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№. Прот. 3731
Дд: 30. 09. 2021

MEMORANDUM OF UNDERSTANDING

between

The Office of High Inspector of Justice of the Republic of Albania

and

Inspectorate to the Supreme Judicial Council of the Republic of Bulgaria

The Office of High Inspector of Justice of the Republic of Albania represented by the High Inspector of Justice Mr. Artur Metani and the Inspectorate to the Supreme Judicial Council of the Republic of Bulgaria, represented by High Inspector Ms. Toedora Tochkova, hereinafter referred to as the “participants”,

- Wishing to improve bilateral co-operation in exchanging practices for disciplinary investigations and inspections, and in matters of mutual interest;
- In respect of the mission and principles that guide the activity of each participant;
- Considering that in the field of mutual relations there is a common interest in guaranteeing the functioning of the rule of law, guaranteeing the independence of the justice system, guaranteeing the right to a fair legal process and protecting the public interest.

Have agreed as follows:

Article 1

Purpose

Within the framework of their jurisdiction and in accordance with the legislation of their countries, the participants shall strengthen inter-institutional relations and exchange best practices regarding the procedures of verification of complaints, investigation of disciplinary misconducts, initiation of disciplinary proceedings against magistrates and for institutional and thematic inspections.

Article 2

Objectives

With the aim of implementing this Memorandum of Understanding, the participants shall cooperate in the following manner:

- By exchanging practices and experiences related to disciplinary investigation of magistrates, as well as institutional and thematic inspections;
- By exchanging information on the legal system and legislation in the field of disciplinary proceedings against magistrates, as well as legislative activities relevant to the implementation of this Memorandum of Understanding, law enforcement measures in the areas of their jurisdiction and their international experience;
- By providing advice on best international practices and standards applicable during the disciplinary investigations, including the jurisprudence of the European Court of Human Rights;
- By exchanging experiences on the methodology of conducting thematic and institutional inspections and standardization of inspection procedures;
- By exchanging experiences on means of communication with the public in order to guarantee the principle of transparency and protection of personal data and integrity of magistrates;
- By strengthening the knowledge, experience and capacities of the Participants, through the organization of study and working visits, meetings on issues of common interest or joint training activities.

Article 3

Form of cooperation

Participants maintain contacts and professional relations between them, to update experiences and to exchange information and data on the legislation of the respective countries, which is especially related to the exchange of texts of laws and bylaws, analytical materials, statistics and inspection reports.

Article 4

Coordination between participants

1. To facilitate cooperation and exchange of information under this Memorandum of Understanding, participants authorize contact persons, and all communications are made between them, unless otherwise agreed.
2. The contact persons continuously inform the participants about the implementation of this Memorandum of Understanding.
3. The communication will be performed in written form or through electronic means of communication at the following addresses:

The Office of High Inspector of Justice of the Republic of Albania

Address: Bulevardi "Dëshmorët e Kombit", Godina nr.13, Tiranë, Shqipëri

Email: isida.koka@ild.al

Inspectorate to the Supreme Judicial Council of the Republic of Bulgaria

Address: гр. София, ул. "Георг Вашингтон" №17

Email: ivss@inspectoratvss.bg

Article 5

Expenses

1. In cases when the fulfilment of the requirements of this Memorandum of Understanding is accompanied by financial costs, the participants are committed to undertake them respectively, in accordance with the applicable legislation, within the possibilities and budgetary funds available to the participants.
2. The participants shall not claim reimbursement of expenses arising from the implementation of this Memorandum of Understanding, unless it is mutually otherwise specified in each specific case.

Article 6

Amendment

This Memorandum of Understanding may be amended at any time by mutual written consent of the participants. Any amendment to this Memorandum of Understanding is only valid if made in writing and signed by both participants.

Article 7

Waiver of rights

This Memorandum of Understanding does not create for the participants rights and obligations binding under public international law nor does it affect the rights or obligations arising from the relevant international agreements to which the Republic of Albania and the Republic of Bulgaria are parties.

Article 8

Dispute resolution

Disputes or ambiguities that may arise within the implementation of this Memorandum of Understanding are resolved amicably by the participants.

Article 9
Entry into force

1. This Memorandum of Understanding shall enter into force upon the date of its signature for an indefinite time period.
2. Either participant may terminate this Memorandum of Understanding by providing a written notice to the other participant. In such event, this Memorandum of Understanding shall cease to be in force three months after the date on which the other participant has received notice of termination.

Article 10
Language and signature

1. This Memorandum of Understanding is drafted in Albanian, Bulgarian and English and is signed in two identical copies in each language.
2. In case of difference in interpretation, the English text shall prevail.

Signed on Tirana, dated, 30.09.2021

Artur Metani

**High Inspector of Justice of the
Republic of Albania**



Toedora Tochkova

**High Inspector of the Inspectorate to
the Supreme Judicial Council of the
Republic of Bulgaria**