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INSPEKTORI I LARTË
I DREJTËSISË

**FOR THE WORK OF THE OFFICE
OF THE HIGH INSPECTOR OF JUSTICE**

**FOR THE PERIOD
01.01.2021 – 31.12.2021**

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Message of the High Inspector of Justice

Honourable Members of Parliament,

It is the second time that I have the pleasure to share with the Assembly through annual reporting, the progress of the work of the Office of the High Inspector of Justice, currently for the calendar year 2021.

In two years of existence of the HIJ, we got used to the difficulties of setting up and standardizing the activity of a completely new institution.

It happened to be more often guided by challenges than challenges guided by us!

In the past two years, we did everything in the name of building work practices and ensuring maximum results, without prejudice and without getting tired in the mission we have set for ourselves.

Today we are aware that we need to start a new chapter because the biggest challenge is still there! It is a challenge that cannot be overcome alone because it is the challenge of restoring trust in Justice.

With this aim, as you will see in this report, we have focused on the citizens, their orientation to the complain process in HIJ, when they have claims for judges and prosecutors. For me as the High Inspector of Justice, the trust in justice is read especially when you address the institutions, and this is shown by the growing number of complaints submitted to our institution.

4127 is the total number of complaints administered in HIJ for 2021. An impressive figure, consisting of the stock inherited from other institutions and new complaints coming directly to HIJ. For handling the inherited stock, we are working according to a methodology, which has the priority of avoiding the culture of impunity and forgetfulness, by prioritizing the review of complaints and practices that are within the 5-year statute of limitations and those subject to incumbent magistrates. Obviously, the work continues with the handling of new complaints, those coming directly to HIJ.

The entire process is carried out with only 8 Inspectors, from 1 that we had in the first year of work, but still we are far from the number needed to cope with the large volume of work. Completing the investigation capacities remains an ongoing challenge, while HIJ will do its part by recruiting non-magistrate inspectors.

Disciplinary proceedings are the final moment of the work, to which special attention is paid because the primary purpose is not simply to punish magistrates, but also to educate them on the importance of professionalism and integrity of magistrates, for public trust in justice.

Only during 2021 there are 22 decisions to start a disciplinary investigation approved by HIJ for 31 subjects of disciplinary investigation. Among these, 17 cases have been submitted for disciplinary proceedings in the Councils, while concerning 4 the investigations have been closed. Out of 17 requests for disciplinary proceedings, 10 are investigations initiated by the High Inspector of Justice and 7 are the result of the investigation of filed complaints. The thematic inspections themselves have produced 3 disciplinary proceedings, 2 of which during

2020 and 1 during 2021. The measures required for investigated judges and prosecutors range from confidential reprimands to dismissal. Regarding the 17 requests for proceedings forwarded to the Councils, none of them was rejected, and only for 2 of them another disciplinary measure was imposed. This is also merit of the scrupulous work of the team of Inspectors of the HIJ Office, despite the absence of 18 inspectors and the workload of 8 Inspectors on duty.

The year 2021 is marked for HIJ by the increase of cooperation with national, international actors and civil society, which is a close observer of the work of ILD. Cooperation with the HJC and the HPC has been important in coordinating uniform standards to ensure a regular disciplinary process and respect for the independence of magistrates, as well as the exchange of inter-institutional information.

Being a completely new institution, HIJ has been paying increased attention to building and strengthening professional investigation capacities, through the exchange of best practices regarding the procedures of investigating disciplinary violations against magistrates. We have started this journey with good friends, international partners from EURALIUS and OPDAT, to CEPEJ and up to the European Network of Justice Inspection Services, where currently the High Inspector of Justice holds the status of observer in the Network, where members are only from the European Union countries.

During 2021 HIJ has paid special attention and has fulfilled most of the recommendations of the Resolution of the Assembly, adopted on 03.06.2020, despite the subjective difficulties it has faced.

Despite the challenges, we consider transparency with the public as a strong point of the institution, as HIJ sees the relationship with the public as one of the most effective ways, not only to guarantee the trust of citizens in the institution in particular, but also in justice in general. It was precisely this spirit with which justice reform was conceived and the HIJ in these two years of existence is playing an important role in this regard and through measurable results.

Undoubtedly, as much as it is important the right of society and its interest in how justice is administered by the judiciary, as much as it is important the reaction of public institutions and other powers to see and report violations of judges and prosecutors, equally important it is the separation of powers and the independence of judges.

The independence of the judiciary is not an end in itself, it is not a shield of luxury for the irresponsibility of judges, but support for strengthening their impartiality is a guarantee that equality before the law will not remain just a principle on paper.

At the same time, the need to guarantee the independence of the judiciary does not mean that this power is closed and not subject to control. But it means that the bodies of the judiciary should be subject to control by other public bodies, as well as should allow the participation of citizens and be responsible and accountable to them.

The institution of the High Inspector of Justice as a constitutional body, is the bearer of these constitutional guarantees. HIJ aims to exercise all means or mechanisms that enable the balancing and establishing a clear balance between the exercise of the mission and its constitutional powers, the organs of the judiciary, as well as other public bodies.

The concrete implementation of these principles in practice requires time, as the implementation of these important constitutional values does not happen briefly. It may happen that these principles sound tedious, as the system today does not give you time to talk about them. But I am convinced that the exercise of any competence and interference in the work of the judicial system must in essence be such as to guarantee the separation and balance of powers, to guarantee the independence of the judiciary and the interest of society in the administration of justice. Taking this as the center, in the real sense of the word and not merely declarative, things become easier, more understandable and solutions come much more normally, as they will be stripped of subjectivism and observations of the moment.

You will find this philosophy in the activity of HIJ, summarized in the annual report for 2021 and presented before you!

I. INTRODUCTION

1.1 Vision of the High Inspector of Justice in fulfilling the activities

The vision of the activity of the High Inspector of Justice is guided by the principles and values of international systems and best practices, such as the exercise of its activity independently from any kind of influence subject only to the Constitution and the powers given by law; exercising its activity impartially, responsibly, accountably, with high moral and professional integrity at all structural levels, with efficiency and professionalism, being reliable, transparent and accessible to the public, as well as cooperative at the institutional level.

In the light of the vision of the activity, the High Inspector of Justice directs the work through four important objectives:

- Strengthening and exercising the activity of the institution of the High Inspector of Justice in an independent, efficient and professional manner;
- Development of the process of verification, disciplinary investigation and inspection in accordance with the principles of disciplinary proceedings and international standards;
- Active participation in inter-institutional coordination and cooperation processes;
- Increasing transparency and public access to the Institution of the High Inspector of Justice

For the purposes of practical implementation of the work objectives, the High Inspector of Justice has proposed the organizational structure approved by the Assembly of the Republic of Albania, which is conceived to function in compliance with the principles of hierarchy; accountability; legality; effectiveness; impartiality and non-discrimination as well as cooperation in fulfilling the Constitutional and legal mission to achieve the above objectives.

II. LEGAL FRAMEWORK THAT REGULATES THE ORGANIZATION AND FUNCTIONING OF THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE

2.1 Legal Reference

Justice reform was conceived and implemented in the name of restoring public confidence in the justice system. The new constitutional framework and then the list of legal acts for the reform of the justice system, among others, provided for the organization and functioning of all new governing bodies of the justice system, including the Office of the High Inspector of Justice.

The establishment of the Office of the High Inspector of Justice (HIJ), concluded the scheme of new bodies of the justice system that emerged from the Justice Reform, attributing competencies and responsibilities to the High Inspector of Justice:

- for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, in accordance with the procedure established by law and,
- for the institutional inspection of courts and prosecution offices.

Organic provisions for the performance of the functions of the High Inspector of Justice, the organization and functioning of the Office of the High Inspector of Justice, the status of the High Inspector of Justice and the status of inspectors of the Office of the High Inspector of Justice are provided in Chapter IV. articles 193-215 of law no. 115/2016 "On governance institutions of the justice system", as amended.

The activity of the Office of the High Inspector of Justice is regulated by:

- The Constitution of the Republic of Albania;
- Law no. 115/2016 "On governance institutions of the justice system", as amended;
- Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended;
- Decision no. 536, dated 25.7.2019, of the Council of Ministers "On creating conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verification of the figure and property of non-magistrate candidates for the position of inspector";
- Decision no. 28/2020 "On the approval of the organizational structure, staff and classification of salaries of the staff of the High Inspector of Justice", as amended.

The activity of the Office of the High Inspector of Justice is based, among others, on:

- Law no. 44/2015 “Code of administrative procedures in the Republic of Albania;
- Law no. 152/2013 “On the civil servant”, amended;
- Law no. 119/2014 "On the right to information";
- Law no. 114/2015 "On internal audit in the public sector";
- Law no. 90/2012 “On the organization and functioning of the state administration”;
- Law no. 7961, dated 12.07.1995 “Labor Code of the Republic of Albania”, amended;
- Law no. 9367, dated 07.04.2005 "On the prevention of conflict of interest in the exercise of public functions", as amended;
- Law no. 9049, dated 10.04.2003 "On the declaration and control of assets, financial obligations of elected officials and some public servants", as amended;
- Law no. 9887, dated 10.03.2008 "On the protection of personal data", as amended;
- Law no. 9131, dated 08.09.2003 "On the rules of ethics in public administration";
- Law no. 9154, dated 06.11.2003 "On Archives";
- Law no. 9936, dated 26.06.2008 "On the management of the budget system", as amended,
- Law no. 10296, dated 08.07.2010 "On financial management and control", as amended;
- Law on Annual Budget;
- Law no. 162/2020 “On public procurement”;
- Law no. 9918, dated 19.05.2008 "On electronic communications in the Republic of Albania", amended;
- Law no. 10325, dated 23.09.2010 "On state databases";
- Law no. 2/2017 "On cyber security";
- Decision no. 972, dated 02.12.2020, of the Council of Ministers "On the organization, functioning and determination of the competencies of the Information Technology Center for the Justice System";
- Decision no. 971, dated 02.12.2020, of the Council of Ministers "On the approval of the rules for the general state policies for the information technology system, for the justice system";
- Decision no. 893, dated 17.12.2014, of the Council of Ministers "On the approval of the rules of organization and functioning of auxiliary cabinets, of the internal organization of state administration institutions, as well as of detailed procedures".

2.2 Acts approved by the Office of the High Inspector of Justice

In order to implement the legal competencies, regarding the adopted acts, a total of 33 general orders of administrative character have been drafted and approved, dealing with issues of organization and functioning, management and financial control, signaling, and security of data and information¹.

In addition to general orders, 7 decisions have been drafted, 1 decision which defines the

¹ Orders are accessible on this link: <https://ild.al/sq/legjislacion/akte/>

procedure and rules applicable by the Appointment and Evaluation Commission, for the ethical and professional evaluation of the performance of inspectors, 2 of which are related to thematic inspections and 4 amending decisions in function of good administration of inspection processes.

Regarding the general administrative orders, among the most important, are categorized below:

I - Organization and functioning:

1. Order no. 14, dated 27.01.2021, of the High Inspector of Justice "On the manner of reporting and monitoring the strategic plan and action plan of the Office of the High Inspector of Justice";
2. Decision no. 18/1, dated 25.06.2020, of the High Inspector of Justice "On the approval of job criteria and requirements for job positions in the Office of the High Inspector of Justice", as amended²;
3. Order no. 119, dated 12.07.2021, of the High Inspector of Justice "On the approval of the internal regulation of the organization and functioning of the Office of the High Inspector of Justice";
4. Order no. 127, dated 10.09.2021, of the High Inspector of Justice "On setting fees for the service of providing information or documentation upon request to the Office of the High Inspector of Justice";
5. Order no. 137/1, dated 15.11.2021, of the High Inspector of Justice "On the approval of the list of documents with storage deadlines for the Office of the High Inspector of Justice".

II - Financial management and control:

1. Order no. 96, dated 01.06.2021 "On the approval of work processes";
2. Order no. 144, dated 03.11.2021, of the High Inspector of Justice "On the establishment of the strategic management group";
3. Order no. 160, dated 13.12.2021, of the High Inspector of Justice "On the approval of the regulation of asset management of the Office of the High Inspector of Justice";
4. Order, no. 168, dated 29.12.2021, of the High Inspector of Justice "On the approval of standard audit trails for the Office of the High Inspector of Justice".

III- Signaling:

1. Order no. 103, dated 14.06.2021, of the High Inspector of Justice "On the approval of the regulation on the administrative investigation of signaling and protection of confidentiality in the Office of the High Inspector of Justice";
2. Order no. 102, dated 14.06.2021, of the High Inspector of Justice "On the approval of the regulation for the administrative investigation of the request for whistleblowers for protection from revenge in the Office of the High Inspector of Justice".

² Amendment approved during 2021, with decision no. 62, dated 22.12.2021, of the High Inspector of Justice "For a change in the decision no. 18/1, dated 25.06.2020 "On the approval of job criteria and requirements for job positions in the Office of the High Inspector of Justice", as amended.

IV- Data protection and information security:

1. Order no. 140, dated 18.10.2021, of the High Inspector of Justice "On the approval of the regulation on the protection, processing, storage and security of personal data in the Office of the High Inspector of Justice";
2. Order no. 163, dated 22.12.2021, of the High Inspector of Justice "On the approval of the regulation on the principles and general rules of information security of the Office of the High Inspector of Justice".

While in relation to the inspection activity, among the most important are listed as follows:

1. Decision no. 38, dated 08.06.2021, of the High Inspector of Justice "On the approval of procedures and rules for the evaluation of ethics and professional activity of inspectors";
2. Decision no. 37, dated 01.06.2021, of the High Inspector of Justice "On conducting the thematic inspection of the general jurisdiction with the object: "On taking administrative and procedural measures in the framework of the implementation of the general instruction no. 12, dated 20.07.2020 of the General Prosecutor "On the regulation of relations between prosecutors and heads of the prosecution, information, transparency and guarantee of independence in the prosecutions with general jurisdiction", as amended ";
3. Decision no. 47, dated 15.07.2021, of the High Inspector of Justice "On conducting the thematic inspection of the prosecutions of the general jurisdiction with the object: "Observance of the conditions and criteria for imposing personal security measures for the criminal offense of 'Illegal detention and production of weapons, explosive weapons and ammunition'", amended.

Pursuant to the law and fulfilling the recommendations of the resolution dated 03.06.2021, of the Assembly of the Republic of Albania "On the evaluation of the work of the Office of the High Inspector of Justice for 2020 (February-December)", we inform that, by the Office of the High Inspector of Justice, the following draft acts are in different stages of drafting:

- "On the approval of detailed rules for the administration of the internal case system";
- "On drafting the regulation for handling complaints";
- "On determining the methodology for inspection".

Regulatory acts of regulatory character approved by HIJ are published on the official website and accessible on this link: <https://ild.al/sq/legislacion/akte/>

III. COMPLAINT VERIFICATION, DISCIPLINARY INVESTIGATION AND INSPECTIONS

3.1 Complaints submitted to the High Inspector of Justice

The High Inspector of Justice, based on article 194 of law no. 115/2016 "On the governing bodies of the justice system", as amended, is the authority responsible for verifying complaints, investigating disciplinary violations and initiating disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecution Council and the General Prosecutor, as well as for the institutional inspection of courts and prosecution offices.

Referring to the one-year work activity, in order to meet the above legal provisions, at the Office of the High Inspector of Justice, the number of complaints filed during the period January - December 2021, has been high. The high number is an indicator of the trust that citizens have in the institution, because they address to the institution massively. Each complaint has a legally defined process, starting with the initial review, verification and then investigation or archiving, a process that requires time and capacity and for the reporting period there are 1719 complaints reviewed.

During this year, 1257 new complaints were received, divided according to the complaining subjects, it results:

- 1210 complaints submitted by natural persons or individuals;
- 28 complaints submitted by public bodies;
- 12 complaints submitted by civil society organizations;
- 7 complaints submitted by the media.

Taking into account that with the report of 2020, the High Inspector of Justice has closed the year with 2870 complaints in process, the review of which has continued during 2021, in addition to the number of 1257 complaints filed for 2021, the total of the complaints that have been reviewed is 4127 complaints. Out of 4127, 1719 complaints were reviewed, 427 of which are part of the fund carried by the former HCJ or those accumulated during the transitional period until the establishment of the High Inspector of Justice, while 1292 turn out to have been handled by complaints submitted to the High Inspector of Justice.

In exercising its competencies, the High Inspector of Justice has reviewed 1719 complaints, out of a total of 4127 complaints. The result of the review of complaints is:

- 990 decisions for archiving 1433 complaints;
- 197 decisions for the verification of 270 complaints, which will continue for 2022;
- 22 decisions to initiate disciplinary investigation for 31 subjects of disciplinary investigation;
- 17 requests for disciplinary proceedings before the Councils.

According to the data of the progress of review and handling of complaints, the year 2021

closes with 2678³ complaints in process, which will be handled in 2022, 1677 of them are part of the fund passed by the former HCJ or those of collected during the transitional period until the appointment of the High Inspector of Justice.

For the verification of complaints or investigation of disciplinary violations against the subjects of disciplinary investigation, during 2021, the High Inspector of Justice has been set in motion based on:

- a) written complaint of any interested natural, legal person or public body;
- b) written complaint of the Minister of Justice;
- c) written complaint of the Prosecutor General;
- ç) the written complaint of each member of the High Judicial Council or of the High Prosecution Council;
- d) a written complaint from the president of the court where the judge suspected of having committed a disciplinary violation works;
- dh) a written complaint from the head of the prosecution office where the prosecutor who is suspected of having committed a disciplinary violation works.

This practice followed so far does not fully reflect the provisions that provide not only rights, but also obligations and special responsibilities and competencies of the Ministry of Justice, the General Prosecutor and the Councils, this is because these practices are mainly considered by these bodies and are treated as complaints also the letters submitted to them by institutions or citizens and which were simply forwarded to the Office of the High Inspector of Justice with a cover letter.

In order to establish and consolidate the Office of the High Inspector of Justice and in the name of institutional cooperation, the HIJ Office during the first two years has been more focused on handling complaints and to the orientation and education of citizens. The formulation of decisions aimed not only and simply at analyzing complaints, verifying facts and practices, but often through them, aimed at clarifying, informing and educating complainants about legal provisions, including their interpretation and fair reading.

For these reasons, the institutions cited above are given time to raise awareness and build correct reports and institutional communication within the limits of the law and according to the procedures and responsibilities provided by the laws and provisions governing the activity of each institution. The review of the practices followed by the above institutions has highlighted the need for a clear explanation and identification of the competencies that each of those institutions has: (i) in relation to the provisions that define their direct obligations to magistrates in general; and (ii) in relation to the provisions that provide for the manner, form and competence in cases when they can and should be addressed to the HIJ Office with a complaint for disciplinary violations against magistrates who are subject to disciplinary investigation in particular.

³ For 270 of them, during the reporting period they turn out to be in verification and the results will be given in the next report

The High Inspector of Justice does not encourage the continued use of the media and the conduct of complaints through such public calls. During 2021, there were cases when heads of governmental institutions, addressed public calls to the High Inspector of Justice to launch mainly disciplinary investigations, for cases that in their assessment constituted flagrant cases of violation of law and certain provisions. Meanwhile, it is concluded that even by public institutions, despite the expertise and the presence of special structures qualified in the field of law, the referral of claims or cases related to disciplinary violations of magistrates are not argued or supported by relevant documentation. The referral of cases by public institutions was not carried out in the framework of an assessment of all information provided, in relation to the legal provisions in force, as well as in the context of an analysis based on reliable data that the magistrate has committed disciplinary violations.

3.2 Archiving and verification of complaints

The High Inspector of Justice, based on article 121 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, first examines whether or not the appeal is admissible, according to the admissibility criteria set out in letters "a" to "dh", paragraph 1, of article 120, of law no. 96/2016. During the initial review phase, the fulfillment of the admissibility criteria is verified and within three months from the filing of the complaint, it decides on the archiving of the complaint, if one or more of the admissibility criteria of the complaint are not met.

According to article 122, of law no. 96/2016, for the complaint that does not have clear information, the High Inspector of Justice verifies if there are sufficient facts that justify the start of the investigation, by:

- requesting from the complainant additional documents and explanations on the manner and circumstances in which the alleged violation occurred;
- obtaining any other information from the relevant council, court or prosecution office.

In fulfillment of these legal provisions, the High Inspector of Justice has reviewed 1719 complaints, for which he has approved 990 decisions for archiving, of which 785 decisions were taken after the initial review, and 205 archiving decisions were taken after the verification of complaint found that there is not enough evidence to start the initiation. While for 197 decisions for verification of complaints, during the reporting period, their review continues to be in process, the data of which will be updated in the next annual report.

From the review of the filed complaints, for 90 of the cases it has resulted that one complainant has submitted more than one complaint for the same facts or for the same magistrate. The High Inspector of Justice has decided to join the complaints in these cases.

Based on the review of complaints, it results that the problems or claims raised mostly by the complainants are divided as follows:

- Complaints against unfair decision-making of magistrates during the review of cases;

- Allegations of procrastination by magistrates;
- Procedural violations by magistrates.

From the analysis of the facts, the law and the reasoning given in the decision, it has resulted that the main reasons for archiving the filed complaints are:

- The alleged violation was not envisaged as a disciplinary violation by law at the time it occurred;⁴
- At the time of the review of the complaint, the magistrate did not exercise his function;⁵
- The violation refers to facts that occurred outside the 5-year statute of limitations for the disciplinary investigation.

The causes which have led to the archiving of a large number of complaints are subject to continuous analysis by the Office of the High Inspector of Justice in order to draft internal labour policies, not only to improve the services in the public interest and transparency, but also the development of awareness policies in this regard.

3.3 Appeals against archiving decisions

Based on article 119, point 4, and article 122, point 5, of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the complainant has the right to appeal to the relevant council against the decision of the High Inspector of Justice for achieving the complaint.

In total the archiving decisions were 990.

Against the archiving decisions are submitted to the councils the followings:

- 80 appeals against 785 archiving decisions after the initial review;
- appeals against 205 archiving decisions after verification;

As evidenced above results in a low number of appeals, in advice against archiving decisions. Out of 990 archiving decisions, only 84 were appealed, or in percentage, 8.4% of archiving decisions were appealed.

- 84 appeals result 0 decisions returned for review by the Councils;

From 84 appealed decisions, it results that in all cases the councils have decided to reject as groundless the appeal filed by the complainants against the decisions of the High Inspector of

⁴ Article 120, point 1, letter "d", of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania" amended.

⁵ Article 120, point 1, letter "ç", of law no. 96/2016. These are the cases when the magistrate has ended his status, for the reasons mentioned in article 64 of law no. 96/2016 or when the magistrate is dismissed by the Appeal Chamber with a final decision.

Justice, and consequently none of the decisions of the High Inspector of Justice is returned for reconsideration.

3.4 Disciplinary investigations

The High Inspector of Justice pursuant to articles 123, point 1 and 124, point 1 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, starts the investigation if there are reasonable doubts that the violation may have been committed, based on the facts and evidence gathered, which justify the initiation of the investigation. The High Inspector of Justice initiates the investigation on his own initiative, based on essential data on facts resulting from credible sources, on the basis of which a reasonable suspicion arises that the violation may have been committed.

Referring to these legal provisions, during 2021 the High Inspector of Justice, after ascertaining that there were reasonable doubts, has adopted 22 decisions to initiate disciplinary investigation, which investigate the alleged violations against the activity of 28 magistrates and 3 members of the council. The High Inspector of Justice at the end of the disciplinary investigation and the legal analysis of the accepted facts which support the conclusion that the disciplinary violation was committed, has submitted the request for disciplinary proceedings to the councils for 17 magistrates.

While for the other 14 subjects⁶ of the disciplinary investigation the results of the investigation are as follows:

- For 1 magistrate the investigation is suspended until a final decision is made by the court;
- For 4 magistrates the disciplinary investigation is closed due to:
 - end of magistrate status,
 - assessing the facts, circumstances investigated and evidence obtained as insufficient to prove the alleged violations;
- For 9 subjects of disciplinary investigation, investigative procedures are at different stages according to the requirements of the law for their development.

The initiation of disciplinary investigation, for 31 subjects of disciplinary investigation has started after reasonable suspicions that the violation may have been committed by the subject. The disciplinary violations for which the High Inspector of Justice has initiated the disciplinary investigation, are scheduled in:

- disciplinary violations during the exercise of the function⁷;

⁶ The term "subjects" refers to magistrates and council members.

⁷ - article 101/1 / b, of law no. 96/2016, - disciplinary violation during the exercise of the function when it does not refer to the law or facts, intentionally or due to serious negligence, or when there is obvious professional incapacity;

- article 102/1 / b / ii) of law no. 96/2016, - disciplinary violation during the exercise of the function when the submission of the request for waiver from the proceeding or trial of the case, if this action: ii) is done in order to create unfair benefits for the parties and third parties or aims to avoid the obligation legal review of the case or create the possibility for the case to be reviewed by another magistrate;

- disciplinary violations outside the exercise of the function⁸;
- disciplinary violations due to the commission of a criminal offense by a final decision, which by their nature, discredit the position and figure of the magistrate or seriously damage the public trust in the judicial or prosecutorial system, based on the facts and circumstances accepted by court⁹.

At the end of the disciplinary investigation during 2021, for 21 magistrates, the High Inspector of Justice has proposed the initiation of disciplinary proceedings for 17 magistrates, or for 81% of investigated cases, while for 4 magistrates has decided to close the disciplinary investigation.

3.5 Requests for disciplinary proceedings and decisions of Councils

The High Inspector of Justice, based on article 138 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, after evaluating the evidence collected and when the results of the investigation lead to the conclusion that there are reasonable suspicions that the magistrate has committed a disciplinary violation, initiates

-article 102/1 / ç, of law no. 96/2016 - unjustified or repeated non-fulfillment of functions during the trial or investigation;

-article 102/1 / d, of law no. 96 / 2016- repeated delays or that lead to serious consequences or unjustified delays of actions and / or procedural acts;

- article 102/1 / dh, of law no. 96/2016 - action, omission or conduct of a magistrate, which brings unfair benefits or damages to the parties in a lawsuit or investigative procedure, contrary to law;

- article 102/1 / f, of law no. 96/2016 - Unjustified absence in office, according to the provisions of this law, for more than 3 working days per year;

-article 102/1 / g, of law no. 96/2016 - serious or repeated violation of legal and sub-legal provisions governing the organization and functioning of courts or the prosecution;

-article 102/1 / gj, of law no. 96/2016 - non-implementation without justified reasons of the decisions given by the council or the refusal to apply the disciplinary measure given to the magistrate;

-article 102/1 / l, of law no. 96/2016 - non-fulfillment by the mayor of the obligations defined by law, in particular the tasks related to the case management system;

-article 102/1 / nj, of law no. 96/2016 - failure to notify the High Inspector of Justice, by the President, regarding facts in their knowledge, which may constitute disciplinary violations of the magistrate;

-article 102/2 / a, of law no. 96/2016 - serious or repeated non-compliance with procedural and substantive legislation or incorrect application of procedural and substantive legislation, when ascertained by a higher court;

- article 102/2 / b, of law no. 96 / 2016- serious or repeated violation of legal and sub-legal provisions governing the organization and functioning of courts or prosecutors' offices, in relation to the functions of a magistrate in trial or investigation /

- article 102./2/c of law no. 96 / 2016- non-implementation without justified reasons of the decisions given by the Council or the refusal to apply the disciplinary measure given to the magistrate.

- article 102/2 / dh, of law no. 96/2016 - repeated or serious violation of the rules of solemnity, rules of conduct in relations with the parties, other entities involved in the process, with the president, other magistrates, as well as with the staff of the judicial administration.

- article 103/1 point a, law no. 115/2016- non-submission of the request for refusal to participate in the plenary meeting or in the meetings of the commissions, when it is obligatory, according to the law, if the member of the High Prosecution Council is aware or should have been aware of such circumstances.

- article 103/1 point k, law no. 115 / 2016- violation of the rules of non-compliance or prevention of conflict of interest, according to the provisions of the legislation in force.

⁸ Article 103/1 / dh, of law no. 96/2016, for violations outside the exercise of the function for cases of conduct that discredits the position and figure of the magistrate and damages the public trust in the judicial system or the prosecution, committed outside the exercise of duty and violation of the code of judicial ethics

⁹ Article 104, of law no. 96/2016, for disciplinary violations due to the commission of a criminal offense

disciplinary proceedings to the councils, submitting the investigation report together with the investigative file.

During 2021, the High Inspector of Justice has requested the initiation of disciplinary proceedings for 17 magistrates, for 11 magistrates the requests for proceedings have been submitted to the High Judicial Council and for 6 magistrates the requests for proceedings have been submitted to the High Council of the Prosecution.

The High Inspector of Justice has requested the initiation of disciplinary proceedings, based on the disciplinary¹⁰ violations provided by articles 102-104 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, for:

Disciplinary violations during the exercise of the function such as:

- filing a request for waiver of the proceedings or adjudication of the case, for the purpose of creating unfair benefits for the parties and third parties or with the aim of avoiding the legal obligation to review the case or creating the possibility for the case to be reviewed by another magistrate; - 1 magistrate;
- unjustified or repeated non-performance of functions during the trial or investigation; - 4 magistrates;
- repeated delays or that lead to serious consequences or unjustified delays of actions and / or procedural acts - 4 magistrates;
- the act, omission or conduct of the magistrate, which brings unfair benefits or damages to the parties in a lawsuit or investigative procedure, contrary to the law - 3 magistrates;
- unjustified absence from duty, according to the provisions of this law, for more than 3 working days per year; - 1 magistrate;
- serious or repeated violation of legal and sub-legal provisions governing the organization and functioning of courts or the prosecution offices; - 1 magistrate
- non-implementation without justified reasons of the decisions given by the council or refusal to apply the disciplinary measure given to the magistrate; - 1 magistrate;
- non-fulfillment by the head the obligations defined by law, in particular the tasks related to the case management system; - 1 magistrate;
- serious or repeated non-compliance with procedural and substantive legislation or incorrect application of procedural and substantive legislation, when found by a higher court; - 5 magistrates;
- repeated or serious violation of the rules of solemnity, rules of conduct in relations with the parties, other entities involved in the process, with the president, other magistrates, as well as with the staff of the judicial administration; - 2 magistrates.

Disciplinary violations outside the exercise of the function for:

- behavior that discredits the position and image of the magistrate and undermines public confidence in the judicial or prosecution system, committed outside the

¹⁰ For 5 magistrates in the requests for disciplinary proceedings there was more than one suspected disciplinary violation.

exercise of office, as well as violations of the Code of Judicial Ethics; -1 magistrate.

Disciplinary offense due to the commission of a criminal offense - 4 magistrates.

For the 11 requests for disciplinary proceedings submitted to the High Judicial Council, the High Inspector of Justice has proposed these disciplinary measures¹¹:

- “Dismissal from duty” - 6 cases;
- “Temporary reduction of salary up to 40 percent for a period not longer than one year: - 5 cases.

At the end of the review of the requests of the High Inspector of Justice for the initiation of disciplinary proceedings against the magistrates, the High Judicial Council:

- out of 6 cases “Dismissal from duty”, has accepted the requests for 2 magistrates, has completed the disciplinary procedure due to the expiration of the status for 2 cases and for 1 case the disciplinary proceeding is in process, while for the other case the disciplinary proceeding has been suspended.
- from 5 cases "Temporary reduction of salary up to 40 percent for a period not longer than one year", has received 2 requests by deciding on a different disciplinary measure, in 3 cases has decided to suspend disciplinary proceedings.

For the 6 requests for disciplinary proceedings submitted to the High Prosecutorial Council, the High Inspector of Justice has proposed the following disciplinary measures:

- “Dismissal”- 3 cases;
- “Public reprimand” - 3 cases.

At the end of the review of the requests of the High Inspector of Justice for the initiation of disciplinary proceedings against the magistrates, the High Prosecutorial Council:

- from 3 cases "Dismissal from duty", has received 1 request, while the other 2 cases disciplinary proceedings are in process;
- from 3 cases "Public reprimand", has received 1 request, while for 2 cases disciplinary proceedings are in process.

Disciplinary proceedings, as the concluding moment of the investigative activity, are given special attention because their sole purpose is not to punish magistrates, but also to educate them about the importance of public trust in the new institutions of the justice system. In less than 2 years of activity, as a result of addressing the concerns or claims of citizens, the High Inspector of Justice has requested disciplinary measures from public reprimand to dismissal.

¹¹ The results of council decision-making are only for 2021. A part of the cases declared in the process have been closed during 2022, those data will be part of the report for 2022.

For 7 cases, the investigation has led to disciplinary proceedings as a result of reviewing the complaints submitted by the complainants¹² in accordance with Article 123 of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended. Specifically, for 2 cases of citizens' complaints submitted to the ILD, and for 5 cases the disciplinary investigation was continued within the investigative procedures initiated by the former High Council of Justice.

As a result of the initiation of disciplinary investigation initiated by the High Inspector of Justice, in accordance with Article 124 of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, for 10 cases, started the disciplinary proceedings before the relevant councils, of which 5 cases are public denunciations in the media, 3 cases the disciplinary investigation was continued in the framework of the investigative procedures initiated by the former High Council of Justice, 1 case of disciplinary proceedings resulted from the thematic inspection with the object "Release on Parole", and 1 case from the information provided by the vice head of the court where the magistrate exercised his duty.

In conclusion, out of 17 proceedings, 7 of them have come as a result of the review of complaints submitted by citizens, which occupy a volume of 41% of cases of disciplinary proceedings.

3.6 Progress of handling complaints carried

During 2021, for the High Inspector of Justice has been a priority to reduce the number of complaints (backlog) inherited from other institutions due to limited competencies and divided between different bodies during the transitional period as the Inspectorate of the High Council of Justice, the Ministry of Justice, the High Council of Justice, the Prosecutor General, the High Judicial Council, or the High Prosecutorial Council.

As presented in the 2020 work report, 2104 complaints and practices were transferred at various stages of treatment. The significant number of transferred complaints includes all complaints, according to their status at the time of transfer, which were untreated, partially processed or in the initial stages of their review, as well as cases partially investigated or unfinished by previous bodies.

Their review before the High Inspector of Justice has started by making a categorization and identification of the procedural stages where they are located and setting priorities for treatment. 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, in compliance with the principle of equality and objectivity, and the time required to review and evaluate each documentary practice. Within

¹² In this section, the information presented refers to all cases belonging to the categories of complaints that come with a complaint and the data reflect the number of complaints received from public institutions, companies, non-profit organizations and the media.

these measures during 2021, it results that from the total fund of 2104 complaints, 427 or 20% of the complaints have been handled and 1677 complaints remain to be handled.

3.7 General information on registered complaints

The Office of the High Inspector of Justice has analyzed the statistical data with the primary aim of presenting the quantitative and qualitative summarized information that characterizes certain phenomena. Specifically, seen from the high number of complaints coming from the individual category, data belonging to the subject and object of complaints have been identified. The analysis of these data has been seen as useful in terms of drafting internal labor policies, not only to improve service in the public interest and transparency, but also to better understanding of the individual complaint and the development of awareness policies in this regard.

Referring to the collected data for the subjects that set in motion the High Inspector of Justice, from 990 archiving decisions, the data was categorized, according to the category of subjects, divided into "natural person" and "legal". Out of 990 archiving decisions, for 945 of them, were taken after reviewing the complaints of individuals, 41 archiving decisions were taken after reviewing the submitted complaint by legal entities¹³, and 4 of them were taken after reviewing complaints coming from the media.

Another phenomenon analyzed was the geographical distribution of complainants¹⁴, which shows that: Tirana is the region with the highest number of complainants, with 375 decisions taken by complainants who have declared their place of residence in this city, followed by that of Vlora with 70 decisions, Durrës with 66 decisions, Fier with 66 decisions, Lezha with 57 decisions, Korça with 57 decisions and Shkodra with 51 decisions.

The data also show that for the category of archiving decisions, for 48 cases, complaints have come from complainants who have as registered residence the institutions for the execution of criminal decisions. For 18 of the complainants the address was not indicated, 14 of the complainants have an address registered outside the borders of Albania and 6 of them forwarded their complaints via e-mail, without specifying an address.

For complaints submitted by individuals, two other indicators were collected, that of gender and age of complainants. Specifically, from the collected data, it results that from the reviewed complaints, 626 complainants belong to the category "male" and 226 complainants belong to the category "female". Regarding age, for the complaints submitted by individuals, the data presented in tabular form were identified, as follows:

Table no. 1 "Age of the complainant".

¹³ For this category, data for public institutions, companies, non-profit organizations and media are grouped.

¹⁴ For this category, data were collected according to the cities declared by the complainants in the communications maintained with the Office of the High Inspector of Justice.

Age	Number of complainants
20-30 years	19
30-40 years	102
40-50 years	186
50-60 years	290
Mbi 60 years	386

3.7.1 Violations alleged by the complainant

The data analyzed under this section belong to the data extracted from the allegations of the complainants in the complaints filed for disciplinary violations of the subject of the disciplinary investigation. Based on the data administered for the one-year reporting period, from this section we note that the submitted complaints mostly refer to the claims that individuals have regarding the "activity of magistrates" during the exercise of duty, as all complaining entities have had cases for trial or under investigation by courts or prosecution offices.

Data regarding the type of violation alleged by the complaining subjects who have filed a complaint with the Office of the High Inspector of Justice, are ascertained the data according to table no. 2, for alleged violations according to the appeals filed, for judges and prosecutors.

Table no. 2 "Alleged violations according to the submitted complaints, for judges and prosecutors".

VIOLATIONS ALLEGED BY THE COMPLAINANT	JUDGE	PROSECUTOR
Unfair decision-making of magistrates while considering a case	207	93
Decision-making of magistrates described as unilateral	61	22
Procedural violation	113	47

Procrastination of the trial	125	38
Non-implementation of the substantive law	25	2
Violation of the ethics of the magistrate	23	4
Formal non-compliance with the law	25	0
Actions / inactions in violation of the law	50	65
Total	629	271

What is noticeable is the fact that most of the complaints refer to violations with the object of unfair decision-making of magistrates during the review of a case, procedural violations and delays in the judicial / investigative process. Regarding the division of the category among magistrates, it turns out that the complainants complain more about disciplinary proceedings of judges. As for the category of actions or inactions in violation of the law, the analysis of the data has revealed that the magistrates of the prosecutorial profile are those who have the highest number of cases.

The highlighting of these data is seen as important, therefore it is evidenced in this report, as an indicator that is closely related to the understanding of the mission of the High Inspector of Justice, by the general public. This is related to one of the priorities of the High Inspector of Justice, in terms of raising public awareness on the mission of the activity of HIJ. The obtained data serve for the drafting of policies in this field with the aim of simplifying and understanding the mission of the High Inspector of Justice. Raising public awareness is the premise for creating facilities to minimize the flow of complaints, which are outside the scope of activity, or are unacceptable due to non-compliance with legal criteria. Likewise, the recording of such data serves the needs for improvement, both at the level of service delivery, but also the understanding of whether the awareness has managed to fulfill its purpose, that of simplification and education of the public in terms of a correct understanding of behavior which give rise to disciplinary proceedings by the High Inspector of Justice.

Regarding the appeals concluded with archiving decision, it turned out that the complainants have raised more claims against the magistrates of these courts:

1. Tirana Court of First Instance (124 complaints);
2. Tirana Appeal Court (60 complaints);
3. Durrës Court of First Instance (45 complaints);
4. Shkodra Court of First Instance (42 complaints);
5. Vlora Appeal Court (38 complaints);
6. Fier Court of First Instance (35 complaints);

7. Korça Court of First Instance (28 complaints);
8. Vlora Court of First Instance (28 complaints);

While regarding complaints handled by archiving decision, it turned out that the complainants have raised more claims against the magistrates of these prosecution offices:

1. Prosecution Office at Tirana Court of First Instance (124 complaints);
2. Prosecution Office at Tirana Appeal Court (60 complaints);
3. Prosecution Office at Durrës Court of First Instance (23 complaints);
4. Prosecution Office at Fier Court of First Instance (21 complaints);
5. Prosecution Office at Vlora Court of First Instance (21 complaints);
6. Prosecution Office at Gjirokastra Court of First Instance (14 complaints);

3.7.2 Complaints handled, according to the object of the lawsuit.

From the information generated, the Office of the High Inspector of Justice has identified the type of litigation / object of the lawsuit reviewed by the magistrate against whom allegations are made. From the complaints handled by the High Inspector of Justice during 2021, result the following data:

Type of cases	Total no.
Criminal Cases	436
Civil Cases	391
Administrative Cases	26
Undetermined Cases	77

Type of Criminal Offense	Total no.
Murder	46
Falsification	48
Abuse of duty	40
Fraud	25
Theft	21
Criminal offenses against minors	7
Violation of traffic rules	24
Domestic offenses	12
Others.	213
Total	436

The object of the civil lawsuit	Total no.
Property issues	90
Compensation for financial damage	34
Divorce	12
Others.	255
Total	391

Object of the Administrative Lawsuit	Total no.
Act invalidity	2
Liability for monetary reward / compensation	2
Repeal of administrative act / annulment of decision	6
Others.	16
Total	26

3.8 Thematic inspections

Pursuant to Article 194 of Law no. 115/2016 “On the governance institutions of the justice system” The High Inspector of Justice, in the object of his function, among others, conducts institutional and thematic inspections related to every aspect of the work of courts, judicial administration, prosecution offices and the prosecution administration.

Despite the challenges of the establishment, the high number of carried and new complaints, as well as the insufficient number of inspectors, the High Inspector of Justice, so far has in process 1 thematic inspection, launched in 2020 and has started 2 thematic inspections during 2021, according to these acts:

1. Decision no. 1 dated 11.02.2020, of the High Inspector of Justice for conducting the thematic inspection of courts and prosecution offices on the treatment of requests subject to "Conditional Release".
2. Decision no. 37, dated 01.06.2021 of the High Inspector of Justice “On conducting the thematic inspection of the general jurisdiction with the object:“ On taking administrative and procedural measures in the framework of the implementation of the general instruction no. 12, dated 20.07.2020, of the General Prosecutor "On the regulation of relations between prosecutors and heads of the prosecution offices, information, transparency and guarantee of independence in the prosecutions with general jurisdiction", as amended.
3. Decision no. 47, dated 15.07.2021, of the High Inspector of Justice "On conducting the thematic inspection of prosecutors of general jurisdiction with the object:" Observance of conditions and criteria for determining personal security measures "for the criminal offense" Detention without permission and the production of weapons, explosives and ammunition”.

After receiving data from the courts and prosecution offices involved in this thematic inspection, and analyzing them during the inspection procedures followed, for the thematic inspection for "release on parole", there are 2 requests for disciplinary proceedings in 2020 and 1 request for disciplinary proceedings during 2021. As for the other two inspections mentioned above, the High Inspector of Justice is in the process of analyzing the administered data for each thematic inspection, the results of which are expected to be released during 2022.

In each of the decisions for conducting thematic inspections, the High Inspector of Justice has approved the inspection methodology to be followed. The analysis of data and results in these three cases will serve as a starting point for starting work on drafting a general inspection methodology. In addition to the data that will highlight the ongoing inspections, we will work with the assistance and support of counterparts and international partners, in the preparation of a general inspection methodology, which will serve in succeeding and implementing the annual inspection plan.

In addition to the initiated inspections, the work so far is focused on the organization of several activities which aim to build a certain methodology for conducting inspections. At the

same time in the function of inspection, there is a need to develop technological projects and ensure investments in new technologies, along with increasing the capacity for its use, in both directions of inspection.

In order to improve the inspection, several trainings / workshops have been conducted and several meetings have been held with internationals to get the best experiences and practices in the field of inspections.

The decision to accept the High Inspector of Justice with the status of observer, at the European Network of Justice Inspection Services, marks a great effort of the High Inspector of Justice, in strengthening the activity related to inspections. Establishing contacts with counterpart institutions, exchanging good work practices, providing and receiving joint trainings, exchanging programs with groups of inspectors and creating electronic platforms for exchanging internships, are concrete efforts in the development of issues that are expected to be settled with great interest by this process.

IV. INTER-INSTITUTIONAL AND INTERNATIONAL COOPERATION

4.1 Cooperation of the High Inspector of Justice - High Judicial Council / High Prosecution Council

Cooperation and strengthening of institutional relations with others, especially with institutions of the justice system, for the High Inspector of Justice has been and will remain a very important direction, for further continuation of the work of the High Inspector of Justice.

With this approach, on 07.07.2021 the High Inspector of Justice hosted a joint meeting, initiated by the actors involved in the process of investigations and disciplinary proceedings of judges and prosecutors, namely the HJC, HPC and HIJ.

It was the development of the first disciplinary proceedings presented by the High Inspector of Justice in both Councils, based on the new justice reform legislation, that prompted the heads of the new institutions, the High Inspector of Justice, the Chairperson of the HJC- and the Chairperson of the HPC, to activate a communication and coordination platform to identify issues of common interest encountered during law enforcement, agreeing and coordinating the implementation of uniform standards, by ensuring a regular disciplinary process in respect of the independence of magistrates.

On the other hand, the Office of the High Inspector of Justice, in each case has treated with maximum priority the provision of information to these institutions, for magistrates who apply for promotion, within the career system. This in the context of the evaluation of the career system of magistrates by the two Councils, regarding the existence or not of disciplinary proceedings initiated or complaints submitted to the Office of the High Inspector of Justice.

In order to facilitate communication with the HJC and the HPC, contact persons have been appointed to coordinate the work and exchange information on an ongoing basis, both with the two Councils and with the IQC.

In the framework of this inter-institutional cooperation, which has already started from November 2021, the HIJ Office administers information from the IQC, for any decision-making toward a magistrate prosecutor or judge, within the re-evaluation process.

Whereas from September 3, 2021, HIJ administers from the High Judicial Council and the High Prosecutorial Council specifically:

- Lists with the names of the magistrates who are currently in office.
- Lists of former magistrates who are no longer part of the justice system.

This communication between the High Inspector of Justice, the relevant Councils and the IQC, will be continuous due to the need to update information regarding magistrates, who

continue to be in the system or not. The purpose of this cooperation is to increase the efficiency of the work of the High Inspector of Justice, in handling complaints against incumbent magistrates.

4.2 Cooperation of the High Inspector of Justice –General Prosecutor

In the framework of cooperation between institutions, the High Inspector of Justice and the General Prosecutor signed a memorandum of inter-institutional cooperation "On conducting institutional and thematic inspections and individual violations of magistrate prosecutors in prosecution offices of general jurisdiction". In the framework of the provisions of the memorandum, the High Inspector of Justice, addressed a request to the General Prosecutor, to propose topics or issues which are subject to thematic or institutional inspection of the prosecution offices and the administration of the prosecution.

In response to this request, the General Prosecutor has proposed 6 cases which may be subject to inspection. The High Inspector of Justice, after a careful assessment of the issues identified by the General Prosecutor, and also in the analysis of the Annual Report of the General Prosecutor¹⁵, which highlights the lack of institutional cohesion, lack of administrative or organizational measures, or due to legislative provisions, it is previously estimated that the appropriate tool for addressing them is the development of a thematic inspection with the object: "On taking administrative and procedural measures in the framework of the implementation of General Instruction no. 12, dated 20.07.2020, of the General Prosecutor "On the regulation of relations between prosecutors and heads of the prosecution offices, information, transparency and guarantee of independence in the prosecution offices of general jurisdiction", as amended.

During the period of preparation of this activity report, the thematic inspection is in process and its completion is expected within 2022. Depending on the results of the inspection and the conclusions that will be reached, the High Inspector of Justice will give recommendations of a legislative, administrative, organizational or functional character regarding the regulation of relations between prosecutors and heads of the prosecution offices, information, transparency and guarantee of independence in the prosecution offices with general jurisdiction.

At the same time, the development of this thematic inspection will serve as a means of identifying the actions / inactions or conduct of magistrates, which on the basis of a reasonable suspicion justify the initiation of disciplinary investigation according to the procedures and rules provided in law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended.

¹⁵ Report of the General Prosecutor "On the state of crime for 2020", accessible on the link: https://www.pp.gov.al/rc/doc/Raporti_Vjetor_2020_Kuvendit_Kriminaliteti_PP_5290.pdf

4.3 Cooperation of the High Inspector of Justice with the Ministry of Justice.

From the beginning of his work, the High Inspector of Justice, was engaged in providing cooperation and coordination of activities with joint intersections between the executive bodies, which coordinate the information of independent constitutional bodies of the justice system. The purpose of this cooperation is to convey information on the activity, in the framework of fulfilling state policies in the field of justice and those of the process of integration of Albania in the European Union.

The cooperation is concretized in providing contributions, drafting reports and forwarding information in the exercise of competencies, according to the issues set out in the Plan of Measures, on the implementation and monitoring of the implementation of the European Commission recommendations related to the Political Criteria and Chapter 23 of the Acquis of the European Union.

Also, after the completion of the first phase of justice reform, between the implementation of the Cross-cutting Justice Strategy 2016-2020 and the continuation of further consolidation of this reform, between the processes for drafting the Cross-cutting Strategy 2021-2025, the High Inspector of Justice, has forwarded contributions and participated in the meetings held for the drafting of the Cross-cutting Strategy 2021-2025. After the approval of the Cross-cutting Strategy, the follow-up of the contributions for the strategic objectives will continue, in the quality of the responsible body, for some activities in fulfilling the realization of the strategy, according to the requests of the Ministry of Justice.

During 2021, the High Inspector of Justice, has also contributed to international instruments, according to the issues defined in the relevant indicators, which must be met by the High Inspector of Justice, such as the Sectoral Contract "EU for Justice Reform ", Approved by decision no. 476, dated 10.07.2019, of the Council of Ministers on "Approval in principle of the Financing Agreement between the Council of Ministers of the Republic of Albania and the Commission of the European Union, regarding the annual national program for Albania for 2018, within the Instrument of Pre-Accession Assistance (IPA II)"¹⁶.

The cooperation between the High Inspector of Justice and the Ministry of Justice during 2021, in the framework of state policies for the justice system, has been developed through a series of reports or activities held in the framework of these reports, namely:

1. Periodic reporting in the framework of meeting the indicators of the passport of indicators and the Action Plan for the Cross-cutting Strategy 2021-2025;
2. Periodic reporting on the fulfillment of indicators in the implementation of the Sectoral Contract "EU for Justice Reform" between the Council of Ministers of the Republic of Albania and the European Commission.

¹⁶ <https://kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-10-korrik-2019/>

3. Periodic reporting on the implementation of the recommendations of the Annual Progress Report of the European Commission for Albania.
4. Periodic reporting on the implementation of the recommendations of the Subcommittee "Justice, Freedom and Security".
5. Periodic reporting on the implementation of the recommendations for Chapter 23 of the Progress Report "Judiciary and Fundamental Rights and Political Criteria".
6. Reporting on the implementation of the National Plan for European Integration for the period 2022-2024.
7. Annual Executive Summary, for justice reform for 2020.

4.4 Cooperation of the High Inspector of Justice with the Ministry for Europe and Foreign Affairs.

The High Inspector of Justice has provided cooperation on request, in the framework of fulfilling state policies in the field of foreign policy and those of the process of integration of Albania into the European Union and has contributed to the transmission of information to the Ministry for Europe and Foreign Affairs. Cooperation with the Ministry for Europe and Foreign Affairs has focused on monitoring the implementation of the provisions of the Stabilization and Association Agreement for Albania, in function of joint activities and periodic meetings under the Subcommittee: European Union-Albania "Justice, Freedom and Security".

The engagement of the High Inspector of Justice in this Subcommittee has been through the submission of periodic reports, as well as through the meetings of the inter-institutional working group. The High Inspector of Justice has offered full cooperation in the framework of fulfilling state policies in the field of foreign policy and those of the process of Albania's integration into the European Union.

4.5 Cooperation with civil society actors.

Given that the establishment of new institutions of the justice system, has passed to a new stage of development, that of presenting measurable and qualitative results, to already justify the public trust in justice, the information presented in this section, comes as an added element, in the context of raising public awareness, on the process of providing and making information on the activity of the High Inspector of Justice public, but also as an added value, in terms of increasing and strengthening trust of the public toward exercise of the activity of the Office of the High Inspector of Justice.

In the framework of the project "All Eyes on Justice-Monitoring the Justice Reform in Albania", supported by the Embassy of the Kingdom of the Netherlands in Albania, through the MATRA program, the Institute for Public and Legal Studies (IPLS), requested cooperation with the High Inspector of Justice, to monitor the progress of the Office of the High Inspector of Justice, for 2021-2022, in the framework of the achievements and results

provided by the Cross-cutting Justice Strategy, its action plan and passport of indicators (SND II), approved by decision no. 823, dated 24.12.2021, of the Council of Ministers.

In addition to monitoring in the framework of the activities of SND II, the focus of monitoring is a number of indicators provided in the Strategic Plan and action plan of HIJ, 2020-2022, but also those that will be proposed by the project, which, together, will complete the picture of the achievements of HIJ in the framework of the implementation of these strategic documents.

Upon receipt of the request, in December 2021, the High Inspector of Justice, has offered collaboration in terms of submitting the required data, according to the program that is expected to be communicated by the IPLS.

During 2021, the High Inspector of Justice was open for monitoring and providing information to the Albanian Helsinki Committee for two of the projects funded by international partners, implemented by the AHC, namely "The progress of justice system reform" and "Towards a better efficiency and integrity of the High Judicial Council and the High Prosecution Council", finalized with public roundtables discussion with local actors and international partners.

With the Cooperation and Development Institute (CDI) "Good Governance and New Justice Institutions in Albania" the High Inspector of Justice has provided transparency in information on concrete activities of the institution and has participated in the activity "Good Governance and Sustainability" of justice institutions in the Western Balkans", organized in Brussels by the Brussels-based Center for European Policy Studies (CEPS) and the Cooperation and Development Institute (CDI). In the framework of this event, the High Inspector of Justice held a working meeting with COWEB, where there was a fruitful and intensive exchange of views on good governance and the sustainability of new justice institutions.

4.6 Cooperation of the High Inspector of Justice with international partners.

One of the priorities of the High Inspector of Justice for 2021, has been to increase cooperation with international partners, both in terms of increasing and strengthening the capacity of the HIJ office, as well as in the exchange of best work practices. In this regard during 2021, are some important collaborations achieved:

- Continuous cooperation with the Euralius V project "*Consolidation of the justice system in Albania*", which through the components of the program and activities has supported a number of existing and new institutions of the justice system, created by justice reform, where among other, also the High Inspector of Justice, has benefited:

- Expertise in the processes of consultation and drafting of some important acts related to the constitutional and legal activity, among others, in giving opinions on the drafting of some key acts, as follows:
 - Rules for evaluating the ethics and professional activity of inspectors;
 - Internal regulation of the organization and functioning of the Office of the High Inspector of Justice;
 - Manual for disciplinary investigation against judges and prosecutors in the Republic of Albania;
 - Legal changes proposed by the High Inspector of Justice.
- Development of trainings in order to increase the capacities of inspectors and assistant inspectors, as well as trainings with special topics on the disciplinary system in Albania, where they were treated in several training cycles, addressing general aspects of the disciplinary system; issues of the new legal framework on the disciplinary responsibility of judges and prosecutors and the compliance of the new disciplinary system with international standards; the specifics of the preparatory work before the start of a disciplinary investigation, interpretations of the law, the conduct of the magistrate, as well as the implementation of the constitutional provisions during the transitional period due to the gap¹⁷, developed during 2021.
- Development of an internal electronic management system, which is being used by the unit of inspectors, assistant inspectors and protocol archive. The system is equipped with the necessary licenses to use with a validity period until August 2022. During December 2021, Euralius V project handed over the electronic system with the signing of the asset transfer agreement between the head of the mission and the High Inspector of Justice. The internal complaints system is part of the assets inventory of the HIJ Office, for which measures will be taken to make budget requests to the MFE in order to further develop the system and renew the relevant licenses, in order to ensure the continuity of the system and the fulfillment of its goals. Considering that the system has been put into use in the conditions as it was submitted, work has begun on the evaluation of technical documentation to clearly identify the necessary information, in order to draft internal rules for its use.
- Cooperation with the OPDAT mission, has consisted in the development of training with American experts on the ethics of magistrates.
- Cooperation with the CEPEJ project (European Commission for the Efficiency of Justice in the Council of Europe) of the Council of Europe, through the SEJ III program "Strengthening the efficiency and quality of the justice system in Albania", co-financed by the European Union. The cooperation aims to strengthen the capacity

¹⁷ For detailed information on training topics and periods, extended information is provided in section 4 "Internal organization" of the report.

of the High Inspector of Justice in several aspects of the activity, from inspection to public relations.

- With the engagement of CEPEJ, in June 2021 the High Inspector of Justice started the cooperation with the Inspectorate General of Justice of France, which runs the European Network of Justice Inspection Services (RESIJ).
- The next activity in the framework of cooperation with CEPEJ was the organization in Tirana, at the invitation of the High Inspector of Justice, in November 2021, of a 3-day high-level visit of counterparts from the Inspectorates of Justice of Romania, Portugal and France, members of the European Inspection Network. In parallel, a two-day training was held with the Unit of Inspectors, Assistant Inspectors and the Cabinet of the High Inspector of Justice on disciplinary inspection techniques by experts, Inspector Magistrates of Inspections of France, Italy and Romania.
- HIJ counterparts from the Inspectorates of Justice of Romania, Portugal and France during the visit in Tirana held introductory meetings on the Albanian justice system in several institutions, in the Albanian Parliament, in the High Judicial Council, the High Prosecution Council, the School of Magistrates and the Vlora Judicial District Court.
- In the discussions, it was agreed to increase cooperation by strengthening inter-institutional relations and exchange of best practices regarding complaints verification procedures, investigation of disciplinary violations, initiation of disciplinary proceedings against judges and prosecutors, as well as institutional and thematic inspections.

The results of this high level visit to Tirana were concretized in terms of:

- Development of negotiations for the finalization of a memorandum of cooperation with counterpart structures in the Republic of Italy.
- Development of negotiations for reaching a memorandum of cooperation with the Inspectorate of Justice of Romania, with the aim of:
 - exchange of practices and experiences related to the disciplinary investigation of magistrates, as well as institutional and thematic inspections;
 - exchange of information on the legal system and legislation in the field of disciplinary proceedings against magistrates, as well as legislative activities related to the implementation of this Memorandum of Understanding, law enforcement measures in their areas of jurisdiction and their international experience;
 - advising on international best practices and standards applicable during disciplinary investigations, including the jurisprudence of the European Court of Human Rights;
 - exchange of experiences on the methodology of conducting thematic and institutional inspections and standardization of inspection procedures;

- development of reciprocal work practices between the two inspectorates, in order to exchange experiences and obtain best practices;
 - exchange of experience in the means of communication with the public to guarantee the principle of transparency and protection of personal data and the integrity of magistrates;
 - strengthening the knowledge, experience and capacities of the parties through the organization of study and working visits, meetings on issues of common interest, joint training activities.
- Signing of a Memorandum of Understanding between the High Inspector of Justice and the Inspectorate of the High Judicial Council of the Republic of Bulgaria, on strengthening inter-institutional relations and exchange of best practices, in the framework of verification procedures, investigation of violations disciplinary proceedings, the initiation of disciplinary proceedings against magistrates as well as the implementation of institutional and thematic inspections, the cooperation focuses on areas of mutual interest, which will be realized through:
 - Exchange of practices and experiences related to the disciplinary investigation of magistrates, as well as institutional and thematic inspections;
 - Exchange of information on the legal system and legislation in the field of disciplinary proceedings against magistrates, as well as important legislative activities for the implementation of the Memorandum of Understanding, law enforcement measures in their areas of jurisdiction and their international experience;
 - Providing advice on best international practices and standards applicable during the disciplinary investigation procedure, including the jurisprudence of the European Court of Human Rights;
 - Exchange of experiences on the methodology of conducting thematic and institutional inspections and standardization of inspection procedures;
 - Exchange of experiences on how to communicate with the public in order to guarantee the principle of transparency and protection of personal data and integrity of magistrates;
 - 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.
- Taking a unanimous decision, on December 10, 2021, on the admission of the Office of the High Inspector of Justice with the status of observer, in the European Network of Justice Inspection Services, which marks a special achievement, as membership is only for countries members of the European Union. The cooperation of the High Inspector of Justice with the European Network of Justice Inspection Services aims at sharing work practices from inspection services in European countries, joint training, exchange of programs with groups of inspectors and the creation of electronic platforms for exchange practices.
 - In the framework of this cooperation in December 2021, an activity was held with the participation of all employees of the Office of the High Inspector of Justice, with the

aim of recognizing European practices and general principles about institutional and thematic inspections.

- Even during 2021, the High Inspector of Justice has had systematic working meetings with foreign ambassadors, whose countries are focused on the progress of justice reform and have expressed interest in the progress of work or have provided support. Thus, during the meeting with the Head of the OSCE Presence in Albania, Ambassador Vincenzo del Monaco, was expressed the will to continue the inter-institutional cooperation and the readiness to support the Office of the High Inspector of Justice in the most efficient exercise of constitutional functions and supporting the activity through capacity building. In the framework of this meeting, concrete support was discussed through assistance in drafting the strategic plan of the Office of the High Inspector of Justice and in communicating with the public.
- During 2021, a cooperation relationship was established with the Albanian-American Development Foundation (AADF). For this purpose, a Memorandum of Understanding was signed between the High Inspector of Justice and AADF, where it was agreed on a joint commitment for coordinating a cooperative relationship in order to implement and further develop the Leadership Program in Albania "LEAD Albania", modeled on the White House Fellows Program in the United States. This program provides young and talented Albanian professionals with direct experiences in the process of governing Albania. In the framework of this cooperation, from September 2021, based on internal procedures of the program, a candidate of LEAD Albania has been selected and holds the position of Advisor to the Cabinet of the High Inspector of Justice.

4.7 Implementation of the recommendations of international instruments, in the framework of the European integration process.

On October 19, 2021, the European Commission approved and published the Progress Report for Albania for 2021, presenting a detailed annual assessment of the progress of reforms carried out during the past year, as well as recommendations and guidelines for reform priorities. In this report, the Commission has evaluated the work of the new justice institutions, analyzing the work of the newest institution emerging from justice reform, the High Inspector of Justice, for whom it considers that it has fully fulfilled the functions of during the reporting period.

Specifically, according to the progress report, the High Inspector of Justice has fully performed his functions during the reporting period, especially by initiating and conducting disciplinary investigations against magistrates. In addition to the evaluation of the work, the Commission has emphasized the need to fulfill these recommendations:

- Appointment of non-magistrate inspectors;

- Taking measures to handle complaints ¹⁸, and
- The possibility of conducting regular thematic inspections.

Regarding the implementation of the above recommendations, the High Inspector of Justice, during 2021, in view of the appointments of other inspectors, has continued with the public announcement of the selection procedure, on the official website of the institution, on the Portal "National Service of Employment", as well as in the information offered for the public. After the end of the 1 (one) month period for expression of interest, the High Inspector of Justice with order no. 142, dated 29.10.2021 "On the initiation of the procedure for the selection of non-magistrate candidates for the position of Inspector at the Office of the High Inspector of Justice", has established the Committee for Appointment and Evaluation of Inspectors, which on 08.11.2021, has begun selection procedure for 19 candidates who have expressed interest in the position of non-magistrate inspector at the Office of the High Inspector of Justice.

Following the selection procedure in accordance with decision no. 536, dated 25.07.2019, of the Council of Ministers "On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verification of the figure and property of non-magistrate candidates for the position of inspector", after fulfillment of the obligation to provide the candidates with the relevant forms and submit them to the High Inspector of Justice, was followed by sending official letters to the relevant institutions, in order to obtain information, on which will be based the verification of fulfillment of conditions and legal criteria, verification of figure and property.

At the end of the process of collecting information from the relevant institutions, further stages of the selection procedure will be followed for candidates who have expressed interest in the position of non-magistrate inspector, at the Office of the High Inspector of Justice.

In addition to the procedure for announcing appointments in HIJ, legal interventions were assessed as necessary, where among other things, regarding the fulfillment of this recommendation, an amendment was proposed to review the report of an equal number of inspectors, so to meet the number of non-magistrate inspectors through competitive procedures. The amendments proposed by the High Inspector of Justice were not taken into account by the Ministry of Justice until the end of the reporting period and there is no response from the Ministry of Justice regarding the proposed legal amendments.

Regarding the fulfillment of the recommendation for handling the carried complaints, the High Inspector of Justice has inherited a considerable amount of 2104 complaints, in relation to reviewing these complaints the High Inspector of Justice has approved 3 general orders. With the first order, their identification and categorization was done according to the stages

¹⁸ Complaints carried are all complaints that have been in various stages of treatment or newly submitted to the competent bodies for the transitional period until the establishment of the High Inspector of Justice, according to the provisions made in Part VI of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended.

where each complain belongs; the second order established the order of priority, giving the opportunity to address those practices that were within the legal deadline of their investigation and verification; while the third order was aimed at distributing for the treatment of selected and categorized complaints, magistrate inspectors, seconded in the function of inspector magistrate by the HPC.

Recently, the High Inspector of Justice has approved the order no. 131, dated 21.09.2021 "On the establishment of the working group for the compilation and processing of statistical data, regarding the complaints handled by the Office of the High Inspector of Justice for the period January-August 2021". As this process was finalized in time by the working group, the deadline was extended in order to record data for the remaining period, September-December 2021.

Pursuant to this order, the working group has started work and created a database of complaints filed with the Office of the High Inspector of Justice and of practices transferred from the former High Council of Justice, and administered by the High Inspector of Justice, in order to reflect accurate data, in terms of recording statistical data related to the progress of handling complaints, part of complaints carried.

In order to fulfill the third recommendation, for conducting thematic inspections, the High Inspector of Justice, in compliance with the constitutional and legal competencies, considers the inspection as a necessary activity to verify compliance with the Constitution, laws, implementation and protection of fundamental rights and freedoms as well as the contribution to the prevention of violations of the law and the observance of standards and principles of administration of justice by the subject of inspection.

Due to the insufficient number of inspectors currently on duty, the high number of complaints carried, limited capacity in technology, working environments and budget, for 2021, 2 (two) thematic inspections have been launched which are in process¹⁹ and are expected to be closed within 2022.

While for the inspection started during 2020 and continued during 2021, for conducting the thematic inspection of courts and prosecutor's offices near them on the treatment of requests subject to "Release on parole", concrete results were achieved by submitting 3 requests for processing disciplinary proceedings, of which 2 in 2020 and 1 request for disciplinary proceedings during 2021.

In each of the inspection decisions is approved the methodology to be followed, the drafting of requests for information and the necessary acts for the development of verifications; processing of data and information collected, relevant deadlines and progress of following up and implementing the recommendations and results of the inspection. The analysis of data and results in these three cases will serve as a starting point for drafting the inspection methodology and planning the inspections.

¹⁹ Data on thematic inspections can be found in section "3.8 Thematic inspections" of this report.

- In order to achieve the concretization of a planning for conducting an inspection, we are in the process of evaluating the undertaking of several measures in order to determine an objective and feasible planning, where we specifically mention:
- Evidence of relevant legal provisions in the organic laws of the justice system that provides the obligations of the High Inspector of Justice, in undertaking an inspection and ex-officio functions;
- Collection of data from established practice, to identify frequent phenomena of reported behavior or allegations of various violations by magistrates or the administration of courts or prosecutors;
- Assess the possibility of drafting a general methodology to be followed when determining the topics or issues that should be included in the planning;
- Submitting requests to the governing bodies of the system, on issues or topics for which it is deemed necessary to conduct inspections;
- Undertaking training activities for capacity building and strengthening, on topics related to inspections;
- Increasing cooperation with actors of the justice system, but also with European counterpart structures, in order to exchange experiences and best European practices in the field of inspections;
- Promoting the recruitment process and the recruitment of magistrates to the positions of Inspectors.

V. INTERNAL ORGANIZATION

Based on the provisions of article 197, point 4 of law no. 115/2016 "On the governance institutions of the justice system", as amended, which provides that: the organization, structure and number of employees of the Office of the Inspector are determined by the Parliament, on the proposal of the High Inspector of Justice, the Albanian Parliament has approved by decision no. 65/2020 organizational structure, staffing and salary classification of the staff of the Office of the High Inspector of Justice. Referring to this decision, the total number of staff of the Office of the High Inspector of Justice is set to be 93 employees.

The Office of the High Inspector of Justice is conceived as an independent constitutional institution, organized and functioning as a legal entity, with a special budget financed from the state budget as well as other financial resources provided by law, with a structure and professional staff necessary for the fulfillment of its constitutional and legal competencies. In fulfillment of the constitutional and legal activity, the High Inspector of Justice has this structural organization:

- *The Cabinet of the High Inspector of Justice*, whose activity, in addition to the duties defined in the regulations, serves in the consultation and follow-up of specific issues and tasks, assigned on a case-by-case basis by the High Inspector of Justice.
- *The Unit of Inspectors*, whose activity is regulated in accordance with the provisions of the Constitution and the legislation in force on the status of judges and prosecutors in the Republic of Albania and the legislation in force for the governing bodies of the justice system.
- *Assistant Inspectors Unit*, who support the Inspectors Unit in the pre-investigation and post-disciplinary phase.
- *The General Directorate of Legal Affairs and Services* has a key role in preparing the regulatory framework for the Inspector's activity, general analysis, reporting and giving institutional opinions. The directorate also provides legal assistance to the public, which seeks to complain to the High Inspector of Justice.
- *Directorate of Economic and Support Services*, which has support functions such as finance, human resources, procurement, protocol and other administrative services.
- *Internal Audit*, which monitors financial, administrative and inspection performance. In particular, it assists the High Inspector of Justice in overseeing the methodology of inspections and the distribution of work, taking into account the workload, experience, qualifications and possible legal obstacles.

From the analysis of the two-year activity of the High Inspector of Justice, it was seen necessary to introduce changes in the organizational structure, for a more effective distribution and organization of some organizational units, which will be presented in due time at the Parliament of the Republic of Albania.

5.1 Secondments from HJC

In order to complete the organizational structure and especially the inspection unit, the High Inspector of Justice has taken a series of measures, which have aimed at carrying out secondment for magistrates.

The High Inspector of Justice until February 2021, has continued to work with a single inspector out of 26 inspectors provided in the structure, and has repeatedly sought the secondment of other magistrates from the councils. HJC has made a total of 7 notifications for the secondment of magistrate judges in the position of inspector magistrates at the Office of the High Inspector of Justice, which have not been successful in terms of meeting the needs of HIJ. The High Inspector of Justice in September 2021, addressed the High Council of Justice, the request to re-announce the procedures for the candidacy of 6 (six) magistrate judges for the position of magistrate inspectors at HIJ.

After consulting with the information published on the official website of the HJC, it turns out that with decision no. 572, dated 07.12.2021, of the HJC, "On the reopening of the secondment procedure in the Office of the High Inspector of Justice and the announcement of the request for candidacy from the ranks of judges", it was decided:

- Reopening of the secondment procedures for judges in the Office of the High Inspector of Justice.
- Announcing the request for candidacies, from the ranks of judges, for secondment in the Office of the High Inspector of Justice, for two vacant positions as inspectors.

With the notification dated 07.12.2021²⁰, the HJC invited magistrates, who meet the conditions and criteria for secondment, to submit a request for secondment, in accordance with the deadlines and procedures that will be followed in the future. Whereas with the notification dated 28.12.2021²¹ of the HJC, after the expiration of the deadline for the invitation for secondment, no candidacy was presented.

During 2021 there was no secondment in the institution. On the other hand, a seconded magistrate inspector, who is continuing his work at the High Inspector of Justice, has submitted a request for promotion, a request which is expected to be reviewed by the HJC.

5.2 Secondments from HPC

²⁰ Furtherer information is available and accessible on the following link:

<http://klgj.al/wp-content/uploads/2021/12/Njoftim-i-dat%C3%ABs-07.12.2021-P%C3%ABr-rihapjen-e-procedur%C3%ABs-s%C3%AB-komandimit-n%C3%AB-ILD.pdf>

²¹ Furtherer information is available and accessible on the following link:

<http://klgj.al/wp-content/uploads/2021/12/Njoftim-i-dat%C3%ABs-28.12.2021-Mbi-kandidimet-n%C3%AB-procedur%C3%ABn-e-komandimit-t%C3%AB-gjyqtar%C3%ABve-n%C3%AB-Zyr%C3%ABn-e-Inspektorit-t%C3%AB-Lart%C3%AB-t%C3%AB-Drejt%C3%ABsis%C3%AB.pdf>

During 2021, with decisions no. 18, dated 27.01.2021, no. 19, dated 27.01.2021, no. 20, dated 27.01.2021 and decision no. 21, dated 27.01.2021, of the High Prosecution Council, four magistrates of prosecutorial profile have been seconded for a period of 5 years, at the Office of the High Inspector of Justice.

For a magistrate inspector, financial relations have been terminated, due to the dismissal decision no. 426, dated 27.07.2021, of the Independent Qualification Commission (IQC). The case is currently pending before the Appeal Chamber (ACh). Another magistrate inspector has completed the re-evaluation process and has been confirmed in office and the other two magistrates have not yet undergone the transitional re-evaluation process.

5.3 Recruitment of non-magistrate inspectors

During 2021, the selection procedures for 6 (six) positions announced for non-magistrate inspectors were completed, of which 4 (four) positions were filled.

Also during 2021, pursuant to Article 147 / d of the Constitution and Articles 209 and 211, point 2 of law no. 115/2016 "On the governance institutions of the justice system", as amended, of decision no. 536, dated 25.07.2019, of the Council of Ministers "On creating conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verification of the figure and property of non-magistrate candidates for the position of inspector", and of Order no. 7, dated 04.03.2020 of the High Inspector of Justice "On the approval of the Regulation" On the procedure and criteria for evaluation, scoring and ranking of non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice ", dated 30.09.2021, The High Inspector of Justice has announced the procedure for 9 (nine) vacant positions for non-magistrate inspectors, the Inspectors Unit, at the Office of the High Inspector of Justice, setting the deadline for expression of interest on 29.10.2021. This process, referring to the procedural deadlines in the above provisions, is expected to last up to 8 months.

The announcement was made public on the official website of the institution, on the Portal "National Employment Service", as well as on the information stands for the public. After the end of the 1 (one) month period for expression of interest, the High Inspector of Justice with order no. 142, dated 29.10.2021 "On the initiation of the procedure for the selection of non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice", has established the Committee for Appointment and Evaluation of Inspectors, which on 08.11.2021 has started the procedure by announcing the 19 candidates who have expressed interest in the position of non-magistrate inspector at the Office of the High Inspector of Justice, as well as by publishing on the official website of the institution the announcement on the start of the selection procedure.

Following the selection procedure in accordance with decision no. 536, dated 25.07.2019, of the Council of Ministers "On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verification of the figure and property of

non-magistrate candidates for the position of inspector", after fulfillment of the legal obligation to provide the candidates with the relevant forms and submit the completed forms by the candidates to the High Inspector of Justice, the Committee for Appointment and Evaluation of Inspectors has continued to send official letters to the relevant institutions, in order to obtain information on which will be based the verification of the fulfillment of the legal conditions and criteria, the verification of the figure and the property.

At the end of the process of collecting information from the relevant institutions, will be followed by further stages of the selection procedure for candidates who have expressed interest in the position of non-magistrate inspectors, at the Office of the High Inspector of Justice, in accordance with decision no. 536, dated 25.07.2019, of the Council of Ministers "On creating conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verification of the figure and property of non-magistrate candidates for the position of inspector."

5.4 Implementation of the Law "On Civil Service" in the framework of complementing and building the capacity of human resources.

During 2021, pursuant to law no. 152/2013 "On civil servants", as amended, the Labor Code and the organic law, a total of 16 (sixteen) appointments / recruitments were made, as follows:

1	Cabinet		3 (three) appointments of Advisors (1 Advisor resigned in September 2021)
2	Senior Level	Management	1 (one) Secretary General
3	Middle Level	Management	3 (three) Assistant Inspectors (2 parallel movements and 1 admission from outside the civil service); (1 suspension)
4	Lower Level	Management	1 (one) Responsible, Internal Audit Sector (parallel movement);
5	Executive Level		5 (five) Specialists (1 parallel movement, 4 admissions to civil service); (Released with 3 & 1 suspension
6	Employee according to Labor Code		3 (three) General Services Sector

The total number of appointments for 2021 within the approved structure is 24 employees.

The number of employees according to the structure for 2021 is 93 approved employees. The total is 72 employees effectively exercising the duty, of which 64 employees within the approved structure and 8 employees with temporary contracts.

At the request of the High Inspector of Justice addressed to the Commissioner for the Supervision of the Civil Service, it was requested to perform the control on the verification of the legality of the recruitment procedures for the civil service positions from the moment of the establishment of the institution.

The supervision process was carried out during the period 10.06.2021-07.07.2021 in the implementation of the supervision program, no. 655/1, dated 03.06.2021, approved by the Commissioner for Supervision of Civil Service.

At the end of the supervision process, regarding the verification of the legality of the procedures for filling vacancies, part of the civil service, the Commissioner for Supervision of Civil Service did not find any irregularities during the implementation of the law on civil servants and with decision no. 145, dated 17.11.2021, has approved the final report.

5.5 Capacity building activities

During the period January 2021-December 2021, were conducted and attended trainings in order to increase professional knowledge and skills, with special focus on the unit of inspectors and assistant inspectors for professional development and efficient fulfillment of functional tasks.

The High Inspector of Justice has paid special attention to increasing and strengthening the capacity of the Office of the High Inspector of Justice, giving priority to the development of training by international and national experts, since the establishment of the institution.

The continuous development of these trainings is seen as a very important element for increasing the performance, not only of the unit of inspectors and assistant inspectors, but also of all staff of the Office of the High Inspector of Justice.

Specifically, the Office of the High Inspector of Justice, so far has had collaborations with international organizations such as TAIEX, OPDAT, CEPEJ, EURALIUS V, etc, and with Aspa, as follows:

EU Experts' Mission, TAIEX:

- Training on "*Disciplinary matters against magistrates.*" This training was organized on 25.02.2021, with the participation of inspectors, cabinet, assistant inspectors and heads of administration of the Office of the High Inspector of Justice and representatives of the General Council of the Judicial Inspection Service and the Office of the Prosecutor General of Spain.

OPDAT:

- Training on "*Assessing the misconduct of magistrates, a view from the judiciary of the United States of America.*" This training was organized on 22.04.2021 with the participation of the unit of inspectors and assistant inspectors of the Office of the High Inspector of Justice

and Mrs. Leslie Ann Gerardo, of the Office of Professional Responsibility of the U.S. Department of Justice.

- Training on "*Assessing the misconduct of magistrates, a view from the judiciary of the United States of America.*" This training was organized on 27.05.2021 with the participation of inspectors, assistant inspectors and Mr. Christian Kennerly, Legal Adviser at the Judicial Registry of the Court of Appeals, Eleventh District, USA.

EURALIUS V:

- Training on "*Disciplinary system in a general perspective*". This training was organized in February 2021, with the participation of new magistrate and non-magistrate inspectors of the Office of the High Inspector of Justice and the Team Leader of EURALIUS V Dr. Agnes Bernhard and the international expert Mrs. Anita Mihailova.

- Training on "*Disciplinary system in a general perspective*". Organized on 03.03.2021 in this training participated the assistant inspectors of the Office of the High Inspector of Justice and experts of the Project EURALIUS V.

- Training on "*Disciplinary investigation against judges and prosecutors*". This training was organized on 16-17.04.2021 with the participation of inspectors, assistant inspectors and the cabinet of the High Inspector of Justice. During the training were addressed the specifics of the preparatory work before the start of a disciplinary investigation, interpretations of the law, the conduct of the magistrate, as well as the implementation of constitutional provisions during the transitional period due to the legal vacuum, etc.

- Training on "*Disciplinary investigation in Albania.*" This meeting was organized on 27.05.2021 with the participation of the administration of the Office of the High Inspector of Justice.

- Training on "Thematic inspections and inspections of courts and prosecution offices". This training was organized in May 2021, in the city of Korça, with the participation of inspectors, assistant inspectors, advisors to the cabinet of the High Inspector of Justice and representatives of the OPDAT mission.

CEPEJ:

- Training on "*Judicial inspections, good practices by the European Inspectorates of Justice*". This training was organized in November 2021, and was attended by Inspectors, Assistant Inspectors and the cabinet of the Office of the High Inspector of Justice, with four expert trainers, magistrate inspectors, Delphine Agoguet and Sylvie Merges, from the High Inspectorate of Justice, France; Emanuela Aliverti from the Inspectorate of Justice, Italy and Nicoleta Rhfir from the Inspectorate of Justice, Romania.

Capacity building and professional development has continued for civil servants of the Office of the High Inspector of Justice, attending trainings at the Albanian School of Public Administration. Civil servants of each level, in accordance with the functional duties, during 2021 have attended 475 trainings.

VI. DATA ON LEGAL PROCEEDINGS WHERE THE HIGH INSPECTOR OF JUSTICE IS PARTY.

The Office of the High Inspector of Justice until December 31, 2021, has been party to the following processes:

Proceedings before the Appeal Chamber:

1. The issue of disciplinary jurisdiction, no. 3 dated 30.04.2021, where the High Inspector of Justice was summoned in the capacity of the interested subject, together with the High Prosecution Council, with magistrates, at the Prosecution of the Kruja District Court, with the object: Repeal of the decision of the High Prosecution Council "On imposing a disciplinary measure on the prosecutor". The status of the case is pending.
2. Issues of disciplinary jurisdiction, no. 2, date when the High Inspector of Justice was summoned in the capacity of the interested subject, together with the High Judicial Council, with the magistrate plaintiff at the Korça District Court, with the object: Repeal of the decision of the High Judicial Council, "On the appointment of the disciplinary measure against a magistrate and the restoration of the limited rights of this decision-making". The status of the case is pending.

Hearing at the Tirana Administrative Court of Appeal:

1. Case, with complainant the High Inspector of Justice with defendant the High Prosecution Council, with the object of the lawsuit: "Repeal / illegality of the administrative act, against a decision of the High Prosecution Council, by which it is decided to reject the request of the High Inspector of Justice, for the disciplinary proceedings of a magistrate and to resolve the consequences of illegality, to accept the request of the High Inspector of Justice and to impose on the magistrate the disciplinary measure "Public reprimand", provided by Article 105 , paragraph 1, letter "b" and article 107 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, for the disciplinary violation provided by article 102, point 1, letter "dh" of law no. 96/2016, as amended, or the obligation of the HPC to impose on the magistrate the disciplinary measure "Public reprimand", provided by article 105, paragraph 1, letter "a" and article 107 of law no. 96/2016, for the disciplinary violation provided by article 102, point 1, letter "dh" of law no. 96/2016 "On the status of judges and prosecutors", as amended. The Administrative Court of Appeal in Tirana at the end of the main trial has decided: "Partial acceptance of the claim of the complainant", repealing the decision of the HPC and dismissing the lawsuit for other claims. The status of the case is completed
2. Case where the High Inspector of Justice has been a defendant with magistrate complainant, with the object of a lawsuit: Repeal of the decision of the High Judicial Council "On the suspension from duty of a magistrate at the Elbasan Judicial District

Court"; and the continuation of the exercise of duty at this court "The Tirana Administrative Court of Appeal, at the end of the main trial has decided:" Rejection of the lawsuit as unfounded in evidence and in law. ". The status of the case is completed.

Hearing at the Tirana Administrative Court of First Instance:

1. A court case where the High Inspector of Justice has been a defendant with a complainant disqualified candidate in the framework of the recruitment procedure for the position of non-magistrate inspector, at the Office of the High Inspector of Justice, with the object of a lawsuit: "Repeal of administrative act of the Committee for Appointment and Evaluation of Inspectors, at the High Inspector of Justice". The Tirana Administrative Court of First Instance, at the end of the main trial has decided: "Dismissal of the complainant's lawsuit". The status of the case is completed.
2. A court case where the High Inspector of Justice was a defendant with a complainant candidate disqualified within the recruitment procedure for the position of non-magistrate inspector, at the Office of the High Inspector of Justice, with the object of the lawsuit: "Repeal of administrative act of the Committee for Appointment and Evaluation of Inspectors, at the High Inspector of Justice". The Administrative Court of First Instance Tirana, at the end of the main trial has decided: "Dismissal of the complainant's lawsuit". The status of the court case is completed.

VII. THE NEED FOR CHANGE IN THE LEGAL FRAMEWORK THAT REGULATES THE ACTIVITY OF THE INSTITUTION.

In appreciation of the 2-year experience from the establishment of the Office of the High Inspector of Justice, remains a constant challenge, filling vacancies for inspectors, despite our continuous efforts to absorb the capacity of the magistrate profile. For this we refer to the constant requests addressed to the HJC for announcing vacancies, but at the end of them the developed procedures have resulted, not only without secondments, but without any candidate interested for the position of inspector magistrate.

In an assessment conducted by us, some of the problems identified below dictate the need for solutions.

Initially, the estimated timeframe for the average time required to complete a request for secondment by the councils, from the time the HIJ application is submitted to the relevant decision-making, results that the average timeframe for the secondment of a magistrate may vary up to 12 months. The calculation is based on the deadline for submitting the request from ILD 29.01.2020 and the decision of the HPC (08.02.2021) to second the respective magistrates.

Also, the recruitments for non-magistrate inspector positions have resulted in long and time-consuming processes, which in the work balance in one year of activity, affect the results achieved for that year, extending their effects, even for the following years.

Reflecting in retrospect, during the implementation of the initial procedure for recruitment of non-magistrate inspectors, the average time for the development of the procedure according to this call was from February 2020 to January 2021, so it turns out to be 11 months. For the extended period, several external factors, not related to the activity of HIJ, have influenced, such as the declaration of a state of emergency due to the pandemic caused by Covid-19 and quarantine as a means to prevent its spread, but also internal factors such as lack of working facilities, job positions, logistical and material base, lack of employees, where during the development of procedures resulted in only 4 employees and the head. Contrary to what is estimated to be the progress of mandatory deadlines set out in the bylaws, which regulate this procedure, this deadline turns out to be on average from 6 to 8 months, from the notification of the announcement to its completion with the ranking of candidates.

For the first announcement in 2020, out of 6 vacancies for the position of non-magistrate inspector, from the administered data it results that 30 candidates have applied for this position, 9 of which have been withdrawn from the candidacy, at different stages of the process, while based of the procedures for verifying the fulfillment of the legal conditions and criteria for allowing the candidacy, 11 of the candidates turned out to be in the conditions of prohibition of candidacy and consequently, they were notified of the decision to discontinue the candidacy, rejecting them as candidates. Regarding the other 10 candidates, who were in the procedure, candidacy was allowed for the announced positions, continuing with the evaluation and scoring procedure, at the end of which are listed the candidates who

received over 70% of the points. At the end of the procedure, only 4 candidates were appointed who met the conditions and criteria set for that position.

In the analysis of the procedures initiated, in September 2021, for the announcement of 9 vacancies for the position of inspector non-magistrates, from the announcement procedures and the interest shown, the ratio turns out to be 1: 2, where for one vacancy there were two candidates. This report is indicative of a low number of applications in the announcement, adding here the progress of procedures, compliance with deadlines and findings of competent bodies, cases of withdrawal from candidacy and ranking and scoring, are factors that have an impact on the final results and consequently on the results of recruitment and effective start of duty.

Despite the efforts of HIJ and the HJC to second magistrates, legal interventions have been considered necessary, with the aim of increasing inflows from the ranks of magistrates.

In light of the above analysis, the efforts of the HIJ and the HJC to second magistrates and the current conditions of the legal framework for filling vacancies, for a new institution remains an ongoing challenge, which requires intervention at the legal level to address issues such as entry criteria, equalization of financial treatment for non-magistrate inspectors compared to magistrate inspectors, improvement of working conditions. The approach to address the issue of recruitment should be in balance and fair relationship with the factors that have influenced last year' experience with recruitment, but also the factors that are expected to affect the procedures announced in September 2021. In order to address the situation, coordination of work with the competent bodies is required for:²²

- Review the criteria that magistrates must meet to be seconded as inspectors at the Office of the High Inspector of Justice, reducing years of experience in office;
- Temporary secondment of the magistrate who has submitted a request, until the completion of the procedures of verification of assets and image, or shortening the deadlines for submitting applications and preparing the opinion of the councils;
- Removing the criterion for having an equal number of magistrate and non-magistrate inspectors;
- Equal financial treatment for non-magistrate inspectors;

Convinced that the legal changes are expected to provide the possibility of meeting the criteria by a higher number of magistrates, in order to reduce the entry criteria, to promote candidacies from the ranks of magistrates, the High Inspector of Justice, drafted the detailed request, justifying the purposes and the need for changes in compliance with the requirements and procedure provided by law no. 9000/2003 "On the organization and function of the Council of Ministers", following the draft acts and the relevant accompanying relations, for the required changes, addressed to the Ministry of Justice with letter no. 2922 prot., Dated 02.12.2020, of the High Inspector of Justice. The changes proposed by the High Inspector of Justice were not taken into account by the Ministry of Justice and until the drafting of this

²² Të gjitha organet kompetente në vlerësimin e kërkesës për ndryshime ligjore, duke filluar me kërkesën drejtuar Ministrinë të Drejtësisë, përcjelljen më tej për miratimin e propozimit pranë Këshillit të Ministrave dhe miratimin përfundimtar të tij nga Kuvendi i Republikës së Shqipërisë.

report, there is no response from this Ministry to the HIJ proposal for legal changes.

Due to the lack of a response, the proposals were addressed to the Assembly as draft amendments to:

- law no. 115/2016 "On the governance institutions of the justice system" and
- law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania".

Specifically:

Amendments to law no. 115/2016 "On the governance institutions of the justice system", as amended, were related to the unification of the remuneration measure for magistrate and non-magistrate inspectors, as well as the reflection in the relevant file of the disciplinary investigation, of the opinion of the responsible inspector in charge for the investigation, in case of a different opinion with the decision of the High Inspector of Justice. The proposals also took into account the spirit of constitutional changes, in terms of the nature of the Office of the High Inspector of Justice, which is envisaged to function as a monocratic and centralized body. Another issue that had to be addressed in the proposed legal changes, was related to guaranteeing the functioning of the Office of the High Inspector of Justice, by filling vacancies for inspectors. The amendments proposed removing the limit on the reports of magistrate and non-magistrate inspectors. In order to ensure the functionality of the institution and the fulfillment of its constitutional and legal competencies, the proposal gives priority to the secondment of magistrates, but does not limit the completion of structure of inspectors, in case magistrates are not interested in getting involved in the procedures of secondment.

Amendments to law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania" were related to the restriction imposed in the provisions for inspectors coming from the ranks of magistrates. They were required to meet the requirements to be appointed to the High Court or the General Prosecutor Office in order to be appointed inspectors at the Office of the High Inspector of Justice. The condition referred to years of exercising functions as magistrates, (not less than thirteen years at lower levels). For the above, balancing the need to guarantee a high standard in the process of disciplinary investigation (which is not necessarily related to the years of stay of the magistrate in the system) on the one hand and on the other hand the protection of the public interest and the reputation of the judicial system and the prosecution as a whole from actions that infringe and damage the position and image of the magistrate, we proposed changing the criteria for seconding magistrates to the position of inspector at the Office of the High Inspector of Justice, providing the possibility of secondment in these positions of those magistrates who meet the criteria for promotion, in positions at the courts or prosecutors of the second instance.

During the follow-up of the progress of the process of reviewing legal proposals according to parliamentary procedures by the responsible committees, we got acquainted with the calendar

of work, according to which the draft laws were decided for review on 06.04.2021. Despite the date set in the calendar of the work of the parliamentary committees, from the verifications performed on the official website of the Parliament, for the period 06.04.2021, until December 2021, it results that no minutes of the responsible committee or the committee for giving an opinion have been published, on review of the initiative of a former member of parliament for the draft law no. 115/2016.

In these circumstances, for the High Inspector of Justice, the need for legal changes, in light of the arguments set out above, remains a priority for 2022.

VIII. TRANSPARENCY AND PUBLIC RELATIONS.

8.1. Transparency in the focus of the activity of the HIJ

The High Inspector of Justice has placed in the focus of his work, transparency with the public and the media, as a precondition for a decision-making in accordance with the expectations for the new institutions of the justice system. Public relations is conceived as one of the most effective ways, not only to guarantee public trust in ILD in particular, but also in justice in general.

In order to fulfill the recommendations deriving from the Resolution of the Parliament, regarding the increase of the interaction of the High Inspector of Justice with the citizens, appropriate steps have been taken, which have significantly increased the transparency of the institution in the eyes of the public.

The official website, providing clear information on the functions of the HIJ and the complaint process, the reception of citizens, public information, ways to reach and communicate with the public are the means to provide dynamic transparency, as a working method of the HIJ.

In order to maximally facilitate the process of filing complaints by citizens, the High Inspector of Justice, published a more simplified form, through which citizens or even institutions can file suspected violations by judges and prosecutors in the Republic of Albania. Also in the framework of transparency, for an increased communication with the interested citizens, in addition to the orientation given on the website for the complaint process, has been indicated the email address and telephone number available to the public, which is functional during official hours. On the other hand, the team of the complaints office conducts receptions with citizens every working day from 09.00-14.00.

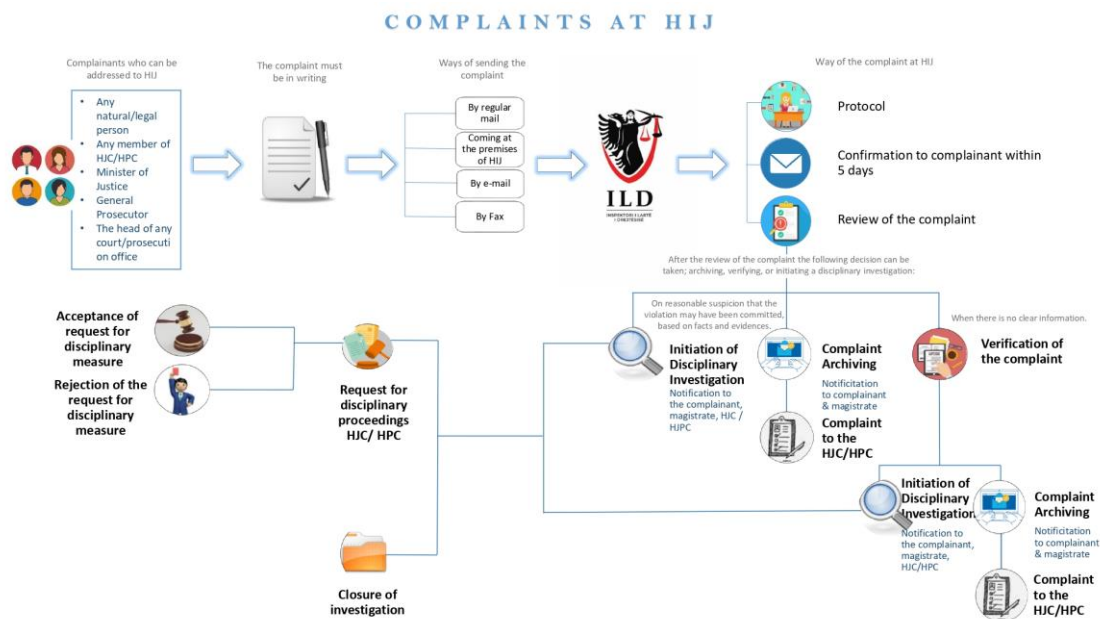
8.2. Website as a way of communication of the institution

The official website www.ild.al provides real-time access to information in Albanian and English and fulfills the obligations set out in law no. 115/2016 "On the governance institutions of the justice system" and law no. 119/2014 "On the right to information". Through the website, the Office of the High Inspector of Justice has established proactive, transparent and informative relations with the public and the media. This has been achieved through the restructuring of the website, according to the concept 'all attention to the public', with a new design, which creates convenience for every citizen or interested subject, in searching for information in real time. An 84-second informative video posted on the site summarizes the role, functions and complaint process to HIJ. In addition to the presentation on the role, functions, competencies, budget and organizational structure of HIJ, the website is updated with real-time information which is easy to be assimilated by the public, through sections dedicated to decisions, reports on the activity of the institution, complaints, press releases, periodic newsletters, budget monitoring, activities and any statistical data related to the decisions of the High Inspector of Justice.

The official website www.ild.al has paid special attention to the complainants. In the most visible part of it is placed the section "How to receive complaints", which contains simplified information on how to complain to the HIJ. The above section contains the standard complaint form, along with simplified instructions on how to complete, file and relevant deadlines. In order to make transparency and further facilitate the filing of a complaint, in this section are published a series of examples of decisions taken by the High Inspector of Justice for cases of receiving complaints. The examples help any interested person, that the complaint meets the conditions set by law to be admissible. For a visual information, in the section "How complaints are received" is published "Complaint Map", a graphic illustration of the path that follows the complaint in HIJ, from the first stage of review until it ends in decision making.

The process of administration and processing of complaints in HIJ, is provided as information in figures on the official website. Every Monday, the published figures are updated, based on the work done the previous week, on the number of complaints administered, complaints handled, complaints in the process of processing, complaints in the process of verification after the initial review, decisions to initiate disciplinary investigation and requests for disciplinary proceedings.

All these qualitative steps have been taken in the framework of increasing the interaction of the High Inspector of Justice with the public.



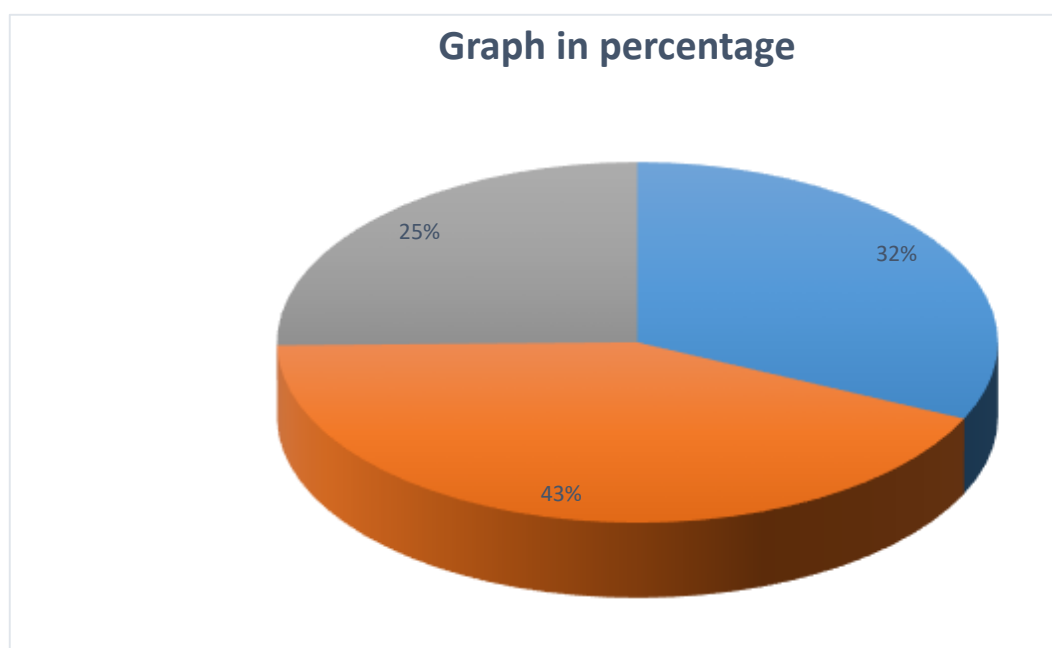
In order to simplify the understanding of the progress of complaints, the "Complaint Map" was conceived, which reflects to the public the path followed by the complaint in the institution, from the moment of submission, protocol, stages followed to verify the case, if disciplinary violations of the magistrate are found. In addition to the approved 'Guide' for completing the complaint form, in the section "How complaints are accepted", concrete examples of completing the complaint form have been published on the official website.

8.3 Reception of citizens in the premises of the High Inspector of Justice

The Legal Aid and Complaints Sector at HIJ conducts receptions with citizens every day of the week, from 09.00-14.00. During 2021, at the Office of the High Inspectorate of Justice, an average of 4 (four) citizens per day were assisted in their claims / complaints against magistrates.

Specifically:

- 185 meetings were held with citizens (based on written requests, requests via telephone communication, as well as without prior determination). During the meetings, in each case the responsible officials listened to the allegations and assisted / informed about the uncertainties regarding the rights of the citizens to complain.
- 313 citizens / interested parties were assisted by phone, on the official number of the institution, who mainly requested information on the stage of the complaints, how they are received, how to proceed with the submission of additional documents in support of their claims, etc.
- Through official written responses or e-mail, 234 citizens / entities, have received the requested information, within a short time.



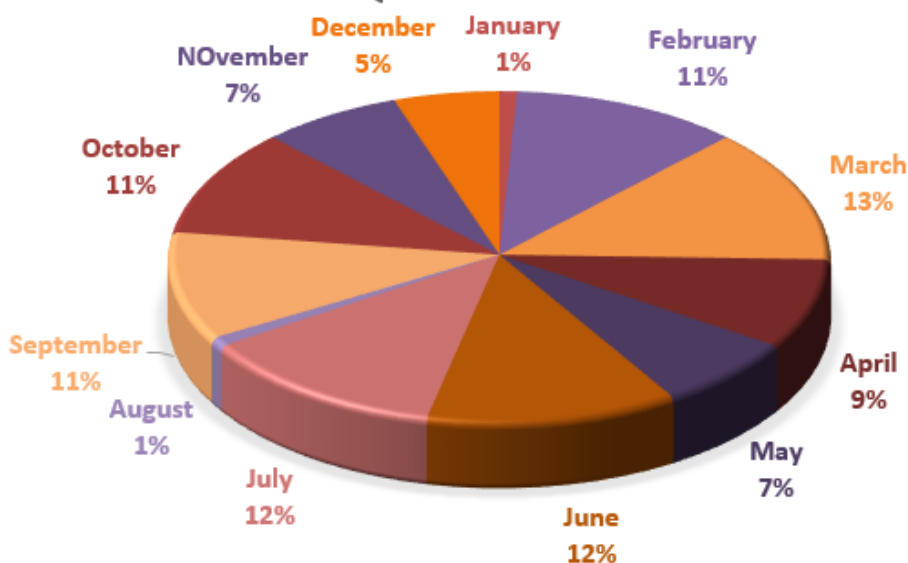
8.4 Right to information

The Office of the High Inspector of Justice has fulfilled in each case before the deadlines the legal obligations deriving from law no. 119/2014 “On the Right to Information”, and from the approval of the revised Transparency Program, and the completion of the register of requests and responses according to the orders of the Commissioner for the Right to Information and Personal Data Protection. The information made public in the transparency program, exhaustively reflects the activity of HIJ, through detailed publication on the official website www.ild.al, as well as in the reception areas of the public. The transparency program reflects

in sections, texts / content, deadlines set for the disclosure of information, the manner of disclosure, as well as the relevant structure, which produces or administers the document. The content of the transparency program clearly identifies the location of official information on the website map and is updated, both in form and content.

During 2021, at the Office of the High Inspector of Justice, 114 requests for information were received, which were processed in all cases within the legal deadlines. No applicant turns out to have complained to the relevant authorities about: a) lack of information; b) vague information; c) exceeding the legal deadlines and ç) refusing to provide information.

NUMBER OF REQUESTS HANDLED BY MONTHS



Compared to the data of the previous year, there is a quantitative and qualitative increase in the handling of information requests. Considering the progressive indicators of the increase of public trust in the institution, the administration of the Office of the High Inspector of Justice, according to the provisions of law no. 119/2014 "On the Right to Information", has addressed within a short period of time requests for information from citizens, media, interest groups or civil society organizations. On average for 2021, one request for information (regardless of volume) is processed, for every two working days. Referring to public data, the Office of the High Inspector of Justice, for 2021, has handled 114 requests for information.

8.5 Ways of communicating with the public

By setting transparency towards the public and the media as a top priority in its institutional activity, the Office of the High Inspector of Justice has taken some qualitative steps in order to increase the trust of every public actor, media or interest group:

- The official website www.ild.al has complete information, updated in bilingual, Albanian and English.
- An 84-second audiovisual material, published on the site introduces the role,

functions and complaint process in HIJ.

- The official e-mail address, info@ild.al serves as a simplified communication tool for sending complaints / documents, guaranteeing the public the necessary access to facilitate communication with the Office of the High Inspector of Justice.
- In order to enable real-time communication to the public and interest groups, at the HIJ, there is an official telephone number, through which the right to information is guaranteed.
- The Legal Aid and Complaints Sector, as an integral structure of the Legal Services Directorate, welcomes (every working day from 09.00-14.00) citizens who need assistance in completing the TIP complaint form and instructs them to complete it.
- The monthly bulletin of the Office of the High Inspector of Justice, provides the public with full access to the periodic information summary on the activity of HIJ. A special session is dedicated to HIJ complaint process and statistics produced by the complaint office. The monthly newsletter comes in the online version in Albanian and English and is easily accessible on the official website.
- The official account of the High Inspector of Justice in the Twitter application, serves as a means of communication with the followers and users of this application.
- To reach the public visually, HIJ has opened the official channel on Youtube, where activities of the High Inspector of Justice are published.

8.6 Communication with the media as a way to reach the public

The Office of the High Inspector of Justice has established a cooperative relationship with the media, as an intermediary with the public, informing in real time on the activity of the institution. In order to increase the transparency but also to provide targeted information on the work of the institution, every beginning of the month on the official website is published 'Monthly Newsletter', (a total of 11 Newsletters for 2021 have been published), which in addition to activities and work progress in HIJ is focused on monthly activity related to complaints. Monthly statistics from the complaints process are produced for this newsletter. Also, 64 announcements, interviews, bilateral meetings of the High Inspector of Justice with national and international actors, awareness messages, roundtables with stakeholders, focusing on full and transparent information of the public and the media were published. Special attention has been paid to media monitoring, in order to collect real-time information on various denunciations, in cases of alleged disciplinary violations of magistrates.

IX. FINANCIAL PERFORMANCE

For the year 2021, with law no. 137/2020 "On the budget for 2021", a budget of 260 million ALL was planned for the Office of the High Inspector of Justice, of which:

1. Current expenditures ALL 208 million
2. Investments of ALL 52 million

Based on the progress of its implementation during 2021, the budget of HIJ underwent changes, specifically:

For the current expenditure group:

The non-filling of vacancies for the positions of "inspector" created free funds in the items "Salary" and "Insurance" and with Normative Acts no. 26, dated 22.06.2021 and no. 34, dated 03.12.2021 "On some changes in law no. 137/2020 "On the budget of 2021", as amended, this budget had a reduction of 75.9 million ALL.

Investments according to approved projects:

- For the project "Reconstruction of the premises of the HIJ building", in the annual budget law 2021, the fund was planned in the amount of 32 million ALL. Upon completion and submission by the project office of the Project Prevention for the Reconstruction of the HIJ Building, it was found that the remaining budget after the procurement for the drafting of the project was able to cover only 25% of the estimated value of the project. In these conditions, after the approval in the PBA 2022-2024, the implementation of the project was postponed to be realized with the budget of 2022 and 2023. For this reason, the unused fund in the amount of ALL 28 million was reduced by Normative Act no. 34, dated 03.12.2021.
- For the purchase of office equipment, with an approved budget in the amount of 7.3 million ALL; the fund foreseen for the purchase of equipment for the partial furnishing of the offices did not take place, as the procurement procedure was closed without a winner.
- In the budget of 2021, with the approved fund in the amount of 7.1 million ALL, the needs of HIJ for the purchase of a vehicle were met.
- For the year 2021, with the available budget of 2.9 million ALL, the purchase of information equipment for the new HIJ staff was realized. Meanwhile, with the approved changes during the year, in this project, a fund of 2.5 million ALL was provided for the purchase of server room equipment, a fund which did not take place until December 31, 2021.

At the end of 2021, the implementation of the revised budget of the Office of the High Inspector of Justice by item of expenditure and in total is as follows:

Expenditure items:	Plan (000 ALL)	Fact (000 ALL)	Accomplishment (%)
1. Salary	90.600	87.929	97.0
2. Insurance	13.500	13.036	96.5
3. Operating expenses	26.770	21.268	79.4
4. Other	1.380	224	16.2
5. Investments	23.700	14.090	59.4
TOTAL BUDGET 2021	155.950	136.547	87.5

For the year 2021, the development of public procurement procedures by the General Services Sector has been carried out pursuant to law no. 9643, dated 20.11.2006 "On public procurement", amended and DCM no. 914, dated 29.12.2014 "On the approval of Public Procurement rules", as amended and after a break, the approved public procurement procedures have begun to develop with the entry into force of the new law no. 162/2020 "On public procurement" and the DCM no. 285, dated 19.05.2021 "On the approval of public procurement rules".

Referring to the register of public procurement forecasts for 2021 approved by the Office of the High Inspector of Justice, the following public procurement procedures have been carried out:

Indicative table of public procurement procedures implemented for 2021.

No.	Type of public procurement procedure	Monetary limit referred to law no. 9643, dated 20.11.2006 "On public procurement", as amended.	Total	Monetary limit referred to law no. 162/2020 "On public procurement".	Total
1	Request for proposal / Open procedure simplified	from 800 000 ALL – 8 000 000 ALL	5	from 1 000 000 ALL- 10 000 000 ALL	X
2	Small value purchase	from 100 000 ALL- 800 000 ALL	5	from 100 000 ALL- 1 000 000 ALL	5
3	Purchase under 100 000 ALL	Purchase under 100 000 ALL	11	Purchase under 100 000 ALL	16
4	Dynamic purchase of air transport tickets	Dynamic purchase	X	Dynamic purchase	1
	TOTAL		21		22
			43		

For the procedures in the register of public procurement forecasts for 2021 which were not accomplished until 31.12.2021 are foreseen to take place during 2022 and specifically:

No.	Object of public procurement	Time of developing procedure
1	Reconstruction of the HIJ building and offices	June 2022
2	Supervision and observation for the reconstruction of the HIJ building	During the year 2022
3	Purchase equipment and office furniture	May 2022

At the same time, the register of accomplishment of public procurement procedures for 2021 is published in the public procurement system of the Public Procurement Agency www.app.gov.al.

X. SUMMARY OF ACHIEVEMENTS DURING 2021.

The year 2021 has been with a significant workload due to the lack of human and infrastructural capacities, but thanks to the set and measurable objectives, the main priorities have been achieved, for which the data are presented in the previous sections of this reports. The following is a summary:

- Handling complaints and increasing the number of investigations and disciplinary proceedings, despite the absence of 18 inspectors.
- Handling inherited complaints to reduce the number of accumulated complaints, according to a priority order based on respect for the principle of equality and objectivity.
- Defining internal rules and procedures for the exercise of functional duties and good administration of the institution;
- Increase cooperation with international actors and civil society;
- Increasing the transparency of the activity through the improvement and enrichment of information for the general public.

XI. PRIORITIES FOR 2022

For 2022, the primary priority will continue to be the handling of as many complaints as possible, in order to increase public confidence. Of course, this process is seen as inseparable from filling with inspectors and the High Inspector of Justice with dedication will continue in this regard, in filling vacancies and intensifying activities for professional capacity building, according to standards and best practices from countries which have early tradition.

Thematic inspections in courts and prosecution offices are another ongoing priority of HIJ, to identify the solution to the problems that the system has today, rather than aiming at disciplinary measures against magistrates, but to help the justice system perform as much as possible in the service of the interests of the citizens, responding in a timely manner, with justice and impartiality to the needs of the society for justice.

Increasing transparency with the public, as public relations is seen as one of the most effective ways, not only to guarantee public trust in the institution in particular, but also in justice in general.

Review of work objectives and draft a new strategic plan, outlined in time and according to a coordinated methodology, to serve as a basis for overall planning and performance management.

Consolidation of cooperation with the Councils and transitional re-evaluation bodies on the disciplinary process, treatment of the proceedings within reasonable deadlines.

Improving the infrastructure necessary for the development of general activity and in particular, that of verification and inspection, with special focus on the technological development of a consolidated case management system.

Continuous efforts with the actors involved to implement the necessary legal changes, in compliance with the activity and increase performance.

Finalizing the acts in order to fulfill the recommendations of the Parliament resolution for 2021 and assessing the needs for review of the regulatory framework depending on the needs that may arise, work analysis or within the recommendations of state bodies and international commitments.

XII. LEVEL OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE RESOLUTION OF THE PARLIAMENT OF THE REPUBLIC OF ALBANIA FOR THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE FOR 2021.

The Parliament of the Republic of Albania, in compliance with decisions no. 49/2017 "On the establishment of a joint mechanism for systematic monitoring of the follow-up and implementation of the recommendations of independent constitutional institutions and those established by law" and no. 134/2018 "On the approval of the annual and periodic monitoring manual", as well as based on the progress of the work of HIJ since the day of start of its activity as an independent constitutional institution, has made a detailed assessment of data deposited to the High Inspector of Justice for the period February-December 2020.

In the plenary session of June 3, 2021, the Parliament adopted the resolution "On the evaluation of the work of the Office of the High Inspector of Justice for 2020 (February-December)", through which 8 recommendations were left for follow-up and implementation. With the approval of the Resolution, by the High Inspector of Justice, the calendar of measures for the implementation of the recommendations has been drafted, the persons responsible for following and implementing the measures for each recommendation have been appointed and the respective deadlines for fulfilling the recommendations. Pursuant to decision no. 134/2018 of the Parliament have been prepared and forwarded 4 monthly monitoring reports for each recommendation.

From the recommendations left according to the Resolution of the Parliament of the Republic of Albania, for the Office of the High Inspector of Justice, in a synthesis of the level of their implementation, informs that:

- of them have been met (recommendations no. 2, 3, 4 and 8),
- other recommendations have been partially implemented and remain in the process for final implementation during 2022 (recommendations 1, 5, 6 and 7);

Regarding the progress of the implementation of the recommendations and the measures taken in their implementation, we inform in detail the following:

1 *Establishment of a case management system for the investigative procedure, drafting of detailed provisions for the administration of this system, as well as making public partial information as determined by the High Inspector of Justice in accordance with and pursuant to Article 137 of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania".*

Regarding recommendation no. 1, HIJ has appointed an internal working group to cooperate with the EURALIUS project, in the establishment and implementation of the internal case management system. The development of the system, focuses on facilitating the procedures of circulation of documentation and maintaining the security of data kept in it, ensuring that

the system is created according to the respective functions, division of tasks, and treatment of documentation in the HIJ Office.

The approval of the internal regulation of the organization and functioning of HIJ, has defined the functions and competencies, but also the way of information circulation and documentation. Procedural steps according to the regulation and division of labor in HIJ, are the starting point for drafting a special regulation for the use of the system.

During 2021, meetings continued for the further development of the internal system, seeing the opportunities to add columns to the system, but also to increase the number of users. In this regard, the system is equipped with the necessary licenses to use the system with a validity period until August 2022.

Although not fully functional in terms of providing facilities for all users and generating reports / statistics, the system is being used mainly by the protocol archive which performs actions of recording, scanning and updating the written documentation for complaints, as well as by inspectors and assistant inspectors who complete in the system the documentation related to a complaint.

In December, the EURALIUS project delivered the electronic system to the stage explained above, with the signing of the asset transfer agreement between the Head of Mission and the High Inspector of Justice from January 2022. The internal complain system is already owned by HIJ and is part of the assets of the HIJ Office. By becoming part of the assets, measures will be taken to make budget requests to the MFE in order to further develop the system and renew the relevant licenses, in order to ensure the continuity of the system and the fulfillment of its goals. Considering that the system has been put into use in the conditions as it was submitted, work has begun on the evaluation of technical documentation to clearly identify the necessary information, in order to draft internal rules for its use.

2 *Establishment of a database of complaints transferred from the former HCJ and administered by the High Inspector of Justice, in order to group them and draft a priority order for review.*

After the establishment of the High Inspector of Justice (February 1, 2020), 2104 complaints and practices in different stages of treatment were transferred from the previous bodies. With the receipt of the fund, the organization of work was continued and the approval of 3 general orders for the identification of these practices and the determination of the manner of treatment with priority, namely:

1. Order no. 66, dated 28.09.2020 "On the establishment of the working group, for the administration and categorization of complaints submitted to the competent bodies during the transitional period, until the establishment of the institution of High Inspector of Justice", pursuant to this order, the working group recorded the data for each practice, the stage of their treatment, etc.
2. Order no. 98, dated 12.11.2020 "On the establishment of the working group for the continuation of the treatment of complaints or practices forwarded by the High Judicial Council to the Office of the High Inspector of Justice", Pursuant to this order, the

working group began with the treatment of practices followed by the HJC according to instructions assigned in the order.

3. Order no. 41, dated 19.02.2021 "On the distribution of complaints filed by the High Judicial Council and administered at the Office of the High Inspector of Justice", pursuant to this order, after the recruitment of 8 inspectors (magistrate and non-magistrate), practices were distributed to 4 (four) inspectors for their priority treatment.

Recently, the High Inspector of Justice has approved the order no. 131, dated 21.09.2021 "On the establishment of the working group for the compilation and processing of statistical data, regarding the complaints handled at the office of the High Inspector of Justice for the period January-August 2021". Given the need to have annual activity statistics, the object of order no. 131, dated 21.09.2021, has been added, in order to cover the processing of statistical data for the following months (September, October, November and December) of 2021, in order to have a complete statistical evidence.

Pursuant to this order, the working group has started work and created a database of complaints filed with the Office of the High Inspector of Justice and of practices transferred from the former High Council of Justice, and administered by the High Inspector of Justice, in order to reflect the correct data, regarding the number of their treatment, the object, the claims presented in these complaints, etc.

3 *Coordination of work and continuous exchange of information with the HJC, HJC and transitional re-evaluation bodies, which are responsible for the career system of magistrates regarding the existence or not of disciplinary proceedings initiated or complaints filed with HIJ for magistrates applying for promotion within the career system.*

Regarding the implementation of this recommendation, we consider it fulfilled, as the High Inspector of Justice continuously exchanges information with the HJC, HPC and IQC. In order to facilitate the exchange of information within the required deadlines, the High Inspector of Justice has appointed the person responsible for forwarding the information to the bodies of the justice system for the needs of the developed procedures.

The Office of the High Inspector of Justice in each case has treated with maximum priority the provision of information to these institutions. Specifically, the data are as follows:

- 145 letters addressed to the HJC and HPC (information on complaints and their treatment of magistrate judges and prosecutors);
- 32 letters to the IQC (information on complaints and their treatment of magistrate judges and prosecutors);

Also, in the framework of inter-institutional cooperation, the Office of the High Inspector of Justice has requested from the High Judicial Council and the High Prosecution Council updated lists of currently serving magistrates and those whose status ends.

IQC, starting from November 2021, sends information to the HIJ Office, for any decision-making against magistrate prosecutors or judges, within the re-evaluation process.

Establishing communications between the High Inspector of Justice, councils and re-evaluation bodies, will be continuous and to ensure the updating of information which mutually serves the institutions within the competencies and increase efficiency for disciplinary investigation and evaluation of magistrates.

4 *Strengthening institutional relations with the High Judicial Council and the High Prosecution Council, in order to handle disciplinary proceedings for prosecutors within a reasonable time.*

The development of the first disciplinary proceedings presented by HIJ in both councils, based on the new justice reform legislation, has prompted the new institutions to establish communication and coordination bridges to identify issues of common interest encountered during implementation of law, agreeing and coordinating the implementation of uniform standards, by guaranteeing a regular disciplinary process and respecting the independence of magistrates.

5 *Continuing prompt work for drafting the manual of disciplinary investigation, drafting the regulation for handling complaints and the methodology for inspection.*

Regarding this recommendation, a disciplinary investigation manual was drafted, a physical copy of which was distributed to all inspectors and the administrative staff of the High Inspector of Justice. The drafting of this manual aims to support the interpretation and implementation of a new legal framework regarding the disciplinary system for judges and prosecutors in the Republic of Albania. The manual is built with the analysis and comments of the provisions, standard forms built based on the clear requirements of the articles of the procedural law for the disciplinary investigation of violations committed by judges and prosecutors and cover mainly the procedures to be followed during the disciplinary process. The drafting of this manual is expected to simplify and expedite the work of inspectors.

Regarding the inspection methodology, HIJ due to the insufficient number of inspectors and the high number of complaints carried out, so far has started 3 (three) thematic inspections, namely:

1. Decision no. 1 dated 11.02.2020, of the High Inspector of Justice for conducting the thematic inspection of courts and prosecution offices on the treatment of requests subject to "Conditional Release".
2. Decision no. 37, dated 01.06.2021 of the High Inspector of Justice "On conducting the thematic inspection of the general jurisdiction with the object:" On taking administrative and procedural measures in the framework of the implementation of the general instruction no. 12, dated 20.07.2020, of the General Prosecutor "On the regulation of relations between prosecutors and heads of the prosecution offices, information, transparency and guarantee of independence in the prosecutions with general jurisdiction", as amended.
3. Decision no. 47, dated 15.07.2021, of the High Inspector of Justice "On conducting the thematic inspection of prosecutors of general jurisdiction with the object:" Observance of conditions and criteria for determining personal security measures "for the criminal

offense" Detention without permission and the production of weapons, explosives and ammunition".

After receiving data from the courts and prosecution offices involved in this thematic inspection, and analyzing them during the inspection procedures followed, for the thematic inspection for "release on parole", there are 3 requests for disciplinary proceedings in 2020 and 1 request for disciplinary proceedings during 2021. As for the other two inspections mentioned above, the High Inspector of Justice is in the process of analyzing the administered data for each thematic inspection, the results of which are expected to be released during 2022.

In each of the decisions for conducting thematic inspections, the High Inspector of Justice has approved the inspection methodology to be followed. The analysis of data and results in these three cases will serve as a starting point for starting work on drafting a general inspection methodology.

In each of the decisions is approved the inspection methodology that will be followed. The analysis of data and results in these three cases will serve as a starting point for starting work on drafting the inspection methodology. At this stage of human resource capacity this measure remains partially implemented, due to the insufficient number of inspectors and the handling of overdue complaints by the former HCJ, HJC and current ones, but also the lack of necessary infrastructure for conducting inspections.

The work so far is focused on the organization of several activities which aim to build a certain methodology for conducting an inspection. Simultaneously for the purpose of inspection, several trainings / workshops were conducted and several meetings were held with internationals to obtain the best experiences and experiences in the field of inspections.

Another activity in function of this measure is the taking of a unanimous decision dated 10 December 2021, by the European Network of Justice Inspection Services, for granting the status of observer to the High Inspector of Justice. The cooperation of the High Inspector of Justice with the European Network of Justice Inspection Services aims at sharing work practices from inspection services in European countries, joint trainings, exchange of programs with groups of inspectors and creation of electronic platforms and exchange practices.

In December 2021, an activity was held with the participation of all employees of the Office of the High Inspector of Justice, with the aim of recognizing European practices and general principles around institutional and thematic inspections.

The methodologies of some European countries are currently being researched in order to determine the rules on the manner of implementation and the procedural steps that must be followed in an inspection process. Regarding the regulation of complaints, work is being done for the construction of an internal system of circulation of documentation, in evaluation of foreign models, by counterpart institutions

6 *Continuing prompt work for the completion of the recruitment procedures of the inspectors at the Office of the High Inspector of Justice.*

Regarding this recommendation in order to accelerate the work transferred from previous bodies but also after the constitution of the Office of the High Inspector of Justice, the HIJ has taken a series of measures which have enabled the establishment of the institution, but also its completion with the necessary human capacity.

The High Inspector of Justice has continued to work with a single inspector, as well as has requested the secondment of other magistrates near the councils. The HJC has made seven announcements for the secondment of magistrate judges in the position of inspector at the Office of HIJ, which have not been successful in terms of meeting the needs of HIJ. While the HPC has filled 4 positions, thus with the completion of procedures, 4 magistrate prosecutors have been seconded for a period of 5 years.

Despite the efforts of HIJ and the advice to second magistrates, legal interventions have been deemed necessary in terms of reviewing the criteria for inspectors from the ranks of magistrates, for which detailed information is presented in the section "Legal Amendments".

In these conditions, at the request of the High Inspector of Justice, the High Judicial Council was requested to re-announce the procedures for the candidacy of 6 (six) magistrate judges for the position of inspector at HIJ. Regarding the request addressed to the HJC, it turns out that with decision no. 572, dated 07.12.2021, of the HJC, "On the reopening of the secondment procedure in the Office of the High Inspector of Justice and the announcement of the request for candidacy from the ranks of judges", it was decided:

- Reopening secondment procedure for judges in the Office of the High Inspector of Justice.
- Announcement of the request for candidacies, from the ranks of judges, for secondment in the Office of the High Inspector of Justice, for two vacant positions as inspector.

With the notification dated 07.12.2021²³, the HJC invited magistrates who meet the conditions and criteria of command, to submit a request for secondment, together with the deadlines and procedures that will be followed in the future. With the notification dated 28.12.2021²⁴ of the HJC, after the expiration of the deadline for the invitation for secondment, no candidacy was presented.

In addition to the request addressed to the HJC, the High Inspector of Justice, on September 30, 2021, announced the recruitment of 9 (nine) non-magistrate inspectors to the inspectors unit. The announcement was made public on the official website²⁵, on the Portal "National Employment Service", as well as on the information stand for the public.

After the end of the 1 (one) month deadline for expression of interest, the High Inspector of Justice with order no. 142, dated 29.10.2021 "On the initiation of the procedure for the selection of non-magistrate candidates for the position of Inspector at the Office of the High

²³ <http://klgj.al/wp-content/uploads/2021/12/Njofitim-i-dat%C3%ABs-07.12.2021-P%C3%ABr-rihapjen-e-procedur%C3%ABs-s%C3%AB-komandimit-n%C3%AB-ILD.pdf>

²⁴ <http://klgj.al/wp-content/uploads/2021/12/Njofitim-i-dat%C3%ABs-28.12.2021-Mbi-kandidimet-n%C3%AB-procedur%C3%ABn-e-komandimit-t%C3%AB-gjyqtar%C3%ABve-n%C3%AB-Zyr%C3%ABn-e-Inspektorit-t%C3%AB-Lart%C3%AB-t%C3%AB-Drejt%C3%ABsis%C3%AB.pdf>

²⁵ <https://ild.al/sq/rekrutim-inspektore-jo-magjistrate/>

Inspector of Justice", has established the Committee for Appointment and Evaluation of Inspectors, which on 08.11.2021 has started the procedure for selection for 19 candidates who have expressed interest in the position of non-magistrate inspector, at the Office of the High Inspector of Justice.

Following the selection procedure in accordance with decision no. 536, dated 25.07.2019, of the Council of Ministers "On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verification of the figure and property of non-magistrate candidates for the position of inspector", after fulfillment of the legal obligation to provide the candidates with the relevant forms and submission of completed forms by the candidates to the High Inspector of Justice, was followed by sending official letters to the relevant institutions, in order to obtain information, on which will be based the verification of fulfillment of legal conditions and criteria, verification of the figure and of the property.

At the end of the process of collecting information from the relevant institutions, further stages of the selection procedure will be followed for candidates who have expressed interest in the position of non-magistrate inspector, at the Office of the High Inspector of Justice.

7 Drafting and approving the annual plan of institutional and thematic inspections and making it public on the official website of the institution.

Regarding this recommendation, the High Inspector of Justice has taken measures to initiate thematic and institutional inspections. For this purpose, the High Inspector of Justice has addressed a request to the High Judicial Council, the High Prosecution Council and the General Prosecutor, requesting the presentation of topics or issues, which may be subject to thematic or institutional inspection.

Following our requests, the General Prosecutor has proposed 6 cases which may be subject to inspection. The High Inspector of Justice, after a careful assessment of the issues identified by the General Prosecutor, but also in the analysis of the General Prosecutor Report "On the state of crime for 2020", which highlights the lack of institutional cohesion, lack of administrative or organizational measures, or aspects of legislative provisions. In order to address the issues raised by the Prosecutor General, a two-day working meeting was organized, where it was discussed between the High Inspector of Justice, units directly engaged in inspections and international actors, on the issues raised and the continuation of drafting an annual plan for inspections. In the analysis of human resources opportunities at HIJ, their capacities, financial opportunities for this year, HIJ has assessed that it is in conditions of limited capacity in terms of human resources, institutional experience, but also financial opportunities to address all needs and defining a plan. The identified objective impossibilities are conditioned by the high number of complaints carried, but also by the high number of complaints submitted.

In the assessment of all factors with impact on the implementation of inspections, it is estimated that the appropriate tool for addressing the issues presented by the General Prosecutor, is the development of a thematic inspection with the object: "On taking

administrative and procedural measures within the implementation of General Instruction no. 12, dated 20.07.2020, of the General Prosecutor "On the regulation of relations between prosecutors and heads of the prosecution offices, information, transparency and guarantee of independence in the prosecutions with general jurisdiction", as amended.

In order to implement this recommendation, the High Inspector of Justice is undertaking several cooperation activities with international actors, who will assist through best practices in building an annual plan, in implementation of the inspections defined in the laws of justice reform (law no. 95/2016 and law no. 98/2016), but also from the experience so far in terms of handling complaints, evaluating it in relation to the methodology followed by European counterparts.

Establishing cooperative relations with European counterpart structures serves the need to understand the purposes of the inspection and about the situation of the inspected organization, and then proceed with planned inspections in accordance with the current available human and financial capacity. To this end, the High Inspector of Justice has finalized a memorandum of understanding to strengthen co-operation with the counterpart inspectorate in Bulgaria. A memorandum with counterpart inspectorates in Romania and Italy is also being negotiated.

8 *Promoting and increasing the interaction of the High Inspector of Justice with the citizens through activities, periodic information, informative enrichment of the site using any other channel of public communication.*

Public relations is one of the most effective ways to build a solid reputation of the institution.

Public relations is about sending the right messages to the right place and the right people, informatively and promoting the work of the High Inspector of Justice.

In order to fulfill the recommendations deriving from the Resolution of the Parliament regarding the increase of the interaction of the High Inspector of Justice with the citizens, the following measures have been taken:

1. Restructuring the official website. A new design has been created to facilitate the research of every citizen on the site and to search for information in real time. The official website ild.al reflects every activity in the section "Announcements". Also, special attention was paid to the complainant, who in the section "How complaints are received" finds simplified information on how to complain to HIJ. This section contains the TIP complaints form along with the relevant instructions on how to complete this form. In order to increase the transparency and for a more practical approach of the citizen with HIJ, a series of examples have been published on the decisions taken by the High Inspector of Justice in cases of receiving complaints. Also, the "Complaint Map" was published to illustrate the path that the complaint follows in HIJ from the first phase of the review until it ends in decision making. All these have been undertaken in the framework of increasing the interaction of the High Inspector of Justice with the citizens.

2. It is worth noting that the general information and sections of the official site are translated into English, to provide more access and convenience to foreign site visitors.
3. The monthly newsletter of the Office of the High Inspector of Justice has been drafted, which is a periodic summary with an informative character on the activity of the Office of HIJ. A special session was also devoted to statistics produced by the complaint office. This newsletter is accessible in the online version.
4. An official telephone number has been made available to facilitate communication with citizens in accordance with their right to information.
5. The account of the High Inspector of Justice in the Twitter application is also available to the citizens, which serves as a means of communication with the followers of this application.
6. Also, for a more dynamic communication, the official Youtube channel in which every media activity of the High Inspector of Justice is reflected with video.
7. The official e-mail address info@ild.al serves as a communication tool for sending complaints but not only. By e-mail, citizens can obtain any information they need and send any necessary documentation to facilitate communication with the High Inspector of Justice.
8. The Complaints Sector, as an integral structure of the Directorate of Legal Services, welcomes citizens who need assistance in completing the TIP complaint form and instructs them to complete it.
9. Also, a short audiovisual material on the activity of the institution has been realized, which is on the official website and on the Youtube channel.