

# High Inspector of Justice

## NEWSLETTER

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**ILD**  
INSPEKTORI I LARTË  
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**HIGH INSPECTOR OF  
JUSTICE**



### **MESSAGE OF THE HIGH INSPECTOR OF JUSTICE, MR. ARTUR METANI, ON THE 2<sup>ND</sup> ANNIVERSARY OF THE ESTABLISHMENT OF HIJ**

The 1<sup>st</sup> of February marks two years since the establishment of the Office of the High Inspector of Justice.

These have been two years with daily efforts to establish a public institution and set bureaucratic, democratic standards of its functioning, to establish the best practices of communication, transparency and access of citizens.

At the same time, these two years, despite the lack of human resources, have shown increasing dynamics in the process of the verification of complaints and the establishment of standards of inspection of the work of judges and prosecutors.

The number and the standards of the disciplinary proceedings conducted, the increased number of the verification of citizens' complaints, the







transparency of decision-making and HIJ institutional life, are already established working standards of the HIJ. For the HIJ, the vision to find a balance between the respect for the independence of magistrates and the public interest in the administration of justice remains unchanged.

The culture of impunity is a standard that cannot be set in one year or two, but day after day with the establishment of solid professional practices, whose aim is to replace it with a new culture, that of the professional and moral integrity of magistrates.

It is about time that the culture of professional and moral integrity within the judicial system replaces the interests against justice. *It is not easy, but it is not impossible either.*

## DISCIPLINARY PROCEDURE IN 2 YEARS OF WORK AT THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE

In 2 years of work, 1 February 2020 - 1 February 2022 :

-  22 disciplinary proceedings submitted to the HJC and HPC by the High Inspector of Justice: specifically, 15 judges and 7 prosecutors;
-  HIJ has submitted 12 requests for the disciplinary measure "dismissal" in both Councils. Of these, 8 were accepted (5 judges and 3 prosecutors); 2 have been closed without a decision by the HJC and 2 are in process in the respective Councils;
-  HIJ has submitted 1 request for the disciplinary measure "suspension from office", which has been accepted;
-  HIJ has requested 5 disciplinary measures "salary reduction", of which 2 have been partially accepted and 3 others are in process;
-  HIJ has requested 4 disciplinary measures "public reprimand", of which 1 has been accepted, 1 has been refused and two others are in process;
-  Of the ongoing proceedings, 4 are suspended by the HJC, pending the decision of the AC.

### HOW WE HAVE PROCEED WITH COMPLAINTS THESE 2 YEARS


Since the beginning of its work, the Office of the High Inspector of Justice has paid a lot of attention in handling the stock of files with complaints against judges and prosecutors inherited from other institutions.

This considerable archival fund consists of untreated complaints, complaints handled in part or in the initial stages of their review, as well as cases partially or incompletely investigated by previous bodies, such as the Inspectorate of the High Council of Justice, Ministry of Justice, the

High Council of Justice, the General Prosecutor, the High Judicial Council, or the High Council of the Prosecution. The procedures followed by the previous bodies for the treatment of these documentary practices, due to the limited and divided competencies between different bodies during the transitional period, turn out to have been incompletely and partially developed.

The Office of the High Inspector of Justice works according to a methodology, focusing on priorities, avoiding the culture of

impunity, and forgetfulness. Complaints or documentary practices are treated according to a priority order based on criteria such as date of submission, stage of treatment by previous bodies, typology or urgency of handling the complaint, respect for the principle of equality and objectivity, as well as the necessary time required to review and evaluate each documentary practice. Attention is also paid to the denunciations that have come to HIJ since February 1, 2020, when the institution is established.



**Did you know?**

**#HIJ 2 years**  
22 disciplinary proceedings  
15 judges+7 prosecutors

- **12 requests for dismissal**  
8 accepted  
2 closed by HJC without decision  
1 suspended (waiting for the Appeal Chamber decision)  
1 in process
- **1 request for suspension**  
accepted
- **5 requests for salary reduction**  
2 partial acceptance  
3 in process (waiting for the Appeal Chamber decision)
- **4 requests for public reprimand**  
1 accepted  
1 rejected  
2 in process

**Did you know?**

**#HIJ 2 years**  
1 February 2020 - 1 February 2022

- **4333 Confirmed complaints**
- **1554 Processed Complaints**
- **2779 Complaints in the review process**
- **137 Complaints in the verification process after the initial review**
- **41 Decisions to initiate disciplinary investigation**

### COMPLAINTS IN FIGURES FEBRUARY 1, 2020 - FEBRUARY 1, 2022

- ⇒ **Confirmed complaints**
- ⇒ **1554 Handled Complaints**
- ⇒ **2779 Complaints in the process of treatment**
- ⇒ **137 Complaints in the verification process**
- ⇒ **41 Disciplinary Investigations**

### TYPES OF DISCIPLINARY MEASURES ACCORDING TO THE LAW, FROM EASIEST TO THE MOST SEVERE

- ⇒ **Confidential remarks;**
- ⇒ **Public remarks;**
- ⇒ **Temporary salary reduction;**
- ⇒ **Demotion from a position of a higher level to a lower one, or from a higher court / prosecution office to a lower one;**
- ⇒ **Suspension from office;**
- ⇒ **Dismissal from office.**

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## COMPLAINT PROCESS AT HIJ

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The Office of the High Inspector of Justice continues with intensive work to confirm the complaints carried and those administered since February 1, 2020, when it was established as an institution. To facilitate this process for interested persons, HIJ has published on the official website a special complaint form, which:

- ◆ can be completed directly and submitted online;
- ◆ can be downloaded, completed and sent by email to [info@ild.al](mailto:info@ild.al)
- ◆ or by mail at the address Boulevard "Dëshmorët e Kombit", Building no.13, Tirana.
- ◆ It can also be completed by presenting at the Office of the High Inspector of Justice, if necessary, to ask for assistance of the team of the Complaints Office.



Upon receipt of the complaint, the High Inspector of Justice within 5 days confirms in writing its receipt. The criteria for the admissibility of the complaint are published on the official website of HIJ [www.ild.al](http://www.ild.al), in the section "How to receive complaints".

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***"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."***

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## STATISTICS

During **February**, the Office of High Inspector of Justice received **79 complaints**, made by citizens and institutions.

*This total figure resulted in:*

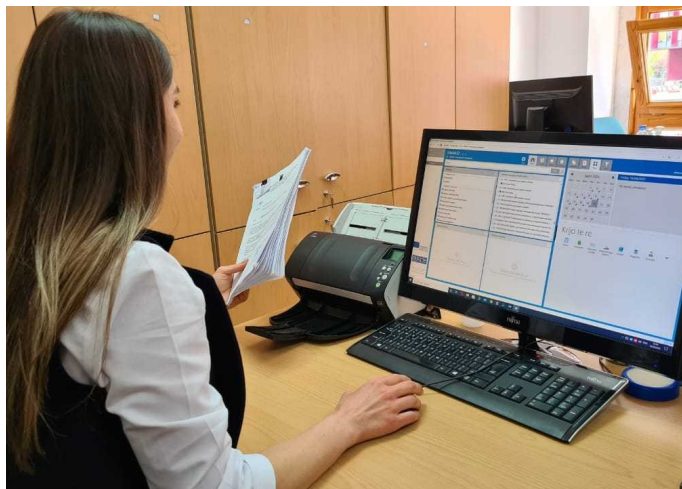
**70 ankesa** filed by citizens;

**9 ankesa** filed by institutions;

**28 phone calls** with citizens, who asked information about the stage of their complaints or asked for assistance in how to complete the Form of the Complaint;

**9 meetings** with citizens.

The High Inspector of Justice Office has performed the standard confirmation process of receiving complaints for all the new complaints submitted during February, 2022. Complaints against judges and prosecutors are referred to the inspectors and they are at different stages of the process such as the initial consideration, verification and the archiving together with relevant decisions.



## FEBRUARY OF HIJ IN NUMBERS

- ⇒ **109 archived decisions**, of which:
- ⇒ **78 decisions** after the initial review ,
- ⇒ **10 archived decisions** after verification (HIJ),
- ⇒ **21 archived decisions** after verification from backlog from ex HCJ ;
- ⇒ **17 verification** decisions;
- ⇒ **1 decision** to initiate a disciplinary investigation ;
- ⇒ **1 requests for disciplinary proceedings** to High Prosecutorial Council (HPC).



### COMPLAINT SECTOR AT HIJ

Communication with citizens is part of the daily work of the High Inspector of Justice.

The HIJ Complaint Sector is responsible for guaranteeing the right of citizens to information and transparency to the public. This Sector monitors the complaints traceability in the system and provides answers to complainants on their complaint stage.

As part of the transparency program, in order to increase the communication with the interested citizens, the High Inspector of Justice Office in addition to the official address and the official Web, has made available the telephone number +355 4 2217217



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## HIGH INSPECTOR OF JUSTICE ON A WORKING VISIT TO ROMANIA

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High Inspector of Justice Artur Metani started a working visit in Bucharest, invited by Mr. Lucian Netejoru, head of the Judicial Inspectorate of Romania, as part of co-operation launched last November with the European Network Justice Inspection Services.

Mr. Metani met with the Minister of Justice of Romania, Mr. Cătălin Predoiu, with whom he talked about the progress of justice reform in Albania, a similar challenge for both countries, as justice reform was an important condition for Romania's membership in the European Union 15 years ago.

The High Inspector of Justice praised the role of Romania in supporting the opening of Albania's accession negotiations with EU, while holding the rotating presidency of the European Union, and said that Romania's contribution with its experience in justice reform within the EU membership process, would be valuable for Albania.

Mr. Metani also talked about issues of justice reform and the Romanian experience during a meeting with the chairwoman of the Romanian Senate Committee on Legal Affairs, Mrs. Laura-Iuliana Scânte.



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## HIJ TO EXCHANGE WORK PRACTICES WITH ROMANIAN COUNTERPARTS ON DISCIPLINARY INSPECTION AND INVESTIGATION

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High Inspector of Justice Artur Metani signed on 8 February a Memorandum of Understanding with the head of the Judicial Inspectorate of Romania, Mr. Lucian Netejoru, regarding the strengthening of cooperation in the field of improving the administration of justice.

The two senior leaders underlined the joint interest in guaranteeing the functioning of the rule of law, guaranteeing the independence of the justice system, the right to a fair trial and the protection of the public interest based on the mission and principles that guide the activity of the respective institutions.

The ceremony was attended by the Ambassador of the Republic of Albania in Romania, Mr. Ilir Tepelena, inspectors and cabinet members of the High Inspector of Justice Office and the Judicial Inspectorate of Romania.

The Memorandum between the High Inspector of Justice Office of the Republic of Albania and the Judicial Inspectorate of the Republic of Romania aims at strengthening the inter-institutional relations and exchange of best practices regarding

the procedures for verifying complaints, the investigations of disciplinary violations, the initiations of disciplinary proceedings against judges and prosecutors as well as the institutional and thematic inspections.

In response to the interest of the Romanian news agency AGERPRES, High Inspector of Justice Metani said that this working visit is to learn from the Romanian experience, from the lessons learned from Romania in trying to build a fair and a just system of justice as part of the tasks to become an EU member state, which is a challenge for Albania as well.

“This is a real contribution from the Romanian Inspector of Justice towards the Albanian Inspector of Justice in trying to exchange best practices when it comes to the investigation and monitoring of the work of judges and prosecutors and also to exchange experiences and also to exchange inspectors. People from Albania will come and visit Romanian inspectors every now and then but also inspectors from Romania will come to Albania. We will organize joint conferences; we will

publish joint books, texts and materials that are important for the work of judges and prosecutors in Romania and also in Albania and these are real contributions towards the improvement of the work of both inspectorates and definitely it results in best performance towards the monitoring of the work of judges and prosecutors.” said Mr. Metani.

While the head of the Judicial Inspectorate of Romania recalled his last year visit together with colleagues from France, Italy and Portugal, members of the European Network of Judicial Inspection Services, established in 2017, which was organized by the Council of Europe at the initiative of Romania.



“During that visit, whose aim was to assess the fulfillment of the conditions for the membership of the Inspectorate of Justice of Albania in our network, we discovered, both my colleagues from other countries and I, the achievements and the current extraordinary status of the Inspectorate of Justice in Albania. We realized that there are a lot of similarities between the legislations and also in practice between the High Inspector of Justice Office and the Judicial Inspectorate in Romania and this, from the beginning, built bridges of this cooperation whose cornerstone we are setting today. It is necessary, and all other countries agreed, to cooperate closely with the Inspectorate of Justice in Albania, in the framework of the process of support we give to the process of Albania’s membership in the European Union “, said Lucian Netejoru.

Mr. Metani and Mr. Neteroju underlined that the study visits and the exchange of experience will be the main tools for the realization of this communication, which was formalized with the signing of the memorandum of understanding between the two inspectorates of justice.

During mid-morning, High Inspector of Justice Artur Metani had a work meeting with the Chairman of the High Council of Magistrates, Judge Bogdan Mihai Mateescu.



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## INTERVIEW OF THE HIJ, MR. ARTUR METANI FOR THE ROMANIAN STATE NEWS AGENCY AGERPRES

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The High Inspector of Justice gave an interview to Agerpres on February 8, 2022 during his visit to Romania.



### INTERVIEW

#### **High Inspector of Justice Mr. Artur Metani:**

I am very happy to start my official visit in Romania for two reasons. First of all Romania has always shown great support for Albania in particular during the efforts of Albania to declare its independence at the beginning of last century and Romania has been a strong actor to support Albania in these efforts diplomatically, politically and we appreciate such a role and we have a sentiment towards the Romanian state in Albania. The second reason is that Romania has undertaken such a huge reform in the judicial system, in the justice sector and we have also undertaken such a huge reform in Albania and we have come to Romania with the aim to learn from lessons that Romania has learned, to learn from the Romanian experience and from the Romanian experience in the efforts to build a fair and a just system of justice.

**Journalist: How do you think this protocol will improve your activity?**

#### **High Inspector of Justice Artur Metani:**

The protocol is one of the aspects of our visit. I have met with people in the Parliament, people in the Senate, we met with the Minister of Justice and [Click to watch the full interview.](#)

I would like to thank for such a visit Mr. Netejoru for organizing such a great visit to meet all the actors that are important in the efforts of Romania for the success of the justice reform and in the efforts to do such a consultation to learn from the lesson learned from Romania we are signing such a Memorandum of Understanding.

We think and this is a real concrete contribution from the Romanian Inspector of Justice towards the Albanian Inspector of Justice in trying to exchange best practices when it comes to the investigation and monitoring of the work of judges and prosecutors and also to exchange experiences and also to exchange inspectors.

People from Albania will come and visit the Romanian inspectors every now and then but also inspectors from Romania will come to Albania. We will organize joint conferences; we will publish joint books, texts and materials that are important for the work of judges and prosecutors in Romania and also in Albania and these are real contributions towards the improvement of the work of both inspectorates and definitely it results in best performance towards the monitoring of the work of judges and prosecutors.





## HIJ INSPECTORS EXPERIENCE EXCHANGE WITH ROMANIAN COUNTERPARTS

During the working visit of High Inspector of Justice Metani in Bucharest, the accompanying delegation – inspectors and cabinet members, are taking part in several experience exchange sessions with Romanian inspectors, judges and prosecutors in the premises of the Judicial Inspectorate of the Republic of Romania.



Thematic inspections and disciplinary investigations against judges and prosecutors, in all their stages, best working practices, relevant legislation and the challenges of this process were the focus of the communication between Albanian and Romanian counterparts.



The Memorandum of Understanding signed during this visit by High Inspector of Justice Metani and the Romanian counterpart Netejoru envisages joint projects and study visits as well as exchange of experience and information on best practices for the successful performance of the justice inspectorates in Albania and Romania.





## HIGH INSPECTOR OF JUSTICE HAS WORK MEETINGS IN JUSTICE INSTITUTIONS IN ROMANIA

High Inspector of Justice Mr. Artur Metani, during his working visit to Bucharest, had a series of meetings in the Romanian justice institutions, to get acquainted with the Romanian experience on justice reform, as a similar development in both countries, aimed at reforming the judiciary and boosting the fight against corruption, a process launched earlier in Romania related to its membership in the European Union.

In a meeting with members of the Constitutional Court – Judge Mrs. Mona-Maria Pivniceru, Judge Mr. Cristian Deliorga and Judge Mr. Gheorghe Stan, High Inspector Mr. Metani discussed the changes which justice reform brought about in Romania and Albania, the role of inspections and disciplinary investigations in both countries as well as domestic and European constitutional legislative practice regarding disciplinary measures against magistrates.

The implementation of the justice reform in Romania and the role of the magistrates in the new configuration were the focus of the conversation of the High Inspector Mr. Metani with the President of the High Judicial Council, Judge Mr. Bogdan Mihai Mateescu and later with the



Director of the National Institute of Magistrates, Judge Mrs. Cristina Rotaru-Radu. Mr. Metani exchanged views on justice reform and its effects on the system and the rule of law, with the chairwoman of the Romanian Senate Committee on Legal Affairs, Mrs. Laura-Iuliana Scântei and the chairwoman of the Legal Issues and Immunities Committee in the Chamber of Deputies, Mrs. Laura-Cătălina Vicol-Ciorbă. Mr. Metani also met with Prosecutor General Mrs. Gabriela Scutea, while earlier met with the Minister of Justice Mr. Cătălin Predoiu.





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## HIGH INSPECTOR OF JUSTICE WORK MEETING WITH CIVIL SOCIETY ORGANIZATIONS

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High Inspector of Justice, Mr. Artur Metani held a work meeting with leaders of the civil society organizations, which monitor the implementation of justice reform, so as to take steps towards an ongoing cooperation to monitor the work of the HIJ Office, as well as providing experience and opinions regarding the work progress and challenges of the High Inspector of Justice.

Mrs. Erida Skëndaj from the Albanian Helsinki Committee; Mr. Afrim Krasniqi from the Institute of Political Studies; Mr. Ardian Dhima from the Institute for Political and Legal Studies; Mr. Ardian Hackaj from the Institute for Cooperation and Development and Ms. Inna Xhepa from the European Center participated in the meeting.

In his speech, the High Inspector of Justice noted that he considers civil society organizations as a very strong monitoring mechanism of the institutions' work, especially of the HIJ, which was tested by obtaining opinions while drafting the Strategic Plan as well as the Action Plan of the institution. Mr. Metani said that he intends to continue this

experience through the creation of a continuous cooperation mechanism to monitor the work of HIJ, under the vision that transparency of decision-making and access to HIJ are a very important dimension of the work of the institution in a democratic society.



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## HPC REJECTS HIGH INSPECTOR OF JUSTICE REQUEST FOR DISCIPLINARY PROCEEDING AGAINST MAGISTRATES F.G. AND M.L.

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The High Prosecutorial Council did not accept today the request of the High Inspector of Justice for disciplinary proceedings against magistrates F.G., Prosecutor of the Prosecution Office at Lezha Judicial District Court and M.L., when working as a Chief Prosecutor of the Prosecution Office at Lezha Judicial District Court.

Chairman Gent Ibrahim said that the High Prosecutorial Council decided to reject the HIJ proposal for imposing the disciplinary measure “public reprimand”, against the magistrates F.G. and M.L.

The disciplinary investigation of the High Inspector of Justice started on the basis of the information presented in media, regarding the tragic event of 28.09.2021, occurred in Lezha, where as a result of actions committed by the citizen AR, the police officer S.H. lost his life.

HIJ, in his report submitted to the High Prosecutorial Council, concluded that the actions and omissions of F.G. during the course of the investigation of the citizen A.R., are non-fulfillment of legal requirements of a prosecutor who has been given the

constitutional attribute to exercise the duty to prosecute and control the preliminary investigations, in order to send the case to court, in compliance with the legal procedural deadlines. According to the investigative report, prosecutor ML, without acceptable reasons has allowed in this criminal case, the non-implementation of the mandatory Instruction of the Prosecutor General, leading to confusion about the submission deadline of acts by the prosecutor of the case and the subsequent chain of the administrative functioning in the Prosecutor’s Office for the transfer of acts to the court.

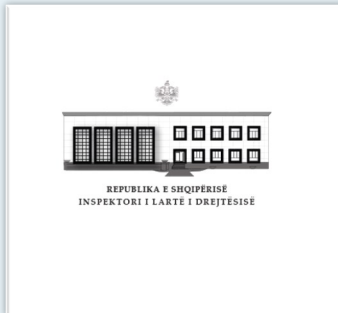
According to the conclusion of the investigative report of the High Inspector of Justice, the actions / inactions taken by the magistrates F.G. and M.L., constitute a minor disciplinary violation, pursuant to article 102, paragraph 1, letter “I” of law no. 96/2016 and based on this provision HIJ requested the HPC to impose the disciplinary measure “Public reprimand” for both magistrates, a request that was rejected by the High Prosecutorial Council.

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 [Inspektori i Lartë i Drejtësisë](https://www.youtube.com/Inspektori%20i%20Lart%C3%AB%20i%20Drejt%C3%ABs%C3%ABs%C3%AB)



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Prezantimi i Inspektorit të Lartë të Drejtësisë  
[youtube.com](https://www.youtube.com)

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