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INSPEKTORI I LARTË
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**MINISTERO DELLA GIUSTIZIA
ISPETTORATO GENERALE**

MEMORANDUM OF UNDERSTANDING

between

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

and

**the Ministry of Justice of the Republic of Italy represented, by the Head of the Italian
General Inspectorate to the Ministry of Justice of the Republic of Italy**

The Office of High Inspector of Justice of the Republic of Albania represented by the High Inspector of Justice Mr. Artur METANI the Ministry of Justice of the Republic of Italy, represented by the Head of the General Inspectorate, Ms. Maria Rosaria COVELLI, (hereinafter referred to as the "parties"),

- in respect of the mission and principles that guide the institutional activity of each party;
- considering that in the field of mutual relations there is a common interest in guaranteeing the functioning of the rule of law, guaranteeing the independence of the justice system, guaranteeing the right to a fair legal process, and protecting the public interest.
- relying on the fact that the disciplinary process and inspection of the justice system is one of the balancing mechanisms to ensure that the conduct of magistrates is based on the principles of independence, legitimacy, impartiality, aiming to increase responsibility and accountability;
- wishing to improve bilateral co-operation in exchanging practices for disciplinary investigations and inspections, and in matters of mutual interest.

Have agreed as follows:

Article 1

Purpose

Parties agree to strengthen inter-institutional relations and exchange best practices, in the framework of the implementation of inspection procedures and disciplinary investigation against magistrates.

Article 2

Objectives

For the purposes of implementing this Memorandum of Understanding (hereinafter referred to as the "Memorandum"), the Parties shall cooperate in the following ways:

- by exchanging information, practices and experiences related to administrative disciplinary investigation of magistrates, as well as institutional and thematic inspections.

- by providing advice on international best practices and standards including the jurisprudence of the European Court of Human Rights in the field of conducting inspections and disciplinary proceedings against magistrates;
- by exchanging experiences on the methodology of conducting thematic and institutional inspections, preparing annual inspection plans and recommendations of a legislative, organizational or functional nature to improve the functioning of courts and prosecution offices;
- by exchanging experiences on how to communicate with the public in order to ensure a balance between the principle of open justice and respecting the principle of confidentiality and personal data;
- by exchanging information on the legal system, legislation in the field of disciplinary proceedings against magistrates, as well as analytical materials, statistics or inspection reports;
- by strengthening the knowledge, experience and capacities of the parties, through the organization of study and working visits, meetings on issues of common interest or joint training activities and by organizing joint seminars or conferences on important issues in the field of inspection activities.

Article 3

Coordination between parties

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

- **The Office of High Inspector of Justice of the Republic of Albania**
Address: Bulevardi "Dëshmorët e Kombit", Godina nr.13, Tiranë, Shqipëri
E-mail: isida.koka@ild.al
- **General Inspectorate at the Ministry of Justice of the Republic of Italy**
Address: Via Silvestri n. 243, 00164, Roma, Italia
E-mail: segr.capo.ispettorato@giustizia.it

Article 4

Expenses

The activities provided by this Memorandum will be implemented by the parties within the limits of their financial resources, without creating additional fees in relation to the budgets provided by the legislation in force of the Republic of Albania and the Republic of Italy.

Article 5

Protection of personal data

1. Each Party shall guarantee the protection of personal data received from the other party for the performance of the cooperation and training activities provided for the purpose of this Memorandum, agreeing not to transfer them to third parties and, in no case, to not treat them in a manner incompatible with the purposes agreed upon, without the prior written consent of the other party.

2. Any exchange of information resulting from the implementation of this Memorandum shall be done anonymously and without the transmission of personal data contained in the inspection files.

Article 6
Legislation

This Memorandum will be implemented in accordance with the Albanian and Italian legislation, as well as the international law in force and, as far as the Italian part is concerned, with the obligations deriving from Italy's membership in the European Union.

This Memorandum does not constitute an international agreement from which rights and obligations under international law may arise. No provision of this Memorandum shall be construed and enforced as a legally binding obligation or commitment of the Parties.

Article 7

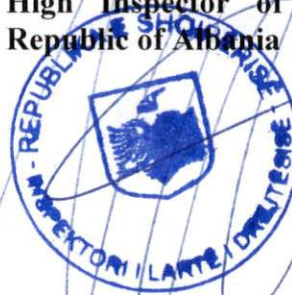
Effectiveness, termination, modifications and divergences

1. This Memorandum enters into force on the date of signature and will remain valid for an indefinite period of time.
2. Either Party may terminate this Memorandum by notifying its purpose to the other Party three months in advance.
3. The parties may modify this Memorandum in written form and by mutual consent.
4. Any discrepancies in the interpretation and / or implementation of this Memorandum shall be resolved amicably through direct consultations and negotiations between the Parties.

Signed in Roma on 24/03/22 in two original copies, each in Albanian, Italian and English, all texts are equally authentic. In case of any discrepancies, the English text shall prevail.

Artur Metani

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



Maria Rosaria Covelli

**Head of the General Inspectorate
delegated by the Ministry of Justice
of the Republic of Italy**

