	October 2021						Awareness campaign

Annex

Risk Evaluation

The matrix below presents the risk assessment in the implementation of the strategy in case of failure to achieve the objectives, including an assessment of the probability of occurrence of the risk, the potential impact of the risk and the proposal for mitigation actions to avoid the occurrence of risk or mitigate it if/when it occurs.

Risk description	Level of risk assessment	Potential Impact	Mitigation actions
Legend of risk assessment	Without color Low risk	Medium risk	High risk
I. Risk Policies			
a) Negative public perception in the justice system	High	Medium	<ul style="list-style-type: none"> • Increasing public access through communication and cooperation with citizens. • Development of information technology infrastructure and tools in order to cooperate with the public, as well as transparency of the Office of the High Inspector of Justice. • Encourage the public to actively use mechanisms to flag suspected acts or practices of corruption
II. Risk of inter-institutional cooperation			
b) Lack of inter-institutional cooperation	Medium / High	Medium	<ul style="list-style-type: none"> • Implementation of the activities that the Cross-Sector Justice Strategy has foreseen for the Office of the High Inspector of

			<p>Justice.</p> <ul style="list-style-type: none"> • Drafting Cooperation Agreements with Justice System Institutions and Other Institutions with a Role in the Verification Process
c) Lack of ITC establishment in the Justice system	High	Medium	Establishment of the case management system in the HIJ;
III. Institutional risk			
d) Reduced number of magistrates in the system.	High	High	<ul style="list-style-type: none"> • Cooperation with the HJC and the judicial system to expedite the process • If not enough, promoting legal initiatives to ensure the process is accelerated
e) Procrastination of proceedings.	High	High	<ul style="list-style-type: none"> • Development of IT case management systems related to the e-justice platform • Capacity building to work with performance management systems
f) Ambiguities in following the legal procedures;	Medium	High	<ul style="list-style-type: none"> • Issuance of bylaws to guarantee the understanding and uniform application of the law. • Approximation of working methods/processes to International Standards for disciplinary investigation and inspection. • Development of a new statistical reporting system.
IV. Risk from lack of financial and human resources			

a) Lack of financial resources from the Ministry of Finance and donors	Medium	Medium	<ul style="list-style-type: none"> • Planning the needs for budget financing through relevant budget programs, as part of the planning process of the Medium Term Budget Program and the annual budget. • While lacking the financial resources, the identification, along with the donor community, of the opportunities for financial support needed for those measures, which are not currently financially covered.
b) Lack of qualified personnel resources.	Medium	Medium/High	<ul style="list-style-type: none"> • Training programs for all staff on European methods and approaches to HIJ performance.
c) Lack of financial resources for office space.	Medium	Medium/High	<ul style="list-style-type: none"> • Planning the needs for budget financing through relevant budget programs, as part of the planning process of the Medium Term Budget Program and the annual budget. While lacking the financial resources, the identification, along with the donor community, of the opportunities for financial support needed for those measures, which are not currently financially covered.

The risk assessment will be reviewed and updated annually as part of the work in an annual report and the measures will be reviewed when necessary.