

OCTOBER 2022 | No. 20

# NEWSLETTER

## HIGH INSPECTOR OF JUSTICE

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Inspektori i Lartë i  
Drejtësisë



Inspektori i Lartë i Drejtësisë Artur Metani  
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**THE JUSTICE REFORM AS A TRANSFORMING FORCE FOR ALBANIA  
TOWARDS EUROPEAN VALUES AND STANDARDS**





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## REFORM IN JUSTICE AS A TRANSFORMING FORCE FOR ALBANIA TOWARDS EUROPEAN VALUES AND STANDARDS

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High Inspector of Justice, Mr. Artur Metani welcomed the Ambassador of the European Union in Albania, Ms. Christiane Hohmann.

Congratulating her on the appointment as the Ambassador of EU to our country, Mr. Metani appreciated the help given by the European Union to the HIJ Office in terms of technical assistance through the EURALIUS V mission, for the

consolidation of the justice system in Albania, as well as the increase of capacities through CEPEJ, the program for Strengthening the Quality and Efficiency of Justice in Albania.

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Ambassador Hohmann evaluated the results achieved by HIJ in two years and emphasized that the European Union will continue to support the institutions of justice in Albania.

High Inspector of Justice, Mr. Metani and the EU ambassador, Ms. Hohmann shared the opinion that the transformative power of the justice reform will also affect the social mentality and that the membership negotiation process will not simply be a monitoring process, but also a process of cooperation for the development, consolidation and the approach of Albania to European values and standards.

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## THE WORK OF JUSTICE INSTITUTIONS CANNOT BE CRITICIZED OR PRAISED WITHOUT MEASURING INDICATORS

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High Inspector of Justice Mr. Artur Metani gave an interview to journalist Sonila Agostini on Albanian Radio and Television. In the beginning Mr. Metani spoke about the results of the HIJ in relation to the well-known expectations of the public for his institution, as well as for other institutions established as part of the justice reform. What he finds in the HIJ work, is the interest of citizens to turn to the institution for complaints against magistrates.

“It is very difficult today to measure the results, because even as citizens, we can identify the problems that the system has. However, the important thing is that the citizens are aware now that there is a system that works, for the complaints

they have against judges and prosecutors. This is the first step, I think, of raising awareness that there is an institution, there is a mechanism, that responds to their concerns,” said Mr. Metani.

As far as the work process of the HIJ is concerned – the legal deadlines for handling a complaint, 3, 6 and 9 months, the capacities in human resources compared to the number of approximately 5 thousand filed complaints, Mr. Metani said that the High Inspector of Justice is sensitive to citizens’ dissatisfaction and impatience for the speedy handling of their complaints. Therefore, a work methodology has been approved, published on the official website, according to which early

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complaints, those that the HIJ inherited from the former KLD and KLGJ, should be treated with priority in order to avoid as much as possible exceeding their deadlines, as there are citizens who have been waiting for years for an answer to the complaints they have made with other institutions.

"Undoubtedly, there have been complaints, because today, as we speak, the number of complaints filed with the High Inspector of Justice Office is about 5,000, a bit less, but 5,000 rounded off. The number of handled complaints is half. Of course, half are unhappy because they are waiting for answers, but the HIJ Office has tried to be transparent with the way it handles citizen complaints.

Today, on the website of the HIJ Office, the methodology of how the High Inspector of Justice works, i.e., which complaints are given priority, how these complaints are handled, the deadlines within which they are handled, so that citizens, before expressing their dissatisfaction, as much as this can be possible, because obviously citizens cannot all be lawyers, can see that

we try to be as transparent as possible with them, so that citizens understand how we work. In this way, they are free to evaluate the work of the High Inspector of Justice.

To be honest, there is dissatisfaction, because we see this in the repeated complaints are filed. We try to address any concerns in a timely manner. However, priority has been given to the old complaints, because we must respond to the citizens who had addressed the state offices in time and not forget the complaints that the citizens have presented recently."

To the question whether in two and a half years in office there was interference or pressure from politics, Mr. Metani answered:

"I think the important question is not whether there is pressure or not.

The most important question is whether we are affected by this pressure and whether the new institutions of justice but also the courts and prosecutors' offices submit to this pressure.



The personal answer is no! There is no chance that this institution will submit to political pressure, or any other kind of pressure, because it is not only political pressure we are speaking.

We as well as everyone else should be clear about this. I am convinced that my colleagues also think and have the same answer.”

Asked if he thinks that 6 years after the adoption of the reform in justice there should be a monitoring process to measure the results or failures of the reform in justice, Metani replied that this is now a necessary process, although delicate, and this process can be done by Albanian Parliament.

“Evaluation of justice institutions is

delicate, not just for those who are in justice institutions today, even personally speaking. It is important that the work of courts and prosecution offices, the work of justice institutions is measured by analytical and scientific indicators.

It cannot be measured by perceptions in my view. Therefore, the work of justice institutions cannot be criticized without indicators, just as it cannot be praised without indicators. For me, the important thing is that the work is evaluated using standards, and if standards have been set by these institutions, by HIJ, HJC, HPC by SAC, for the disciplinary proceedings we have, we evaluate it and then see what needs to be changed. But the change must come on the basis of a professional study and analysis,” said Mr. Metani.



## NEW NON-MAGISTRATE INSPECTORS START WORKING AT HIJ

High Inspector of Justice, Mr. Artur Metani welcomed the new non-magistrate inspectors who join the Inspectors unit at the HIJ.

At the end of several-month procedures of competition and selection of non-magistrate candidates for the position of Inspector, the four candidates who received the most points will be part of the HIJ.

Welcoming the winning candidates to the institution, Mr. Metani underlined the importance of filling the vacancies at the inspector's unit because the number of complaints against judges and prosecutors is very high compared to the HIJ capacities.

"As it is known, said the High Inspector of Justice, this year we have set as a priority

the reduction of the backlog files inherited from other institutions, in addition to handling the complaints addressed to the HIJ in two and a half years of activity, as well as the thematic inspections, an important dimension of the institution's work. We are working at a fast pace and we are grateful to every citizen for their patience, since under the circumstances of such workload, the deadlines for handling complaints are related to the capacities of the institution."

There are about 5,000 complaints confirmed at the HIJ, inherited and received directly at the institution. With the new non-magistrate inspectors, the Inspectors unit counts 12 magistrate and non-magistrate inspectors, out of 26.

## LEGAL AID AND COMPLAINTS SECTOR



### *While assisting the complainants*

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

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

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

*During October 2022, Legal Aid and Complaints Sector has met **31 complainants**, which came at the Office of High Inspector of Justice and received **22 phone calls** from citizens, which have requested information of the phase of their complaints or legal aid on how to complete the Complaint Form.*





## COORDINATOR ON THE RIGHT TO INFORMATION



The Coordinator on the right to information at the Office of High Inspector of Justice enables each applicant the right to access public information, in accordance with the law and communicates with the applicant as needed to address the request for public information.

The request for information is submitted by citizens, legal entities, interested groups in the Office of the High Inspector of Justice, through Posta Shqiptare Sh.a., e-mail to the address: [info@ild.al](mailto:info@ild.al), as well as that of the coordinator on the right to information [amanta.jasa@ild.al](mailto:amanta.jasa@ild.al).

The information provided in the transparency program is published and continuously updated in the register of requests and responses, within the legal deadline.

## MONTHLY FIGURES

*During September 2022, at the Office of High Inspector of Justice, **14 requests** for information were received, which were processed in all cases within 5 days (the law provides that applicants to return response within 10 days).*

## COMPLAINT PROCESS

The Office of the High Inspector of Justice continues with intensive work to confirm the complaints carried and those administered since February 1, 2020, when it was established as an institution.

To facilitate this process for interested persons, HIJ has published on the official website a special complaint form, which:

- Can be completed directly and submitted online;
- Can be downloaded, completed and sent

by email to [info@ild.al](mailto:info@ild.al) or by mail at the address Boulevard "Dëshmorët e Kombit", Building no.13, Tirana.

It can also be completed by presenting at the Office of the High Inspector of Justice, if necessary, to ask for assistance of the team of the Complaints Office.

Upon receipt of the complaint, the High Inspector of Justice within 5 days confirms in writing its receipt.

The criteria for the admissibility of the complaint are published on the official website of HIJ [www.ild.al](http://www.ild.al), in the section "How to receive complaints".

## OCTOBER OF HIJ IN NUMBERS

During **October** the Office of High Inspector of Justice has administered **60 complaints**, 58 of which were submitted by citizens, and 2 complaints from institutions.

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

### VERIFICATIONS

- 9 verification decisions, of which:
- 6 verification decisions, initial review (ILD);
- 3 verification decisions (files backlog, by the former KLD);
- 3 following verification decisions (files backlog, by the former KLD);

### DISCIPLINARY INVESTIGATIONS

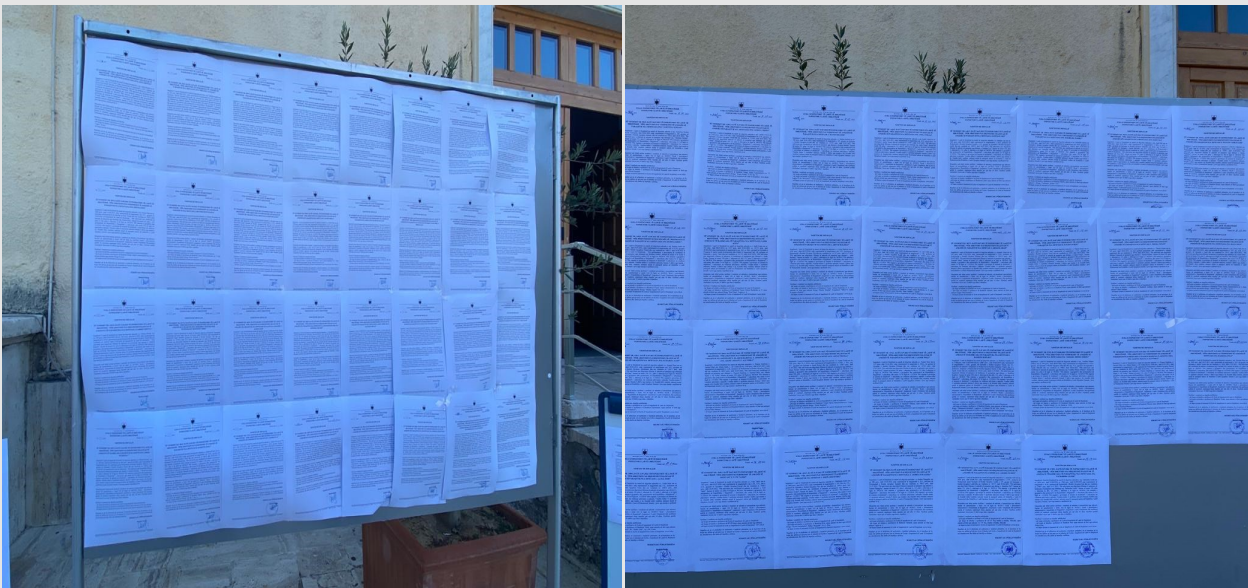
- 2 decision to start disciplinary investigation for 2 magistrates;
- 1 decisions to continue the disciplinary investigation for 6 magistrates
- 4 decision for closing the disciplinary investigation
- 1 request for disciplinary proceedings for 1 magistrate

### ARCHIVES

- 72 archived decisions from 95 reviewed complaints:
  - 33 archiving decisions after initial review (HIJ);
  - 13 archiving decisions after the initial review (files backlog, by the former KLD);
- 26 archiving decisions after verification, of which:
- 15 archiving decisions after verification (HIJ);
  - 11 archiving decisions after verification (files backlog, by the former KLD).

## PUBLIC ANNOUNCEMENT OF DECISIONS

Even during the month of October, the Office of the High Inspector of Justice has made the public announcement of the archiving decisions, from the complainants, who have unreachable results at the addresses communicated by them. In addition to the stands of the HIJ, according to the law, these announcements are also found on our official website and posted in the stands of the municipalities where the complainants come from. During the month of October 2022, the Office of the High Inspector of Justice made 30 public announcements, while during the month of September 75.



## SURVEY- WE WANT YOUR OPINION ABOUT HIJ

*Communication with the public for the sake of transparency remains an ongoing priority for the High Inspector of Justice. In order to increase the communication with the citizens, the HIJ Office has drafted and published on the website a Survey, through which an opinion is sought on the work of the institution so far. The survey can be completed online or in person at the HIJ.*



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## COOPERATION WITH UNIVERSITIES AS AN IMPORTANT DIMENSION OF HIJ VISION

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High Inspector of Justice Mr. Artur Metani had a working meeting with the rectors of public universities, namely with Prof. Dr. Artan Hoxha, Rector of University of Tirana, Prof. Dr. Skender Topi, Rector of University of Elbasan “Aleksandër Xhuvani”, Prof. Dr. Suzana Golemi, Rector of University of Shkodra “Luigj Gurakuqi”, Prof. Dr. Kseanela Sotirofski, Rector of University of Durrës “Aleksandër Moisiu” and Prof. Roland Zisi, Rector of University of Vlora “Ismail Qemali”.

The meeting focused on the will to establish bridges of concrete cooperation, so that students will become acquainted with the work practice and functions of the High Inspector of Justice Office, as one of the new institutions of justice reform, responsible for handling complaints, for the investigation of disciplinary violations, the initiation of disciplinary proceedings against judges and prosecutors of all levels, as well as the institutional inspection of prosecutor’s offices and courts.

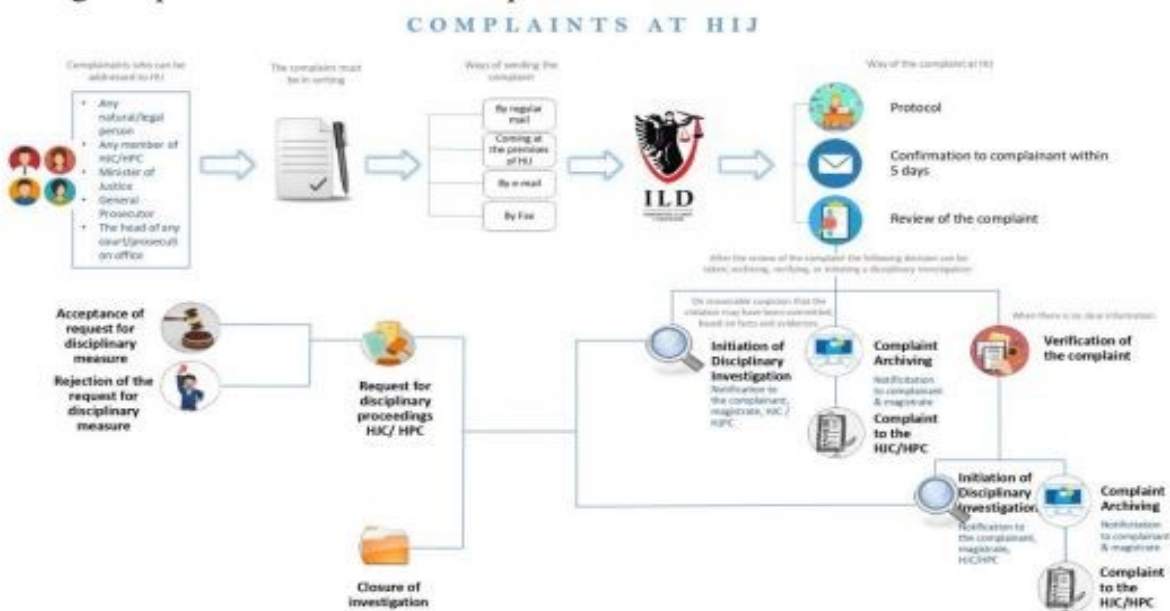
Metani and the rectors shared the opinion that the students’ professional development, initial and continuous, will be an extraordinary help, both in support of the educational curriculum, and the development of the students’ capacities with the HIJ work practice.

During the discussion there were identified several ways of cooperation, such as through open lectures at universities, which will be given by the High Inspector of Justice and other representatives of the institution, through intern-

ships for students at the HIJ premises, as well as a wider and ongoing cooperation, through joint projects of various activities in areas of common interest.

The cooperation of the ILD with the universities of Tirana, Elbasan, Shkodra, Durres and Vlora will soon be formalized with concrete cooperation agreements, where the modalities for the implementation of the ideas discussed in this working meeting will be defined.

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## IN ALBANIA AND KOSOVO, JUSTICE MUST BE SEEN AS A SOCIAL VALUE

As part of the working visit to Kosovo, High Inspector of Justice, Mr. Artur Metani had meetings with the justice institutions in Kosovo.

In the meeting with the Chairman of the Kosovo Prosecutorial Council, Mr. Jetish Maloku and the Chief Prosecutor of the Special Prosecution Office of the Republic of Kosovo, Mr. Blerim Isufaj, and then with the Chairman of the Kosovo Judicial Council, Mr. Albert Zogaj, the participants discussed the possibilities of cooperation between the respective institutions and the willingness to exchange experiences.

During these meetings, in response to the interest in the justice reform in Albania, Mr. Metani emphasized the importance of the

separation and balancing of powers, the new mentality that should the reform bring, which among other things, should serve to develop the society democratically and cultivate law as a cultural value.





The challenges of the two countries related to the justice system were also discussed in the meeting that the High Inspector of Justice had with the Minister of Justice of Kosovo, Ms. Albulena Haxhiu. They both shared the same attitude, that justice is first of all a social value and that in this context, both Albania and Kosovo should try to adapt to this value. This becomes possible through education and access to a new mentality of society which is related to the law implementation and the construction of the rule of law, they said.

Given that Kosovo is at the beginning of a Reform in the Justice system, taking the Albanian experience into consideration, observed the Minister of Justice of Kosovo, is necessary for the selection of a suitable model.

Since Kosovo is at the starting point of a reform in the justice system, Mr. Metani and Mrs. Haxhiu shared the common attitude that with the joint effort of the two countries, cooperation and interaction processes should be established as to learn from the Albanian experience.





## HIJ MEMORANDUM OF COOPERATION WITH THE FACULTY OF LAW OF THE UNIVERSITY OF PRISTINA

During his working visit in Kosovo, High Inspector of Justice Mr. Artur Metani met with the rector of the University of Prishtina “Hasan Prishtina”, Prof. Asst. Dr. Luljeta Plakolli-Kasumi and signed a memorandum of cooperation with the Faculty of Law of this university, which will contribute to the deepening and exchange of knowledge in the field of law.

During the meetings, the participants expressed their satisfaction for building communication bridges between the High Inspector of Justice Office in Albania and the University of Prishtina, in order to create opportunities for cooperation, which help both parties to undertake joint initiatives.







After signing the memorandum, the High Inspector of Justice Mr. Artur Metani and the Dean of the Faculty of Law of the University of Pristina, Prof. As. Dr. Avni Puka underlined that the first product of this agreement will be the initiation of internships for students of the Faculty of Law at the HIJ Office within the year.

The memorandum of cooperation be-

tween the HIJ and the Faculty of Law of the University of Pristina, includes, among other things, the use of joint capacities to design educational programs that serve the student community, the organization of joint activities in the field of law including initiatives with an academic and research character, as well as the organization of various roundtables and lectures.





### THE 2021-2022 CLASS OF LEAD ALBANIA FELLOWS VISITS HIJ

The High Inspector of Justice, Mr. Artur Metani, hosted today at the premises of the HIJ the class of 2022 of the LEAD Albania program of the Albanian-American Development Foundation.

Fellows of LEAD Albania one-year programme are young and talented professionals, who have the opportunity to have direct experience in the governance process,

through engagement for one year, as part of the cabinets of the highest state institutions in the country, from the President of Republic to the Municipality of Tirana. For the first time this year, fellows of LEAD Albania have been employed in the new institutions of justice, such as the High Inspector of Justice, which hosted Ms. Edlira Osmani.





The meeting with Mr. Metani was held in a form of a conversation on the role and functions of the High Inspector of Justice, as the institution responsible for verifying complaints, investigating disciplinary violations and initiating disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the General Prosecutor.

Mr. Metani appreciated the commitment of LEAD Albania fellows educated abroad and eager to contribute to their country. In response to the fellows' interest regarding the public's perception of the institution, the High Inspector of Justice Mr. Metani underlined that it is important for the HIJ to strengthen the trust of the magistrates in the HIJ alongside to the public trust in the justice system, so that they can make fair and uninfluenced decisions in their work.



OCTOBER 2022

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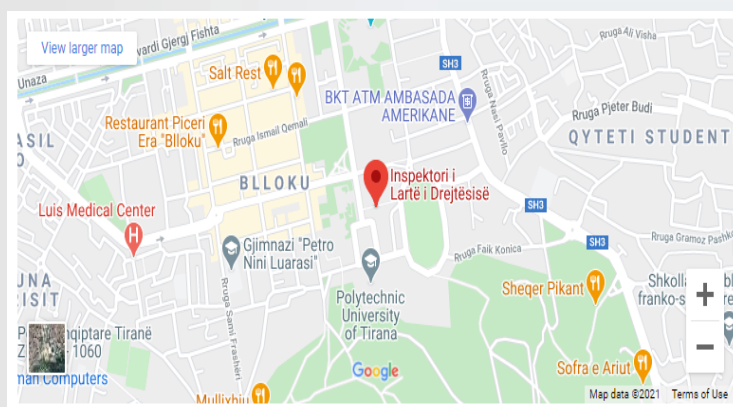


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