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# 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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**HIGH INSPECTOR OF JUSTICE PRESENTS THE HIJ WORK AT THE  
BILATERAL REVIEW MEETING OF MEMBERSHIP NEGOTIATIONS  
IN BRUSSELS**





## HIGH INSPECTOR OF JUSTICE PRESENTS THE HIJ WORK AT THE BILATERAL REVIEW MEETING OF MEMBERSHIP NEGOTIATIONS IN BRUSSELS

High Inspector of Justice Mr. Artur Metani participated in the Albania-EU bilateral meeting in Brussels, as part of the screening process on chapter 23 of the membership negotiations. In his presentation “On independence,

impartiality and accountability”, Mr. Metani made a complete overview of the accountability system of magistrates in Albania, after the adoption of the justice reform, as well as highlighting the regulatory






framework of the accountability system of magistrates, the progress of this accountability process, presenting also the problems with which the new institutions of justice, HIJ specifically, faced at the moment of their creation.

“I will mention the problems here, not to complain or at worst to justify a situation, but as a clear indication of addressing these problems quickly and

efficiently and to tell this honourable panel that despite all the difficulties, the accountability system of magistrates in Albania is working. A clear indication is the public interest in the use of the system of complaints against judges and prosecutors, as well as the widespread use of the constitutional and legal mechanism of control over the work of magistrates. “, said Metani.

PETER LISY PPT (PRESENTATION)




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While presenting the High Inspector of Justice Institution, Mr. Metani focused, among other things, on the completion of the regulatory framework using by-laws, on disciplinary investigation, HIJ decisions and disciplinary proceedings since the start of HIJ activity in February 2020 as well as on the HIJ contribution in increasing the quality of the justice system, through thematic inspections. The presentation of the HIJ ended with

the introduction of the institution's short-term and long-term priorities as a vision for the future.

"I personally consider this process, or a meeting like this one today, a unique occasion in the professional life of each of us. I strongly believe that not only is this negotiation process with the European Union a political and meritocratic process, but it carries

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PITER USY PPT (PRESENTATION)




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### V.III Thematic Inspections and Quality Promotion

- 2 inspections are completed, and the inspection reports have been sent to the inspected institutions and reports are published on HIJ's official website. The third inspection will be completed within this year.

Results:

- real measurable effects – concrete responsibilities of magistrates, 4 proceedings against magistrates, 2 of which are dismissed by decision of Special Appel Chamber of Constitutional Court.
- prohibitive effects on the misuse of conditional release.
- quality in the delivery of justice.
- increasing the effectiveness in the implementation of the institution of setting personal security measures, for some criminal offenses.




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“For the High Inspector of Justice”, said Mr. Metani, “the fact that the accountability system works is an essential issue and of a special

importance for the future, since a system must first function and then give results and not the opposite. And the accountability system is working! There are results, but the effects of these standards are extended over time. In addition to the operation, concrete results are also found, such as: the proceedings of the magistrates in cases where they commit acts that constitute disciplinary violations or the increased caution of the magistrates when

***“There are results, but the effects of these standards are extended over time. In addition to the operation, concrete results are also found, such as: the proceedings of the magistrates in cases where they commit acts that constitute disciplinary violations or the increased caution of the magistrates when applying the law (the case of conditional releases of dangerous convicts), etc.,”***


PETER LISY PPT (PRESENTATION)



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### V.III Thematic Inspections and Quality Promotion

- Inspections - independent evaluation aimed at helping courts and prosecution offices to develop and achieve their goals, increase efficiency and quality
- HIJ aims to ensure that inspection process is constructive and useful
- **3 thematic inspections:**
  - On treatment of requests subject to "Conditional Release"
  - On the implementation of the General Prosecutor's general instruction regarding the relations between prosecutors and heads of prosecution offices
  - On the observance of the criteria for determining personal security measures for the criminal offense of "detention without permission and the production of weapons, explosives and ammunition"



(SIC) VIDEO ROOM

applying the law (the case of conditional releases of dangerous convicts), etc., there is still a lot to be done so that the accountability system can function completely, permanently and consistently. The values of respect for human rights, democracy and the rule of law are the crucial assets of the European Union, and protecting them is a common responsibility for all its member states. However, I think that the approach to them should be seen as a symbol that unites us all. Before being a political project, Europe is a system of

human values. As in the words of Jean Monnet, the European Union does not aim at forming coalitions between states, but above all the union among people who believe and live in the system of European values", said High Inspector of Justice Metani during his presentation.

Heads of other justice institutions, part of the Albanian delegation in the process of membership negotiations for chapter 23 "Judiciary and Fundamental Freedoms", presented their work in this meeting.

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## HIGH INSPECTOR OF JUSTICE MEETS WITH THE ITALIAN MINISTER OF JUSTICE

High Inspector of Justice Mr. Artur Metani is conducting a working visit to Italy at the invitation of his counterpart, Mrs. Maria Rosaria Covelli, head of the Italian Inspectorate of Justice.

During his visit, Mr. Metani met with the Minister of Justice Mr. Carlo Nordio, with whom he discussed the relations between the two countries and the cooperation initiated between the HIJ and the General Inspectorate of the Italian Minis-

try of Justice, based on concrete agreements regarding the exchange of experience.

Speaking about the Albanian negotiations for membership in the European Union, Mr. Metani underlined that this process is both political and technical and, in this perspective, the contribution of the Italian inspectorate on the best standards of work with magistrates is valuable for the High Inspector of Justice.

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## 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 com-

plaint 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 **November 2022**, Legal Aid and Complaints Sector has met **21 complainants**, which came at the Office of High Inspector of Justice and received **17 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 November 2022, at the Office of High Inspector of Justice, **10 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".

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## NOVEMBER OF HIJ IN NUMBERS

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During **November** the Office of High Inspector of Justice has administered 65 complaints, 62 of which were submitted by citizens, and 3 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 **November**, 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

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

### DISCIPLINARY INVESTIGATIONS

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

### ARCHIVES

*176 archived decisions from 246 reviewed complaints:*

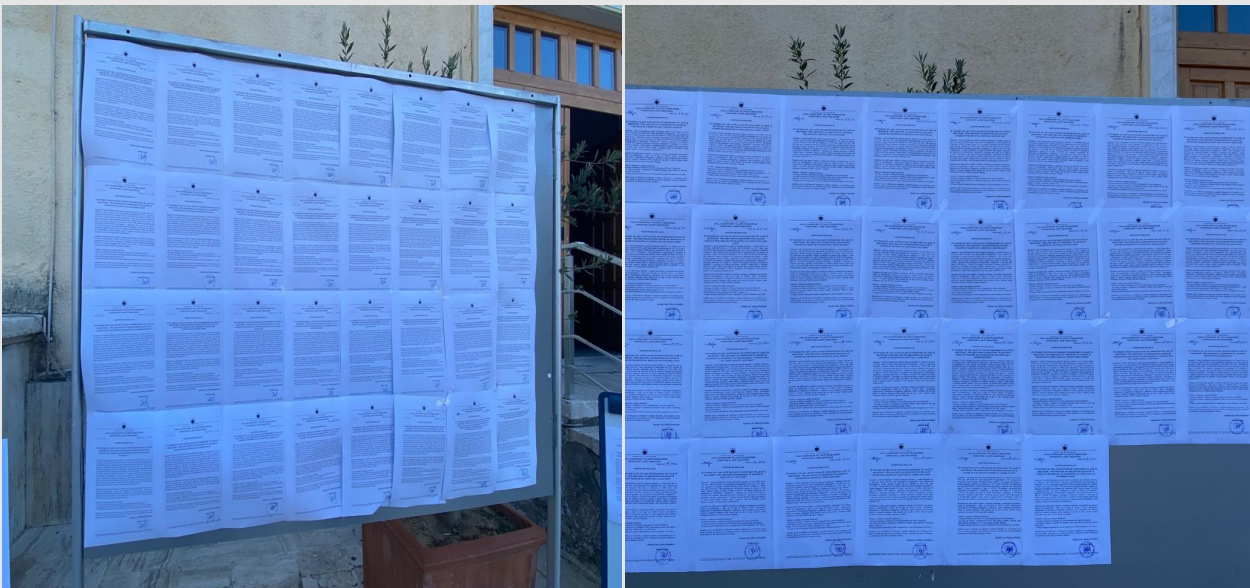
- 81 archiving decisions after initial review (HIJ);
  - 31 archiving decisions after the initial review (files backlog, by the former KLD);
- 64 archiving decisions after verification, of which:*
- 28 archiving decisions after verification (HIJ);
  - 36 archiving decisions after verification (files backlog, by the former KLD).

## PUBLIC ANNOUNCEMENT OF DECISIONS

Even during the month of November, 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.

The Office of the High Inspector of Justice has made a total of 106 public announcements.



## 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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## HIJ CONTINUES THE WORK TO REDUCE THE NUMBER OF BACKLOG FILES INHERITED FROM OTHER INSTITUTIONS

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The two units of inspectors and assistant inspectors, as well as other sectors of the High Inspector of Justice Office, are doing a fast-paced work to deal with a significant number of complaints and documentary practices, which HIJ has inherited from other institutions, since it started working, on February 1st, 2020.

This is about 2104 files, an archival fund, which consists of unhandled complaints, partially handled ones or complaints in their initial stages of review, as well as partially investigated or unfinished cases by previous bodies, specifically the In-

spectorate of the High Council of Justice, the Ministry of Justice, the High Council of Justice, the Prosecutor General, the High Judicial Council and the High Prosecutorial Council.

The procedures followed by the previous bodies regarding these documentary practices, due to the limited and divided competences between different bodies during the transitional period, turn out to have been incomplete and in a partial manner and as a result they should be reviewed by HIJ.

The files contain complaints filed with institutions over the years, when the High Inspector of Justice Office was not in existence.

Along with the complaints filed since February 1, 2020, when HIJ started its work, the number of complaints administered in the institution is 4976.

In order to avoid the culture of forgetfulness and impunity, which would also come through the expired complaints, despite the incomplete resources of the inspection,



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the High Inspector of Justice has paid attention to the practices partially addressed by the previous bodies, drafting and approving a special work methodology, which is published on the official website.

Thus, complaints or documentary practices are handled according to a priority order based on criteria such as: the date of submission, the stage of treatment by the previous bodies, the typology or urgency of the treatment of the complaint, respect for the principle of equality and objectivity, as well as the time needed to review and evaluate each documentary practice.

The 2104 inherited practices are handled in addition to the complaints filed directly with the HIJ, since February 2020, in

total 2872 complaints.

The weekly progress of handling complaints in all stages provided for by the law is published every Monday on the official website of the HIJ.



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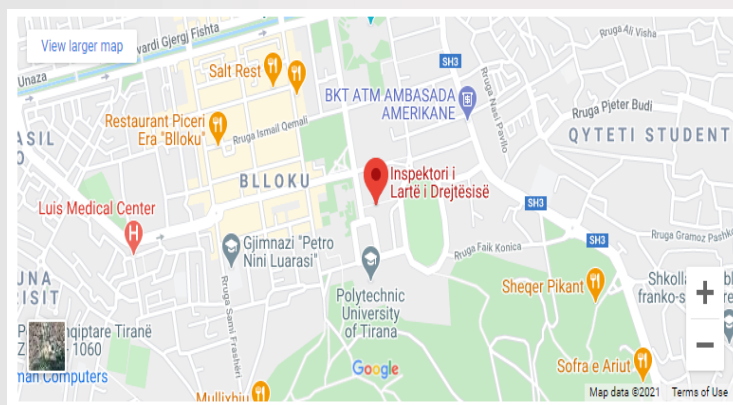


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Prezantimi i Inspektorit të Lartë të Drejtësisë  
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