



ILD

INSPEKTORI I LARTË
I DREJTËSISË

REPORT

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

**FOR THE PERIOD
01.01.2023 – 31.12.2023**

CONTENT

I. INTRODUCTION 5

1.1. The vision of the High Inspector of Justice in fulfilling its activity 5

II. LEGAL FRAMEWORK REGULATING THE ORGANIZATION AND FUNCTIONING OF THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE 6

2.1. Legal Reference 6

2.2. Acts approved by the Office of the High Inspector of Justice 7

2.2.1 Organization and operation: 7

2.2.2 Regarding the inspection activity: 10

III. VERIFICATION OF COMPLAINTS, DISCIPLINARY INVESTIGATION AND INSPECTIONS 12

3.1. Complaints filed with the High Inspector of Justice 12

3.1.1 Data of the complainant 13

3.1.2 Data on the entity against which claims are raised 13

3.2. Examination and verification of complaints 14

3.3. Disciplinary Investigations 17

3.4. Appeals against archiving and investigation decisions 19

3.5. Requests for disciplinary proceedings and Council decisions 20

3.6. The progress of handling backlog complaints 22

3.7. Thematic inspections 23

3.7.1 Progress of thematic inspections during the year 2023 23

3.7.2 Monitoring the implementation of recommendations 27

IV. INTER-INSTITUTIONAL AND INTERNATIONAL COOPERATION 29

4.1. Cooperation of the High Inspector of Justice - HJC/HPC/IQC 29

4.2. Cooperation of the High Inspector of Justice with the Prosecutor General 30

4.3. Cooperation of the High Inspector of Justice with the Ministry of Justice 30

4.4. Cooperation with civil society actors 31

4.5. Cooperation of the High Inspector of Justice with international partners 33

4.6. Implementation of the recommendations of international instruments, within the process for European integration 36

V. INTERNAL ORGANIZATION 38

5.1. Commands from HJC 38

5.2. Commands from HPC 38

5.3. Recruitment of non-magistrate inspectors 39

5.4. Implementation of the law "On civil service" in the framework of filling and increasing the capacities of human resources 40

5.5. The process of evaluating the unit of inspectors 42

5.6. Activity within the framework of capacity building 42

VI. DATA ON JUDICIAL PROCEEDINGS WHERE THE HIGH INSPECTOR OF JUSTICE IS A PARTY TO THE HEARING 43

6.1. Proceedings in the Appeal chamber 43

6.1.1 Completed cases 43

6.1.2 Cases in the review process at the Appeal Chamber 44

6.2. Court proceedings before the Court of Administrative Appeals of the General Jurisdiction Tirana	44
6.3. Court proceedings completed or in the trial phase in the Administrative Court of First Instance Tirana	45
VII. TRANSPARENCY AND PUBLIC RELATIONS	47
7.1. The citizen in the attention of the High Inspector of Justice	47
7.2. The citizen as the initiator of thematic inspections	47
7.3. Reception of citizens in the premises of the High Inspector of Justice	48
7.4. Right to information	49
7.5. Targeted public communication	50
<i>7.5.1 Official Website</i>	<i>50</i>
<i>7.5.2 Communication with mass media.</i>	<i>51</i>
<i>7.5.3 Social networks.</i>	<i>51</i>
<i>7.6. Legal education as a direct way of communication</i>	<i>52</i>
VIII. FINANCIAL PERFORMANCE	54
IX. SUMMARY OF ACHIEVEMENTS	56
X. PRIORITIES DURING 2024	58
XI. LEVEL OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE RESOLUTION OF THE ASSEMBLY OF THE REPUBLIC OF ALBANIA FOR THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE FOR THE YEAR 2022.	59

MESSAGE OF THE HIGH INSPECTOR OF JUSTICE

Dear Ms. President of the Assembly,

Dear Members of Parliament,

Sharing with the Assembly the annual work progress of the Office of the High Inspector of Justice is a very important moment for the institution, because it reflects the stages of challenges and professional growth, but also of the consolidation of work practices to ensure the maximum result, as part of the joint effort of all institutions for the return of public trust in justice, the reason for which the reform in justice was conceived. Undoubtedly, in this process you encounter obstacles, but the difference is made by the will and responsibility to advance the task and to build a work model with standards that will withstand the years and serve the system and the successors in this institution.

As you can see in this report, the Office of the High Inspector of Justice has had an intensive year of work, both in terms of the main function, handling complaints against magistrates and thematic inspections, but also finalizing the stock of complaints and practices of carried over from previous institutions of disciplinary proceedings.

The handling of inherited complaints has been a process that has exceeded the normal workload for the available human resources, but thanks to the regulatory, administrative and structural measures undertaken, the results are visible and measurable. The evasion of the stock of complaints fulfilled the goal announced by the HIJ Office, that nothing is forgotten and that avoiding the culture of impunity is a clear signal to increase public confidence in the justice system.

4 thematic inspections completed until December 2023 and the work in progress of planned thematic inspections near the courts and prosecutor's offices is another balance to be noted. The primary aim of these thematic inspections has been to ascertain the problems in the system and recommend solutions, which are expected to serve to improve the work of the prosecutor's offices and courts, without forgetting the identification, investigation or proceeding of disciplinary violations that appear. We are pleased to note the positive effect that the results of these recommendations have given, as from the monitoring of their implementation, the inspected bodies have reacted positively in addressing the recommendations by taking measures of an administrative and regulatory nature in order to improve the efficiency of the inspected body's activity.

In order to maximize the efficiency of the work, the regulatory framework for reviewing complaints and following the methodology for their review, according to a sequence dictated by clear criteria, has been defined. Structural and organizational redesign for three units of the HIJ Office, that of assistant inspectors, increasing their number for efficient administration of services in support of investigative activity; of the unit for complaints and

relations with the public, to assist each of the complainants on how to submit the complaint to the HIJ, and the competences of the institution in examining their claims; in the establishment of a new unit in order to carry out quality continuous processes in the fields of analytical and research work for the standardization of the work process and specific standards in order to determine, update and analyze the indicators that measure the institution's performance periodically .

The strengthening of inspection capacities through the training of our inspectors, thanks to the cooperation with the counterparts of the European Union countries, but also the engagement of the High Inspector of Justice, in cooperation initiatives with the EU, are work aspects that have accompanied us during the year 2023, and are returning to sustainable work practice.

The tradition of conversations with pupils, students, different social groups, even where they live and work, has continued during the year 2023, as a function of public awareness of the role and functions of HIJ, but also of legal education.

Details and statistics of the work of the Office of the High Inspector of Justice are presented in detail in this report, but what we conclude as an institution is that after 4 years of operation of the HIJ, through the mechanisms of thematic inspections and consideration of citizens' complaints, the work checking system of magistrates is working, first by defining standards of a functional accountability system, in accordance with the balance that must also exist with the principle of separation of powers, by defining standards for a responsible, impartial and integrity justice system , and secondly by being a contributor with thoughts, suggestions, recommendations through thematic inspections, for increasing the performance of the justice system.

Respectfully,
Artur Metani
High Inspector of Justice

I. INTRODUCTION

1.1. The vision of the High Inspector of Justice in fulfilling the activity

The vision of the activity of the High Inspector of Justice is guided by the principles and values of the best international systems and practices, such as the exercise of activity independently of any type of influence subject only to the Constitution and the powers granted by law, exercising the activity in an impartial, responsible, accountable manner, with high moral and professional integrity at all structural levels, with efficiency and professionalism, reliable, transparent and accessible by 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 these important objectives:

- Consolidation of activity in an independent, efficient and professional manner;
- Strengthening the activity for measuring the performance of the subjects of the disciplinary investigation on the quality and efficiency of the delivery of justice according to European standards;
- Development of the information technology system;
- Increasing transparency and public access to the activity of the Office of the High Inspector of Justice.

For the purposes of implementing the work objectives in practice, the High Inspector of Justice has proposed the organizational structure approved by the Assembly of the Republic of Albania, which is designed 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 aforementioned objectives.

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

2.1. Legal reference

The High Inspector of Justice is an independent constitutional body, established in accordance with Article 147/d of the Constitution. This constitutional provision stipulates that the High Inspector of Justice is responsible for verifying complaints, investigating 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 of the General Prosecutor, according to the procedure established by law. The High Inspector of Justice is also responsible for the institutional inspection of courts and prosecution offices.

The organization and operation of the constitutional institution of the High Inspector of Justice is regulated by:

- Constitution of the Republic of Albania;
- Law no. 115/2016 "On the governing bodies of the justice system", amended;
- Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", amended;
- Decision no. 536, dated 25.07.2019, of the Council of Ministers "On the creation of conditions for the High Inspector of Justice for the verification of fulfillment of the conditions and legal criteria, the verification of the figure and wealth of non-magistrate candidates for the position of inspector";
- Decision no. 28/2020 "On the approval of the organizational structure, organization and salary classification of the staff of the High Inspector of Justice", 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 "For 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 04.07.2005 "On the prevention of conflict of interests in the exercise of public functions", amended;
- Law no. 9049, dated 10.04.2003 "On declaration and check of assets, financial obligations of elected officials and some public servants", amended;
- Law no. 9887, dated 10.03.2008 "On the protection of personal data", amended;

- Law no. 9131, dated 08.09.2003 "On the rules of ethics in public administration";
- Law no. 9154, dated 06.11.2003 "For 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 check", amended;
- Law on the annual budget;
- Law no. 162/2020 "On public procurement", amended;
- 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, operation and definition of the competences of the Information Technology Center for the Justice System";
- Decision no. 971, dated 02.12.2020, of the Council of Ministers "On the adoption of rules for 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 operation of auxiliary cabinets, of the internal organization of state administration institutions, as well as detailed procedures".
- Law no. 44/2015 "Code of administrative procedures in the Republic of Albania";
- Law no. 152/2013 "For 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 04.07.2005 "On the prevention of conflict of interests in the exercise of public functions", amended;
- Law no. 9049, dated 10.04.2003 "On declaration and check of assets, financial obligations of elected officials and some public servants", amended;
- Law no. 9887, dated 10.03.2008 "On the protection of personal data", amended;
- Law no. 9131, dated 08.09.2003 "On the rules of ethics in public administration";
- Law no. 9154, dated 06.11.2003 "For 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 check", amended;
- Law on the annual budget;
- Law no. 162/2020 "On public procurement", amended;
- 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, operation and definition of the competences of the Information Technology Center for the Justice System";
- Decision no. 971, dated 02.12.2020, of the Council of Ministers "On the adoption of rules for 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 operation of auxiliary cabinets, of the internal organization of state administration institutions, as well as detailed procedures".

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

In order to implement the legal powers, to issue general orders of an administrative or procedural nature, a total of 35 general orders of an administrative nature and 6 decisions related to issues of organization and operation¹.

In addition to the general orders and decisions, 5 decisions have been drawn up for the purpose of good administration of the inspection processes, as well as 9 decisions amending them.

As for general administrative orders and decisions, among the most important, we list them by category:

- Organization and operation
- Inspection activity

2.1.1 Organization and operation:

1. Order no. 27, dated 20.02.2023, of the High Inspector of Justice "On the establishment of the working group for monitoring the behavior of civil servants in the Office of the High Inspector of Justice";
2. Order no. 27/1, dated 20.02.2023, of the High Inspector of Justice "On the approval of the regulation "On the supervision of the behavior of the working group for the monitoring of civil servants in the Office of the High Inspector of Justice during the electoral campaign period for local elections , May 2023";
3. Decision no. 7, dated 24.02.2023, of the High Inspector of Justice "For the approval of the annual admission plan, for the year 2023, for the positions part of the civil service, in the Office of the High Inspector of Justice";
4. Order no. 33, dated 28.02.2023, of the High Inspector of Justice "On the approval of the disaster recovery plan of the Office of the High Inspector of Justice";

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

5. Decision no. 7/1, dated 24.03.2023, of the High Inspector of Justice "On the determination of positions in the civil service that will be announced for 2023, for the Office of the High Inspector of Justice";
6. Decision no. 13, dated 18.04.2023, of the High Inspector of Justice "On opening the admission procedure in the middle management category for other candidates from outside the civil service, for the year 2023";
7. Order no. 43, dated 06.04.2023, of the High Inspector of Justice "On the distribution of practices in the review process by the inspector Mr. S. H.”;
8. Order no. 46, dated 24.04.2023, of the High Inspector of Justice "For some changes in order no. 33/1, dated 04.11.2022, of the High Inspector of Justice "On the appointment of assistant inspectors at the Office of the High Inspector of Justice";
9. Order no. 51, dated 16.05.2023, of the High Inspector of Justice "On the distribution of practices in the review process by the inspector Mrs. E.B";
10. Order no. 52, dated 16.05.2023, of the High Inspector of Justice "On some additions and changes to order no. 119, dated 12.07.2021 "On the adoption of the amended Internal Regulation for the organization and operation of the Office of the High Inspector of Justice";
11. Decision no. 53, dated 02.10.2023, of the High Inspector of Justice "On some changes in decision no. 38, dated 02.10.2021 "On the approval of procedures and rules for evaluating the ethics and professional activity of inspectors", amended;
12. Order no. 56, dated 26.05.2023, of the High Inspector of Justice "On the calculation of the basic reference salary of magistrates working at the Office of the High Inspector of Justice";
13. Order no. 57, dated 26.05.2023, of the High Inspector of Justice "For some changes in order no. 118, dated 30.12.2022 "On the establishment of the appointment and evaluation commission, the appointment of members of the technical secretariat and the beginning of the procedure of evaluation of inspectors for the period 2021-2023";
14. Order no. 60, dated 31.05.2023, of the High Inspector of Justice "On the approval of statistical data forms of the ethical assessment and professional activity of inspectors at the Office of the High Inspector of Justice";
15. Order no. 90, dated 03.08.2023, of the High Inspector of Justice "For some changes in order no. 123, dated 28.07.2021 "On the delegation of authority for signing administrative documents issued by the Office of the High Inspector of Justice";
16. Order no. 94, dated 12.09.2023, of the High Inspector of Justice "On obtaining periodic information from the presidents of the courts and the heads of the prosecution offices regarding the judicial activity and the activity of the prosecutions";
17. Order no. 95, dated 12.09.2023, of the High Inspector of Justice "For some changes in order no. 33/1, dated 04.11.2022, of the High Inspector of Justice "On the appointment of assistant inspectors at the Office of the High Inspector of Justice", amended;
18. Decision no. 53, dated 02.10.2023, of the High Inspector of Justice "On some changes in decision no. 38, dated 08.06.2021 "On the approval of the procedures and rules for the assessment of the ethics and professional activity of inspectors", as amended;

19. Order no. 100, dated 02.10.2023, of the High Inspector of Justice "On the approval of the form for registration and collection of statistical information related to complaints addressed to the Office of the High Inspector of Justice in the database via the office 365-list application platform";
20. Order no. 101, dated 02.10.2023, of the High Inspector of Justice "On the approval of the reworked complaint form and instructions for its completion";
21. Order no. 102, dated 02.10.2023, of the High Inspector of Justice "For some changes in order no. 9, dated 09.01.2023 of the High Inspector of Justice "On the unification of the administrative document";
22. Order no. 105, dated 05.10.2023, of the High Inspector of Justice "On the registration of statistical information regarding complaints addressed to the Office of the High Inspector of Justice in the form of the platform office 365-application list, for the year 2023";
23. Order no. 106, dated 05.10.2023, of the High Inspector of Justice "On the approval of statistical forms and the methodology of collecting and processing statistical information related to complaints/cases mainly addressed to the Office of the High Inspector of Justice";
24. Order no. 107, dated 06.10.2023, of the High Inspector of Justice "On the approval of the methodology for the analysis and reporting of statistical information regarding complaints/cases addressed to the Office of the High Inspector of Justice";
25. Order no. 122, dated 06.11.2023, of the High Inspector of Justice "On the approval of the integrity plan of the Office of the High Inspector of Justice 2023-2025";
26. Decision no. 65, dated 09.11.2023, of the High Inspector of Justice "On the procedure for selection, appointment and exercise of powers by the Deputy High Inspector of Justice";
27. Order no. 110, dated 13.10.2023, of the High Inspector of Justice "On the distribution of practices of the inspector Mr. B.M.”;
28. Order no. 111, dated 16.10.2023, of the High Inspector of Justice "On the distribution of practices in the review process by the inspector Mr. E. N.”;
29. Order no. 113, dated 24.10.2023, of the High Inspector of Justice "For some changes in order no. 33/1, dated 04.11.2022, of the High Inspector of Justice "On the appointment of assistant inspectors at the Office of the High Inspector of Justice", amended;
30. Order no. 120, dated 03.11.2023, of the High Inspector of Justice "On the method of calculating the basic reference salary of magistrates working in the Office of the High Inspector of Justice";
31. Order no. 122/1, dated 27.12.2023, of the High Inspector of Justice "On the method of monitoring, reporting and implementing the integrity plan of the Office of the High Inspector of Justice 2023-2025";
32. Order no. 137, dated 27.12.2023, of the High Inspector of Justice "On the appointment of assistant inspectors at the Office of the High Inspector of Justice", amended;
33. Order no. 134, dated 20.10.2023, of the High Inspector of Justice "On the approval of the strategic plan and action plan of the Office of the High Inspector of Justice 2023-2025";
34. Order no. 134/1, dated 29.12.2023, of the High Inspector of Justice "On the manner of implementation, monitoring and reporting of the strategic plan and action plan of the Office of the High Inspector of Justice 2023-2025";

35. Order no. 136, dated 27.12.2023, of the High Inspector of Justice "On the composition of the appointment and evaluation commission, the appointment of members of the technical secretariat, the approval of the annual evaluation program and the beginning of the evaluation procedure of inspectors".

2.1.2 Regarding the inspection activity:

1. Decision no. 6, dated 24.02.2023 of the High Inspector of Justice "On the approval of the plan of inspections for the year 2023";
2. Decision no. 6/1, dated 28.02.2023 of the High Inspector of Justice "On conducting the thematic inspection with the object: "On the distribution of cases by draw, as well as the check of the reports of the electronic system in the courts";
3. Decision no. 6/2, dated 28.02.2023 of the High Inspector of Justice "On conducting the thematic inspection of prosecutor's offices with the object: "On the assignment of cases in the prosecutor's office";
4. Decision no. 6/3, dated 13.04.2023 of the High Inspector of Justice "For a change in decision no. 6, dated 24.02.2023 of the High Inspector of Justice "On the approval of the inspection plan for 2023";
5. Decision no. 6/4, dated 13.04.2023 of the High Inspector of Justice "On conducting the thematic inspection with the object: "On the procedure of announcing and justifying judicial decisions of the Court of the Judicial District of Tirana, the Civil Chamber and the Administrative Court of the First Instance of Tirana ";
6. Decision no. 6/5, dated 30.06.2023 of the High Inspector of Justice "On conducting the thematic inspection with the object: "On the practice and causes of replacement of prosecutors for the period 01.01.2022 - 31.12.2022";
7. Decision no. 6/6, dated 17.07.2023 of the High Inspector of Justice "On some changes in decision no. 6/4, dated 13.04.2023 of the High Inspector of Justice "On conducting the thematic inspection with the object: "On the procedure of announcing and justifying judicial decisions of the Court of the Judicial District of Tirana, the Civil Chamber and the Administrative Court of the First Instance of Tirana """;
8. Decision no. 6/7, dated 11.09.2023 of the High Inspector of Justice "On some changes in decision no. 6/1, dated 28.02.2023 of the High Inspector of Justice "On the performance of the thematic inspection with the object: "On the distribution of cases by lot, as well as the check of the reports of the electronic system in the courts""";
9. Decision no. 6/8, dated 11.09.2023 of the High Inspector of Justice "On some changes in decision no. 6/2, dated 28.02.2023 of the High Inspector of Justice "On conducting the thematic inspection of prosecutor's offices with the object: "On the assignment of cases in the prosecutor's office""";
10. Decision no. 58, dated 25.10.2023 of the High Inspector of Justice "On some changes in decision no. 1, dated 11.02.2020 "On the performance of the thematic inspection of the courts and the offices of the prosecutors next to them on the handling of requests with the object "Release on condition"", amended;

11. Decision no. 6/9, dated 06.11.2023 of the High Inspector of Justice "On some changes in decision no. 6/1, dated 28.02.2023 "On the performance of the thematic inspection with the object: "On the distribution of cases by lot, as well as the check of the reports of the electronic system in the courts", amended;

12. Decision no. 6/10, dated 15.12.2023 of the High Inspector of Justice "On some changes in decision no. 6/1, dated 28.02.2023 "On the performance of the thematic inspection with the object: "On the distribution of cases by draw, as well as the check of the reports of the electronic system in the courts", amended;

13. Decision no. 6/11, dated 15.12.2023 of the High Inspector of Justice "On some changes in decision no. 6/2, dated 28.02.2023 of the High Inspector of Justice "On conducting the thematic inspection of prosecutor's offices with the object: "On the assignment of cases in the prosecutor's office", amended;

14. Decision no. 6/12, dated 27.12.2023 of the High Inspector of Justice "On some changes in decision no. 6/5 of the High Inspector of Justice "On conducting the thematic inspection with the object: "On the practice and causes of replacement of prosecutors for the period 01.01.2022 - 31.12.2022"".

III. COMPLAINT VERIFICATION, DISCIPLINARY INVESTIGATION AND INSPECTIONS

Complaints filed with 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", amended and Part V, Chapter II, of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, 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 Prosecutorial Council and the General Prosecutor, as well as for the institutional inspection of courts and prosecution offices.

Referring to the activity and in accordance with the fulfillment of the above legal provisions, at the Office of the High Inspector of Justice, for the year 2023, an increasing number of filed complaints is observed, compared to the previous year.

During this year, 879 new complaints were filed, distributed according to the complaining entities:

- **831** complaints filed by natural persons;
- **48** complaints filed by legal entities.

At the end of 2022, **2,824** complaints have been processed, where **1,752** are complaints filed with the HIJ and **1,072** are backlog fund complaints. The object of examination for the year 2023 is a total of **3703** complaints, including the complaints filed during this year (879).

Of these complaints, during the year 2023, **2340** complaints were examined, of which **1268** are complaints filed with HIJ and **1072** are complaints of the backlog fund.

Table no. 1 Data on complaints for 2023

Complaints filed during 2023	Complaints from 2022	Backlog complaints from 2022	Complaint subject to review during 2023	Complaints reviewed during 2023	Complaints for 2024
879	1752	1072	3703	2340	1363

According to the data on the progress of review and processing of complaints, at the end of 2023, it results that **1363** complaints remain in the process, which will be taken for review in 2024.

From the statistical analysis, a decision was made on their verification for **195** complaints, which are still in process and since they have not been completed, they are not included in the number of reviewed complaints for 2023.

The result of the review of **2340** complaints is as follows:

- **1616** complaints archived after the initial review, where **608** are part of the backlog fund;
- **707** complaints archived after verification; where **452** complaints are part of the backlog fund;
- **17** complaints completed with disciplinary investigation; where **12** are part of the backlog fund.

From **2340** reviewed complaints, it results that:

- **2012** complaints were filed by natural persons;
- **327** complaints were filed by legal entities, respectively:
 - **218** complaints from public institutions;
 - **92** complaints from private entities;
 - **16** complaints from foundations and civil society organizations;
 - **1** complaint from the media;

1 anonymous complaint, since the name of the complainant is not recorded.

3.1.1 Details of the complainants

The complainants who turn to the High Inspector of Justice, have a geographical representation from all over the country, where the largest the district of Tirana takes the largest place with 803 complainants (34% of the complainants), followed by the district of Vlorë and the district of Durrës, respectively with 227 complainants (10%) and 199 complainants (8.5%). While the

counties with the lowest number of complainants are Dibër, Berat and Kukës, respectively with 46 (2%), 44 (1.9%) and 27 complainants (1.2%).

From the analysis of information related to the registration and handling of complaints, it is noted that 1326 complainants (81%) have filed only 1 complaint with the Office of the High Inspector of Justice, while 304 complainants (19%) have filed more than one complaint. for the same subject..

3.1.2 Data on the subject against which claims are made

The complainants filed complaints with the HIJ Office, raising claims against the magistrates, judges and prosecutors. From the 2340 reviewed complaints, it turns out that 68% of claims were submitted to magistrate judges, 7% to prosecutor magistrates and 22% to judges and prosecutors together. For 77 complaints, the entity against which claims are made is not identified.

From the statistical information of the complaints reviewed during the year 2023, it is noted that the claims against the magistrate judges who exercise their duties at the Court of First Instance of the General Jurisdiction in Tirana constitute the highest number of complaints. Complaints against the magistrates of this court are 15% of the complaints examined in total, followed by claims against the judges who exercise their duties at the Court of Appeal of the General Jurisdiction, with about 13%. The ranking continues with the Administrative Court of the First Instance of Tirana, with about 6% of complaints examined in total.

The reason for the concentration of the highest number of complaints in these three courts comes as a result of the number of judges exercising their function near these courts, the high number of cases under review, as well as the beginning of the operation of the new judicial map.

Next are the Court of First Instance of General Jurisdiction Fier, the Court of First Instance of General Jurisdiction Elbasan and the Court of First Instance of General Jurisdiction Durrës, with a representation of about 5% each.

Meanwhile, for the magistrates of the Special Court of First Instance for Corruption and Organized Crime and of the Special Court of Appeal for Corruption and Organized Crime, about 2% of the complaints examined in total were submitted.

The courts with the least number of complaints against their magistrates are: the Court of First Instance of General Jurisdiction Berat, the Supreme Court and the Court of First Instance of General Jurisdiction Kuks, with about 1% each.

As for the examined complaints, on the claims against the prosecutors, it turns out that for the prosecutors who exercise their duties in the Prosecutor's Office at the Court of First Instance of the General Jurisdiction in Tirana, the highest number of incoming complaints was recorded,

with about 6% of complaints reviewed in total. The ranking continues with the Prosecutor's Office at the Court of First Instance of General Jurisdiction Durrës, the Prosecutor's Office at Court of First Instance of General Jurisdiction Elbasan, the Prosecutor's Office at Court of First Instance of General Jurisdiction Fier with about 2% each. For the prosecutors of the Special Structure Against Corruption and Organized Crime (SPAK), about 1% of the complaints examined in total were submitted.

The lowest number of complaints was addressed to the prosecutors who exercise their duties in: the Prosecutor's Office at the Court of First Instance of General Jurisdiction Vlorë, the Prosecutor's Office at the Court of Appeal of General Jurisdiction and the Prosecutor's Office at the Court of First Instance of General Jurisdiction Dibër , with about 0.5% of the total complaints examined each.

3.1. Review 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 the complaint is admissible or not, according to the admissibility criteria defined in the letters "a" to "dh", of paragraph 1, of Article 120 of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania" as amended. During the initial review phase, the fulfillment of the admissibility criteria is verified and within three months from the filing of the complaint, it is decided to archive it, if one or more of the admissibility criteria of the complaint are not fulfilled. According to Article 122 of Law no. 96/2016, for the complaint that does not have clear information, the High Inspector of Justice verifies whether there are sufficient facts that justify the initiation of the investigation, requesting additional documents and explanations from the complainant about the manner and circumstances in which the alleged violation occurred or receiving any other information from the council, the court or the relevant prosecutor's office.

In fulfillment of these legal provisions, the High Inspector of Justice, after examining the complaints, has approved **1631** decisions, of which:

- o **1061** decisions on archiving after the initial review, of 1616 complaints;
- o **552** decisions on archiving after verification, of 707 complaints;
- o **16** decisions for disciplinary investigation after examining 17 complaints;
- o **2** decisions for disciplinary investigation initiated by the High Inspector of Justice.

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

- o Appeals against unjust decision-making by magistrates during the examination of cases;
- o Non-compliance with material and procedural law by magistrates;
- o Allegations of procrastination of the trial by the judges but also procrastination of the investigative activity by the prosecutors;
- o Claims for delays in the reasoning of court decisions.

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

- o No disciplinary violation is found;
- o The subject does not have the status of a magistrate.

Meanwhile, the main reason for archiving after verification of complaints is that there are not enough facts to justify starting an investigation.

Referring to the number of complaints in which the type of judicial process is recorded, the following data result:

Table no. 2 Number of complaints by type of cases

Type of cases	Number of complaints
Civil Cases	1044
Criminal Cases	879
Administrative Cases	183

Other practices addressed refer to periodic information sent by court presidents (33 practices), while for 201 complaints, the type of judicial process is not identified.

From the review of the progress of complaints over the years, it is noted that the total number of complaints for the year 2023 has increased by 90 more complaints, compared to the previous year.

Meanwhile, for the complaints reviewed during 2023, based on the collection of statistical information and its analysis, we note that:

- The number of complaints filed by legal entities has increased, with 105 complaints more than the previous year, referring to:
 - the number of complaints submitted by public institutions;
 - the number of complaints submitted by private entities;
- The number of approved decisions has increased, with 395 decisions.

During the year 2023, the fourth year of HIJ's operation, the number of reviewed complaints continued to remain high. One of the main factors has been the handling and completion of

backlog fund complaints. At the same time, it is also an indicator of the high expectation of the public towards the activity of the Office of the High Inspector of Justice.

Evaluating the statistical data on the high number of complaints that are archived and mainly those that are archived because they do not meet the eligibility criteria, awareness measures have been taken, which will continue during 2024.

In the framework of increasing transparency and public awareness, the following activities are carried out:

- publication of the results of HIJ's activity, in real time, on the official website in Albanian and English;
- public communication not only through the media, but also to different social groups as a function of legal education, according to the special program for public information and communication;
- systematic information of the public through social networks on the activity and functions of HIJ, through simplified presentations;
- connecting memoranda with some of the law faculties in the country;
- daily meeting with citizens to provide information or clarifications necessary for complaints and the role of HIJ;
- publication and updating of information request register data;
- statistical data and various reports.

The periodic analysis of statistical information will continue during the following year and ongoing awareness measures will be taken to sensitize citizens that complaining to a magistrate follows legal rules respecting independence and impartiality, and at the same time serving the public interest. in full respect of the rule of law in a democratic society.

The undertaking of these measures is expected to have an impact and give results in the awareness of the public opinion, that the role of HIJ is to establish a fair and impartial balance, between the claims of violation of the individual interests of the citizens by the activities of the magistrates and the guarantee independence and impartiality of magistrates.

3.2. 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, initiates the investigation if there are reasonable suspicions that the violation may have been committed, based on the facts and evidence collected, which justify the initiation of the investigation. The High Inspector of Justice also initiates the investigation on its own initiative, based on essential data on the facts resulting from reliable sources, on the basis of which there is a reasonable suspicion that the violation may have been committed.

Referring to these legal provisions, during the year 2023 the High Inspector of Justice, after establishing the existence of reasonable suspicions, approved 18 decisions for disciplinary investigation, through which the alleged violations against the activity of 25 magistrates were investigated. The disciplinary investigation for 23 subjects was initiated on the basis of a complaint and for 2 subjects it was initiated by initiative.

The results of the investigation are as follows:

- for 6 magistrates ² (5 judges and 1 prosecutor) have been submitted to the respective councils and requests for proceedings;
- for 15 magistrates (15 judges) the disciplinary investigation was closed due to:
 - evaluating the facts, circumstances investigated and evidence obtained, as insufficient to prove the alleged violations;
- for 8 magistrates (5 judges and 3 prosecutors) of the disciplinary investigation, investigative procedures are in progress.

Table no. 3 Disciplinary investigations for 2023

Investigations by subjects					
The number of magistrates investigated	Prosecutors	Judges	Investigations based on complaints from the Backlog fund	Investigations based on a complaint at HIJ	Investigations at the initiative of HIJ
25	4	21	12	4	2

The disciplinary investigation for 25 subjects of the disciplinary investigation has been initiated after reasonable suspicions that the alleged violation may have been committed. Disciplinary violations for which the Office of the High Inspector of Justice has initiated a disciplinary investigation are related to disciplinary violations in the exercise of the function, which are listed:

- repeated delays or that bring serious consequences or unjustified delays of actions and/or procedural acts, provided for in article 102, point 1, letter "d" of law no. 96/2016;
- for action, inaction or behavior of the magistrate, which brings unfair benefits or damages to the parties in a judicial process or investigative procedure, in violation of the law, provided for in article 102, point 1, letter "dh" of law No. 96/2016;

2. For 4 (four) magistrates, the investigation process started in 2022

- failure to submit a request for waiver of the proceedings or trial of the case, when this is mandatory according to the law, if the magistrate is aware or should have been aware of such circumstances; provided for in article 102, point 1, letter "a" of law no. 96/2016, amended;
- Other violations³

Compared to 2022, the number of reviewed complaints is approximately the same, but referring to investigation data, compared to a year ago, the number of investigations and the number of investigated magistrates is lower. The number of requests for proceedings remains stable in relation to the data of the previous year. It turns out that even for this year there is no decision to close the appealed investigation.

The disciplinary investigation carried out was not intended to punish the magistrates, but to examine the legitimate interests of both subjects (the complainant and the magistrate against whom it was investigated), judging proportionally and documenting all the evidence and testimonies presented by one side and respecting the rights of the magistrate under investigation.

For each investigated case, HIJ has reviewed the documentation, evaluated the evidence and clarified the circumstances that dictated the initiation of the investigation, so that the conclusions of the investigative actions are complete and indisputable. The investigation was carried out independently and impartially, in accordance with the principles of disciplinary proceedings, especially in compliance with the principle of proportionality and the investigation according to a regular legal process.

In cases and depending on the facts and evidence administered, when no disciplinary violations were observed, the investigation is closed.

The disciplinary investigation as a means to ensure the responsibility and accountability of the magistrates was carried out according to the legal and institutional standards established to verify in detail all the claims, even during 2023 it focused on the correct setting of the facts, the detailed assessment of evidence and actions, related to the investigated data or information in relation to the disciplinary violation.

The responsibility and accountability of magistrates during 2023 was not limited only to the review of complaints and investigations, but also to intensive inspection processes, dealt with in detail in point 3.7 of this report.

³ Provided by:

Article 102, point 1, letters "b", "ç", "e", "c", of law no. 96/2016, amended
Article 140, point 2, letters "a", "b" of the Constitution of the Republic of Albania

3.3. Appeals against filing and investigation 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 to archive the complaint. Article 62, point 13 and article 160, point 13 of Law no. 115/2016 "On the governing bodies of the justice system", as amended, provide respectively the right to appeal against decisions to archive or suspend/close the investigation of the High Inspector of Justice, at the Temporary Commission for the Review of Appeals, which is established respectively by the High Judicial Council and the High Prosecutorial Council. The decisions of the Temporary Committee for the Review of Complaints are final and cannot be appealed before the plenary meeting of the Council.

During the year 2023 HIJ has taken 1622 decisions subject to appeal in front of the Temporary Commissions for the Review of Appeals, from which it follows that the following were filed against the decisions:

- 60 appeals against 1061 archiving decisions after initial review;
- 10 appeals against 552 archiving decisions after verification;
- no appeal against 9 decisions to close the disciplinary investigation.

Out of 1622 decisions, only 70 archiving decisions were appealed, or expressed as a percentage, 4.3% of archiving decisions were appealed. As for 9 decisions to close the disciplinary investigation, it turns out that there is no appeal. From all the submitted appeals, there are 0 decisions returned for review

Table no. 4. Dynamics of complaints

Type of the decision	Appealable decisions	Appeals against decisions	Appeals against decisions (%)	Decisions returned for review
Archiving after initial review	1,061	60	5.7%	-
Archiving after verification	552	10	1.8%	-
Closed investigation	9	-	0%	-
Total	1622	70	4.3%	-

As evidenced above, for the year 2023 it results that there is again a low number of complaints, in the Temporary Commissions near the Councils, against the decisions of the HIJ. For all appeals against archiving decisions, it results that for all cases the Commissions have decided

to reject as unfounded the appeal presented by the appellants against the decisions of the High Inspector of Justice, and consequently none of the decisions of the High Inspector of Justice, has not been changed.

The means of appeal available to the appellant and their review by the relevant commissions provided for in the law provide security and guarantee that the decision-making of the HIJ is subject to legality review on an ongoing basis. From the results of the complaints of 2021-2022 and 2023, it appears that the work practice established and currently followed has not been violated by the competent bodies for their review.

3.4. Requests for disciplinary proceedings and Council decisions

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 the evaluation of the collected evidence and when the results of the investigation lead to the conclusion that there are reasonable doubts that the magistrate has committed a disciplinary violation, the disciplinary proceedings begin before the Councils, presenting the investigation report together with the investigation file.

During 2023, the High Inspector of Justice requested the initiation of disciplinary proceedings for 6 magistrates, for 5 magistrates the requests for proceedings were submitted to the High Judicial Council and for 1 magistrate the requests for proceedings were submitted to the High Prosecutorial Council.

The High Inspector of Justice has requested the initiation of disciplinary proceedings, based on the disciplinary violations provided by articles 102 and 104 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, as well as Article 140 of the "Constitution of the Republic of Albania" for disciplinary violations during the exercise of the function as:

- Repeated delays or that bring serious consequences or unjustified delays of actions and/or procedural acts;
- The action, inaction or behavior of the magistrate, which brings unfair benefits or damages to the parties in a judicial process or investigative procedure, contrary to the law;
- Actions, omissions or behaviors, for which the magistrate has been convicted by a final decision for committing a criminal offence;
- For cases where the judge has been sentenced by a final decision for committing a crime.

For the 5 requests for disciplinary proceedings submitted to the High Judicial Council, the High Inspector of Justice has proposed the following disciplinary measures:

- "Temporary reduction of salary up to 40% for a period not longer than one year" - 1 case;
- "Public remarks" - 2 cases;
- "Suspension from duty for a period of two years" - 1 case;
- "Dismissal from duty"-1 case.

At the time of preparation of this report, all the submitted requests are in the review stage by the High Judicial Council.

For 1 request for disciplinary proceedings submitted to the High Prosecutorial Council, the High Inspector of Justice has proposed the disciplinary measure "dismissal". At the end of the examination of the request of the High Inspector of Justice for the initiation of disciplinary proceedings against the magistrate, the High Prosecution Council for this case has accepted the request for dismissal from office.

Table no. 5 Dynamics of disciplinary measures proposed by HIJ for 2023

Disciplinary measure proposed by HIJ	Number of requests for disciplinary proceedings	Magistrate proposed for disciplinary measure	Magistrate	
			Judge	Prosecutor
Dismissal from duty	2	2	1	1
Suspension from duty for a period of 2 years	1	1	1	0
Temporary salary reduction of up to 40% for a period not longer than one year	1	1	1	0
Public remark	2	2	2	0
Total	6	6	5	1

From the data for the year 2023, for 1 request for taking a disciplinary measure submitted to the HPC, it results that this measure was accepted, thus not violating the legality of the investigation and verification of the violation. The disciplinary procedure as the final moment of the investigative activity is important in terms of the contribution that HIJ gives to the improvement of the justice system, also in the consolidation of its constitutional activity..

3.5. Progress of handling backlog complaints

During the year 2023, the High Inspector of Justice has prioritized the completion of the review of backlog fund complaints. As presented in the 2022 activity report, the Office of the High Inspector of Justice closed the year with 1072 backlog complaints in process.

All of the administrative and organizational measures taken by the High Inspector of Justice to deal with the backlog have produced the expected effects. During 2023, the review of the entire backlog fund was successfully completed, the progress of which is presented in the following table.

Table no. 6 Progress of handling the 2020-2023 backlog

Year	Backlog stock	Processed	Remaining to be reviewed
2020	2,104	65	2,039
2021	2,039	433	1,606
2022	1,606	534	1,072
2023	1,072	1,072	-

The inherited backlog fund at the Office of the High Inspector of Justice has started handling in 2020 with a total number of 2104 complaints.

- During 2020 - 65 complaints of this fund were handled, about 3% of the total;
- During the year 2021 - 433 complaints of this fund were handled, namely 21% of the total;
- During the year 2022 - 534 complaints of this fund were handled, namely 25% of the total;
- During the year 2023 - 1072 complaints of the backlog fund were handled, i.e. about 51% of the total.

So, within the Resolution of the Assembly of Albania "On the evaluation of the activity of the Office of the High Inspector of Justice for the year 2022", based on the totality of the measures it has undertaken, it is noted that the Office of the High Inspectorate of Justice during the year 2023 has managed to close the review of the backlog fund, completely closed, and with the examination of over 50% of the total complaints.

3.6. Thematic inspections

3.7.1 Progress of thematic inspections during 2023

In support of Article 194 of Law no. 115/2016 "On the governing bodies of the justice system", as amended, the High Inspector of Justice, in the scope of his activity, among other things, carries out institutional and thematic inspections, in relation to every aspect of the work of the courts, judicial administration, prosecution offices and prosecution administration.

For the year 2023, the High Inspector of Justice has approved the plan of thematic inspections with decision no. 6, dated 24.02.2023 "On the approval of the inspection plan for 2023", as amended. The plan has been drawn up, taking into consideration:

- a) Legal obligations;
- b) Problems identified by the submitted complaints;
- c) Proposals from the institutions to which the request for the proposal of thematic inspections has been sent.

In the analysis and evaluation of the above, the inspection plan was approved, part of which are the following topics:

- "Distribution of cases by draw, as well as the check of the reports of the electronic system in the courts for the period 01.01.2022-31.12.2022";
- "On the practice and reasons for replacing prosecutors for the period 01.01.2022-31.12.2022";
- "On the assignment of cases in the prosecutor's office for the period 01.01.2022-31.12.2022";
- "On the procedure of announcing and justifying the judicial decisions of the Tirana Judicial District Court, the Civil Chamber and the Administrative Court of the First Instance Tirana, for the period 01.09.2022-30.12.2022".

From the inspection plan for 2023, the following has been completed:

1. Inspection with object: "On the procedure of announcing and justifying the judicial decisions of the Court of First Instance of the General Jurisdiction of Tirana (Civil Chamber) and the Administrative Court of First Instance of Tirana⁴", for the period 01.09.2022-30.12. 2022.

This thematic inspection was initiated by the High Inspector of Justice as a result of the high number of complaints submitted to the HIJ in which claims were raised for delays in clarifying court decisions beyond the legal deadlines against the magistrate judges of the Court of First Instance of Tirana General Jurisdiction (Civil Chamber), as well as to the magistrate judges at the Administrative Court of First Instance Tirana. The purpose of the thematic inspection was to create a real panorama of the actual state of reasoning and submission of judicial decisions for civil and administrative cases concluded in the above-mentioned courts, in order to respect the procedural deadlines.

⁴ The report is accessible at the following link: <https://ild.al/sq/2023/10/04/raport-i-inspektimit-mbi-proceduren-e-shpalljes-dhe-arsyetimit-te-vendimeve-gjyqesore-te-gjykates-se-shkalles-se-pare-te-juridiksonit-te-pergjithshem-tirane-dhoma-civile-dhe-gjykates-administrat/>

During the performance of this thematic inspection, the HIJ has kept in mind the changes brought about by the reform in the justice system and its effects, especially related to the completion of the number of judges in the courts and the large number of cases pending to be examined within the assessment of the duration of procedures related to the reasoning and submission of judicial decisions.

Taking into consideration the concrete situation of the workload, the organization and the number of magistrates, or the typology of cases tried, in order to ensure the right balance between the need to justify and deliver all court decisions according to the procedural deadlines provided for in the Code of Civil Procedure and law no. 49/2012 "On administrative courts and the adjudication of administrative disputes" on the one hand and the current possibility and capacities of the Court of First Instance of the General Jurisdiction of Tirana and the Administrative Court of First Instance of Tirana, on the other hand as a reasonable time that the judge needs to deliver the final reasoned decision, the 120-day deadline was estimated for the Court of First Instance of the General Jurisdiction of Tirana. At the end of this thematic inspection, HIJ has addressed the relevant recommendations for the courts subject to inspection. It is also has been established:

- a) verification mainly within the framework of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", amended, to ascertain whether there are sufficient facts for the initiation of a disciplinary investigation for the magistrates of the Court of First Instance of the General Jurisdiction of Tirana (Civil Chamber), for decisions announced and submitted to the secretariat after 120 days from the announcement, as well as the beginning of verifications for decisions announced and not submitted to the secretariat until 15.05.2023.
- b) verification mainly within the framework of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", amended, to ascertain whether there are sufficient facts for the initiation of a disciplinary investigation for a magistrate of the Administrative Court of First Instance of Tirana for the announced reasoned decision which has been filed in the secretariat within 107 days from the announcement.

The deadline for the implementation of the recommendations is defined as the period from 05.10.2023 to 05.04.2024.

Regarding the recommendations left by the inspection group, for the High Inspector of Justice, the verifications of the cases mentioned in the inspection report have started. Another inspection completed during 2023, although planned for another period, is:

1. Inspection with object: "For carrying out thematic inspection in courts and prosecutor's offices on the handling of claims with object: "Parole".⁵

This inspection, which began in 2020, has dealt with the requests for "*Parole*" from the courts of the judicial districts, the courts of appeal as well as the prosecutor's offices next to them, in relation to the implementation of the material/procedural law in force. Several factors have influenced the duration of this thematic inspection, such as: the high volume of documentary practices reviewed, the high number of courts and prosecutors' offices subject to inspection, the lack of inspectors at the time of its launch and the flow of the backlog, but also complaints submitted directly to HIJ. Despite these challenges, this inspection has brought significant effects in the framework of the accountability and responsibility of the magistrates. During its performance, as evidenced in the work report of the HIJ for 2022, several magistrates were investigated and disciplinary proceedings were conducted against whom the High Judicial Council and the High Prosecution Council determined the disciplinary measure of dismissal from office. These disciplinary measures have also been left in force by the Appeal chamber, with final decision-making thus confirming the work standard of the HIJ Office. In addition to this result in terms of identifying the individual responsibilities of magistrates, there has been an effect ascertained in terms of more careful use of the institution of "parole" and an increase in the quality of decision-making.

At the end of the inspection, several recommendations were drawn up for the respective prosecutions and courts subject to inspection, the Supreme Court, the Prosecutor General, the High Judicial Council, the High Prosecutorial Council and the School of Magistrates, which conclude in:

- issuance of general instructions to ensure the same application of the law and criminal prosecution;
- the unification of the practice followed by the prosecutions at the court of first instance of general jurisdiction in relation to the appointment of the representative prosecutor of the prosecution in trials of "conditional release" claims, in terms of the relevant group of prosecutors among which the procedure will take place for the distribution of requests with the object in question;
- holding discussions in the general meetings of the courts of the problems found in the observance of the material and procedural law related to the review of requests for "parole";
- the unification of judicial practice for the development, calculation, change in the direction of requirements with the object of "parole", as it pertains to:

⁵ The report is accessible at the following link: <https://HIJ.al/sq/2024/02/22/raporti-i-inspektimit-mbi-kryerjen-e-inspektimit-tematik-te-gjykatave-dhe-zyrave-te-prosecutions-near-them-on-the-handling-of-requests-with-object-release-on-condition/>

- determination of the time period referred to the date of submission of the request/the date of the trial that will be taken into consideration, for the calculation of the minimum period of serving the sentence for the effects of the benefit of parole;
- determining the way of interpretation of provision 64/1 of the Criminal Code;
- the inclusion of the duration of the work in the calculation of the amount of the sentence served, which gives the applicant the opportunity to benefit from parole;
- the interpretation of the "repetitive" prohibitive condition provided by Article 64/3 of the Criminal Code, from the point of view of the rehabilitation institute, referring to the provisions of Article 69/a of the Criminal Code;
- determining the time of the condition.
- Notifying the competent bodies for the ethical-professional assessment of the magistrate in terms of compliance with the material and procedural law during the handling of requests with the object of "parole";
- the ongoing training of prosecutors and judges in matters related to the implementation of the material and procedural legislation of the "Parole" institute in terms of the problems identified in:
 - o the interpretation of the provision of provision 64/1 of the Criminal Code "*not less than 2/3 of the sentence given for crimes with punishment measures up to 5 years imprisonment*" - "*not less than 3/4 of the sentence given for crimes with measures punishment over 5 years up to the maximum provided by the law, with the exception of the provisions in paragraph 3 of this article*" and in terms of the extension of the period referred to the time of submission of the request;
 - o benefits that are included in the calculation of the minimum period of serving the sentence;
 - o the prohibitive conditions "*not being repeat offenders convicted of intentional crimes or convicted of committing specified criminal offenses*";
 - o complementary interpretation of the provisions of Article 64 of the Criminal Code also for those sentenced to life imprisonment;
 - Determining the time of the condition.
- continuous follow-up of the problems identified in the prosecutor's offices in the direction of not proceeding by draw for the appointment of representative prosecutors in the trial of "parole" requests;
- continuous follow-up of the identified problems of non-determination of obligations according to the provisions of Article 60 of the Penal Code, in cases where the court disposes by accepting the "parole" request;
- evaluation of data related to the facts that, if proven, constitute disciplinary violations provided for under law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", amended, according to a special report prepared in detail by the inspectors, it is suggested.

- the beginning of verifications within the framework of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania" amended, to ascertain whether there are sufficient facts for the initiation of a disciplinary investigation for some magistrates of the prosecutor's offices and courts subject to inspection, for the period specified in the report.

The deadline for the implementation of the recommendations is set for the period 01.04.2024-01.10.2024.

3.7.2 Monitoring the implementation of recommendations

During 2023, the monitoring of the implementation of the recommendations for the two inspections completed during 2022 was completed, specifically:

1. Inspection by object: "Respecting the conditions and criteria for assigning personal security measures for the criminal offense of "Unauthorized possession and production of weapons, explosive weapons and ammunition", amended.

The purpose of this inspection is to highlight the way of interpretation, compliance with the conditions and criteria for assigning personal security measures for the criminal offense of "Unauthorized Possession and Production of Weapons, Explosive Weapons and Ammunition", by the prosecutors. At the end of the inspection, recommendations were issued for the competent bodies to take measures of a regulatory nature, through legal changes and the issuance of by-laws under their competence for the assignment of personal security measures for the criminal offense of "Possessing and manufacturing weapons without permission, explosive weapons and ammunition".

At the same time, measures of an administrative nature have also been proposed, proposing training sessions for the constitutional and conventional guarantees of personal freedom, the unification of practices in all prosecutor's offices and the increase of the quality of magistrates, through the provision of ongoing training.

In the framework of the monitoring during the year 2023, it results that the bodies subject to this inspection have fulfilled the recommendations left in the inspection report.

2. Object inspection: "On taking administrative and procedural measures within the framework of the implementation of general instruction no. 12, dated 20.07.2020, of the Prosecutor General "On the regulation of relations between prosecutors and heads of prosecution, information, transparency and guarantee of independence in prosecution offices with general jurisdiction", amended.

This inspection had the purpose of implementing the orders of the Prosecutor General, on maintaining the stability of the prosecution body through institutional cohesion and uniformity of activity in all prosecutions, in guaranteeing the functional independence of the prosecutor in decision-making on specific cases.

In the framework of the monitoring during the year 2023, it results that the bodies subject to this inspection have fulfilled the recommendations left in the inspection report.

IV. INTER-INSTITUTIONAL AND INTERNATIONAL COOPERATION

Cooperation and strengthening of institutional relations with the bodies of the justice system and international partners, for the High Inspector of Justice, continues to be an essential aspect for the coordination of activities in order to achieve common goals for the consolidation of the activity of the bodies of the justice system and strengthening public confidence in HIJ's activities.

4.1. Cooperation of the High Inspector of Justice - HJC/HPC/IQC

As for the cooperation with the Councils, beyond the recommendations left by the resolution of the Assembly of Albania "On the evaluation of the activity of the Office of the High Inspector of Justice for the year 2022"⁶, The High Inspector of Justice has treated as a priority the provision of information related to the complaints filed in the Council as far as HIJ's decision-making regarding the filing and closing of investigations, information on the data of complaints filed for magistrates that are in the evaluation process as well as for those who apply for promotion within the career system, as well as other issues related to the field of activity of these institutions.

For the year 2023, the High Inspector of Justice has administered from the High Judicial Council and the High Prosecutorial Council, updated data on:

- Lists with the names of magistrates who are currently in office;
- Lists of former magistrates who are no longer part of the justice system;
- Exchange of information within the process of examining appeals against archiving decisions or decisions to close the disciplinary investigation at the High Judicial Council (17 cases);
- Exchange of information within the process of ethical-professional assessment of

⁶ Furthermore you can access: <https://HIJ.al/sq/2023/09/25/rezolute-e-kuvendit-per-vleresimin-e-punes-se-inspektorit-te-larte-te-drejtise-per-vitin-2022/>

magistrates with the High Judicial Council (31 cases);

- Exchange of information within the process of ethical-professional evaluation of magistrates with the High Prosecutorial Council (10 cases);

On the part of the High Inspector of Justice, the cases where the facts assessed did not justify the initiation of disciplinary proceedings, but which are important for the ethical and professional assessment, have been presented for further consideration by the Councils. Communication with the Councils is continuous for the coordination of work and the exchange of information in time and quality.

The Office of the High Inspector of Justice, within the framework of inter-institutional cooperation, with the Independent Qualification Commission, for any decision-making towards magistrates, prosecutors or judges, has exchanged information, within the requirements of the IQC in function of the re-evaluation process. This communication has continued due to mutual needs for updated information in order to increase the efficiency of the work of the High Inspector of Justice, in handling complaints against magistrates who are on duty. Every communication related to IQC referrals for verification of the activities of magistrates, although confirmed in office, the High Inspector of Justice has reviewed the cases by performing the necessary verifications.

During 2023, cooperation with the Independent Qualification Commission continued with the exchange of information within the process of re-evaluation of magistrates for a total of 17 cases.

As for the cooperation in the verification of the cases forwarded for further verification by the IQC, 7 cases were forwarded, 2 of which were processed with the relevant decisions. Also, during the year 2023, 7 cases carried over from previous periods were handled with the respective decision-making.

4.2. Cooperation of the High Inspector of Justice with the Prosecutor General

The cooperation with the Prosecutor General continues within the framework of mutual commitments with the signing of the memorandum "On the performance of institutional and thematic inspections and for individual violations of the prosecutors in the prosecutor's offices with general jurisdiction". Also in the framework of the process of drawing up the inspection plan for 2023, HIJ submitted a request to the Prosecutor General to suggest topics related to the inspections.

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

Cooperation with the Ministry of Justice has continued with the provision of contributions, the drafting of reports and the forwarding of information in the exercise of powers, according to the cases defined in the Intersectoral Strategy 2021-2025, the plan of measures for the implementation and monitoring of the fulfillment of the recommendations of the European Commission, related to the Political Criterion and Chapter 23 of the acquis of the European Union.

In particular, during the year 2023, the cooperation with the Ministry of Justice has been focused on the coordination of work and the exchange of information, following meetings in the framework of the drafting of the Roadmap for the Rule of Law, as well as in the framework of the fulfillment of commitments for the indicators of the Sectoral contract, respectively Indicator 2, which is fully fulfilled by the High Inspector of Justice. This is evidenced by the disbursement of EU funds to the state budget in the period of June 2023. Also related to the undertaking of another commitment within Indicator 7 of this contract, undertaking the thematic inspection for documentation to the judges by informing the parties about the possibility of resolving the case through mediation, for completed civil cases, for the period 01.10.2023-31.12.2023.

Also, in the framework of the process of drawing up the inspection plan for 2023, HII submitted a request to the ministry to suggest topics related to the inspections.

The cooperation between the High Inspector of Justice and the Ministry of Justice during the year 2023, within the framework of state policies for the justice system, has been developed through a series of reports or activities held within the framework of these reports, specifically:

- periodic contributions within the monitoring of the Sectoral Contract "EU for the reform in justice";
- periodic contributions within the framework of monitoring the implementation of the Action Plan for the Cross-Sector Strategy of Justice 2021-2025";
- the contribution of the Albanian Government to the Report of the European Commission on Albania for the year 2023;
- contribution within the European Union - Albania Sub-committee "Justice, Freedom and Security;
- contribution within the Progress Report of the European Commission for Albania for the year 2023;
- contribution to the draft Roadmap for the Rule of Law, Chapter 23, "Judiciary and fundamental rights and the beginning of drafting the Negotiating Process", for the period June-October 2023;
- contribution within the monitoring of the Semester Package for European Integration (PSIE) for the period July-September 2023" and monitoring for the Semester Package of European Integration (PSIE) 2023;

- contribution within the process of drafting PKABE 2030 and PKIE 2024-2026.

4.4. Cooperation with civil society actors

As a function of transparency and public awareness on the mission, powers and responsibilities, the High Inspector of Justice has created a tradition of conversations with different social groups, maintaining communications outside the institution through legal education.

12 activities have been carried out, including meetings, conferences and memorandums of cooperation, where different social categories such as pupils, students and Civil Society Organizations have been involved.

The activities are focused on the justice system and the protection of human rights, such as: an activity in the city of Bajram Curri where a mock trial was improvised by the students of the 9-year-old school "Besëlidhja e Malësisë", open lectures with University students of Vlora and Elbasan, Law branch, conversation with students of the "Citizen in charge" Academy in Tirana, which have been targeted for the promotion of legal education, from the pre-university system to the university system.

In order to communicate with interest groups in the districts, the High Inspector of Justice has developed during 2023, two discussion tables with Civil Society Organizations in Lezhë and Lushnja, with the support of OSCE. The open communication at these tables has highlighted the importance of the introduction and presentation of the institution to the various interest groups, where they live and discussions on how they see the role of the institution, experiences and expectations in relation to the behavior of magistrates in the system.

During the year 2023, the Office of the High Inspector of Justice has been the subject of professional research analyzes by Civil Society Organizations, which focus on the monitoring of the justice system, such as the Institute for Political and Legal Studies, the Center for the Study of Democracy and Governance and Governance through special events, where they presented and discussed together with the High Inspector of Justice, the progress of HIJ's activity, challenges and progress, as well as the vision for the future.

During the period February-July 2023, within the Project "Improving the performance of the High Inspector of Justice as a key institution for a professional judiciary in Albania" implemented by the European Center, with the support of the Albanian Helsinki Committee (AHC) and financed with funds of the Swedish Government, an "Integrity Plan" was drawn up and approved by order no. 122, dated 06.11.2023, of the High Inspector of Justice "On the approval of the integrity plan of the Office of the High Inspector of Justice 2023-2025". The HIJ Office Integrity Plan serves the assessment of:

1. violations of integrity for all work processes in the institution, which may compromise the ability of the HIJ Office to perform the public function in an impartial, responsible and professional manner and of factors that may support or increase the risks estimated; as well as formulating appropriate measures to address them;
2. identification, evaluation and prevention of all the risks that affect the integrity of the institution and the individuals working in it, and it is a working document that defines concrete measures for dealing with integrity risks and achieving the institution's strategic and specific objectives;
3. consolidation of an internal integrity management system to eliminate the circumstances and minimize the risks of unethical, unprofessional behavior and corrupt actions of all employees of the HIJ Office during the exercise of their activity;
4. significant improvement in the good functioning and good governance of the institution.

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

In terms of cooperation with international partners during 2023, several important activities were carried out, which are listed as follows:

"EU4Justice" project - Support to strengthening the governance institutions of the judiciary in Albania" IPA 2020. EU project, which is the continuation of the "Euralius V" project, with the aim of supporting the implementation of the reform in justice by contributing to strengthening of governing institutions of justice, the objectives of the project are:

- Improving the performance of the High Judicial Council (HJC), the High Prosecutorial Council (HPC) and the High Inspector of Justice (HIJ) in consolidating the independence, accountability, transparency and operation of the judiciary;
- Improving coordination and communication mechanisms between the High Judicial Council (HJC), the High Prosecutorial Council (HPC) and the High Inspectorate of Justice (HIJ) in accordance with EU best practices.

The components related to the HIJ are:

- Strengthening the functioning of the HIJ and consolidating the disciplinary investigation based on meritocracy and developing transparent procedures in accordance with European standards and best practices (Component 3);
- Ensuring overall coordination and coherence by addressing cross-cutting issues relevant to all governance institutions (Component 4).

For the period September - December 2023, several activities were carried out with HIJ and other beneficiaries involved in activities with a common focus, specifically:

- Establishing a working group with short-term international experts and HIJ staff to identify and address the challenges and obstacles faced by the complaints handling process, to improve the efficiency, effectiveness and transparency of the complaints handling process, applying unified standards and procedures;
- Finalization of the 2023-2025 Strategy;
- Development of round tables to identify and address common problems encountered during disciplinary proceedings.

Project - JustAl – Technical Assistance Project for the reform of the justice sector in Albania, which supports the implementation of the Intersectoral Justice Strategy. As part of the general objective, to increase the capacities for monitoring and reporting the implementation of SND II. This project also focuses on the development of the capacities of the relevant staff of the Ministry of Justice, the dependent institutions and of other institutions in order to create appropriate monitoring tools and improve reporting skills based on specific indicators. A special objective of this project is to support the institutions of the justice system to implement the Cross-Sector Strategy of Justice and its action plan.

The cooperation with this project has consisted in increasing the reporting capacities of the staff of the institutions contributing to the fulfillment of the specific objectives defined in the SND. Cooperation was realized through the participation of officials in the working meeting with the theme "Increasing coordination and cooperation between the Ministry of Justice and dependent institutions as well as independent institutions of justice in relation to the process of preparing the Monitoring Report for the period January - June 2023 on the implementation of the SND 2021 - 2025 and its Action Plan, as well as the further development of the reporting mechanism and the improvement of the reporting capacities of justice institutions.". Currently, 4 working meetings have been organized on the following dates: January 25, 2023, March 6, 2023, April 13, 2023 and November 7, 2023.

During 2023, the High Inspector of Justice, during a working visit to Athens, signed a memorandum of cooperation in respect of the common interest in guaranteeing the functioning of the rule of law, the independence of the justice system. This memorandum envisages cooperation between the parties by exchanging information, practices and experiences regarding all procedural aspects of conducting a disciplinary investigation and disciplinary proceedings against judges and prosecutors⁷.

⁷ The memorandum is available at the link <https://HIJ.al/sq/2023/02/02/inspektori-i-larte-i-drejtise-nis-bashkepunimin-me-keshillin-e-shtetit-te-greqise/>.

The High Inspector of Justice, during the year 2023, has continued efforts to find and enable the continuous professional development of human capacities. The deepening of cooperation with RESIJ, both with conferences and trainings, as well as preparatory materials to present the work of HIJ, have influenced the creation of the international professional partnership of the Office of the High Inspector of Justice, marking another important achievement. that of the unanimous acceptance of the High Inspector of Justice as a member with full rights in the European Network Justice Inspections Services (RESIJ), during the General Assembly called by the member countries on 19.10.2023.

In the framework of the decision-making of the General Assembly on October 19, 2023, under the auspices of the High Inspector of Justice, and with the participation of the delegations of the justice inspectorates of Romania, which holds the presidency of RESIJ, of France, Italy, Belgium, Bulgaria , Spain and Portugal, in Tirana, on December 14, 2023, the General Assembly of the European Network of Justice Inspection Services (RESIJ) was held for the first time. At the RESIJ General Assembly, members approved the final changes to the Network Statute, as well as discussed RESIJ's future projects. During the General Assembly, future projects and the dynamics of the organization and operation of the Network were discussed through the exchange and sharing of the methodological experience of inspection and engagement in common challenges such as the independence of magistrates and public expectations from the justice system.

On 13 December 2023, the Office of the High Inspector of Justice became part of the regional workshop on investigative processes and investigative interviewing techniques, organized in Vienna by the United Nations Office on Drugs and Crime (UNODC) with the support of the Federal Republic of Germany, with the participation of law enforcement and criminal law experts from Southeast Europe, Albania, Bosnia and Herzegovina, Kosovo, Moldova, Montenegro, North Macedonia, Turkey and Ukraine. HIJ inspectors made a presentation of the role and functions of the High Inspector of Justice and the development of the disciplinary investigation, in terms of the procedure of interviewing magistrates, witnesses and any other person who may have information about the facts that are the subject of the disciplinary investigation. The presentation of the representatives of the High Inspector of Justice included the legal basis and the methodology provided for in the Albanian legislation for the development of the questioning process.

On November 1, 2022, as part of the European Network of Justice Inspections Services (RESIJ), the Office of the High Inspector of Justice has accepted the invitation of the Network to engage in the COPEIJ project of the European Commission "On cooperation in the protection of the environment through national authorities of the inspection of justice", alongside the counterpart institutions of France, Italy, Romania and Portugal, under the management of Expertise France. In this context, members of the HIJ Office have participated in all the project activities developed in the period February-September 2023, from coordination meetings to study visits, which were carried out in rotation in each of the

project sites, and during which local national authorities responsible for environmental protection have referred to work practices and both institutional and legal challenges. At the end of this phase, the work report was drawn up in French, with the overview and recommendations for the national authorities and the European Commission, for the creation of tools to reduce the gap between the need for effective environmental criminal justice and the current reality in each country,⁸.

In the framework of the official visit of the French General Inspectorate of Justice on June 01-02, 2023 with inspectors, assistant inspectors, the Cabinet, the Secretary General, and the Directorate of Drafting of Acts and Legal Services of the Office of the High Inspector of Justice, training on inspections and working methods of the French inspection service was carried out. This activity was carried out in the framework of cooperation with RESIJ and with the support of CEPEJ, the joint project of the European Union/Council of Europe for Justice.

On November 13, 2023, the High Inspector of Justice together with the heads of several independent bodies conducted a working visit to the USA, at the invitation of Open Gov Hub USA, together with colleagues from other justice institutions of Albania. During the visit, a public event was organized with the theme "Justice Reform in Albania, Constitutionalism in Action", on which the High Inspector of Justice, Mr. Artur Metani, Chairman of the High Judicial Council, Mrs. Naureda Llagami and the Chairman of the Independent Qualification Commission, Mr. Roland Ilia, who then answered questions from the audience. Speaking about finding the right balance between a stable, solid government and the protection of basic human rights and freedoms, Mr. Metani made a comparison with the way of working in the Office of the High Inspector of Justice.

4.6. Implementation of the recommendations of international instruments, within the process for European integration

In the European Commission's Progress report of 2023, the findings for the High Inspector of Justice are related to the concern about the current number of inspectors, where it is evident that HIJ operates with half the number of inspectors approved according to the organizational structure. The Progress report places the importance on the continued recruitment of inspectors.

Despite this fact, in the Progress report it is evident that HIJ has adopted a methodology for reducing the inherited backlog, it has not created a stock of complaints submitted since the moment of its creation. It recorded data on the number of complaints reviewed, the number of investigations conducted and requests for proceedings. It is also noticeable that the

⁸ This report is published in the following link: <https://HIJ.al/sq/2023/11/01/raport-kombetar-i-HIJ-bashkepunimi-per-mbrojtjen-e-mjedisit-nga-autoritetet-kombetare-te-inspektimit-te-drejtësisë-copeij/>

Councils have taken different measures, easier than the proposal presented by HIJ in the requests for proceeding, namely:

3 requests for proceedings have been submitted to the HJC, two of which are in process and one has been closed with a decision with a measure changed from the proposed one.

In order to address the findings in the Progress report, HIJ has completed the review of all backlog complaints inherited from previous institutions.

Regarding the filling of vacancies for the position of "Inspector", during 2023 HIJ directed requests for command in Councils (detailed information can be found in Chapter V of this report "*Internal Organization*").

On June 7, 2023, at the hearing on the institution's activity report for 2022, the High Inspector of Justice again emphasized the request addressed to the members of the Committee for Legal Affairs, Public Administration and Human Rights for the possibility of evaluating the proposals for legal changes, as well as in the 2021-2022 hearings.

V. INTERNAL ORGANIZATION

5.1 Commands from HJC

In addition to the organizational structure of the Office of the High Inspector of Justice for the completion of the organizational structure and especially the Cabinet of the High Inspector of Justice, several measures have been taken, which were aimed at the implementation of the orders of magistrates with a judge profile. In the context of the request submitted in 2022 to the High Judicial Council for the command of 1 (one) magistrate, judge, in the position of "*Advisor*" in the Cabinet of the High Inspector of Justice, with decision no. 50, dated 27.01.2023 "For the command of Ms. A. Lika in the Office of the High Inspector of Justice" of the High Judicial Council, the request was approved.

Also, within the framework of filling vacancies in the inspectors' unit, the High Inspector of Justice has submitted to the High Judicial Council the request for the appointment of two magistrates, judges, to the position of inspector at the Office of the High Inspector of Justice.

After consulting the information published on the official website of the HJC, it results that with decision no. 487, dated 21.09.2023 "On the announcement of the request for candidacy from the ranks of judges for command in the Office of the High Inspector of Justice ⁹", has decided: "The announcement of the request for candidacy, from the ranks of judges, for command in the Office of the Inspector of the Supreme Court of Justice, for 2 (two) vacant positions as an inspector". At the end of this published procedure, there were no commands from the HJC.

On the other hand, a magistrate inspector commanded in 2020, with decision no. 584, dated 18.10.2023 of the High Judicial Council "On the termination of the term of command as an inspector in the Office of the High Inspector of Justice", the term of command has ended and since 01.12.2023, he does not exercise the duty of inspector.

5.2 Commands from HPC

The High Inspector of Justice has submitted a request for the command of two magistrates, prosecutors, to the High Prosecutorial Council. In consultation with the official website of the HPC, as regards the request sent, in the notice of the plenary meeting dated 20.10.2023, the HPC has decided not to approve the request of the High Inspector of Justice to open the procedure for the command of prosecutors¹⁰.

HPC with its letter no. 2007/1 prot., dated 30.10.2023, presented the arguments for the reasons for not approving the request, since it is impossible to command the prosecutors to the HIJ beyond the already determined number of 5 prosecutors.

In reference to the arguments of the HPC about the number of prosecutors commanded in the HIJ, it has argued that a total of 5 (five) magistrate prosecutors have been commanded in the Office of the High Inspector of Justice, 3 (three) of them perform the duty of inspector, 1 (one) magistrate is in the position of advisor, while 1 (one) magistrate has been suspended from office, due to decision no. 426, dated 27.07.2021 of the Independent Qualification Commission, until a final decision is taken by the Appeal Chamber. During the years 2022 and 2023, in the Office of the High Inspector

⁹ The High Judicial Council (21.09.2023): "Announcement of the request for candidacy from the ranks of judges for commanding the Office of the High Inspector of Justice". <https://klgj.al/ep-content/uploads/2023/09/NJOFTIM-P%C3%8BR-SHPALLJEN-E-K%C3%8BRKES%C3%8BS-P%C3%8BR-KANDIDATURA-NGA-RADH%C3%8BT-E-GJYQAR%C3%8BVE-P%C3%8BR-KOMANDIMIN-N%C3%8B-ZYR%C3%8BN-E-INSPEKTORIT-T%C3%8B-LART%C3%8B-T%C3%8B-DREJT%C3%8BSIS%C3%8B.pdf>

¹⁰ The announcement can be accessed at the following link: <https://klp.al/2023/10/20/njoftim-per-media-mbi-seancen-plenare-date-20-tetor-2023/>

of Justice, only 3 (three) prosecutor profile magistrates have effectively exercised their duties as inspectors.

As stated in previous activity reports, the lack of magistrate inspectors is a factor with a high impact on the exercise of functions. It is not without reason that the legislator has foreseen that the composition of the Office of the High Inspector of Justice, based on the importance of constitutional and legal functions, should consist of magistrates with long professional experience. In our assessment, professional experience has been a hindering factor for the interest of a wider number of magistrates who meet the criteria. The non-filling of vacancies constitutes an infringement of the realization of the disciplinary investigation process itself, which is based on the restoration of public trust in the justice system and the protection of the system's reputation from actions and acts that affect the position and image of the magistrate.

The high number of complaints filed over the years and the increasing demands for thematic inspections, as a measuring criterion for the performance of the justice system, require a high commitment of human resources from the inspectors' unit. The problem of filling vacancies, due to legal criteria, but also due to other objective reasons that the system has faced, remain a concern carried over the years, which for the fourth year of activity have not found a solution.

5.3 Recruitment of non-magistrate inspectors

During the year 2023, no position has been announced for non-magistrate inspectors.

5.4 Implementation of the law "On civil service" within the framework of completing and increasing the capacities of human resources

By the Decision of the Assembly no. 10/2023 "On some additions and changes to the Assembly Decision no. 28/2020 "On the approval of the organizational structure, organization and salary classification of the personnel of the High Inspector of Justice", on 16.02.2023, the structure was approved and the staff of the Office of the High Inspector of Justice.

The structural changes consisted of:

- The reduction of the number of inspectors from 26 inspectors to 20 inspectors, this is due to the difficulty in filling vacant positions during the 2 years of operation of the HIJ. The experience so far has shown that the legal criteria to be an inspector, the increasing vacancies of the judicial system and the prosecution, the lack of interest, starting from the continuous calls of the HJC for commands, have shown that completing the total number of 26 inspectors, may not be reached. Similarly, the recruitment procedures followed by the High Inspector of Justice are longer than a

year and do not guarantee filling the number within a short time. All these options have been assessed as factors affecting the slowing down of the investigation and inspection activities.

- Increasing the number of assistant inspectors from 17 to 23 assistant inspectors. The increase in the number of assistant inspectors will create the possibility of increasing the effectiveness and quality of the support activity for the inspector. Creating opportunities for the inspector to focus only on the evaluation of investigative and inspection activity, for which he is responsible before the law.
- A new structure has been created, namely the Directorate of Analysis and Standards. The main goal for the creation of this directorate is the quality of continuous processes in the areas of analytical and research work for the standardization of the work process in each structure through the preparation of internal manuals and specific standards in order to determine, update and analyze indicators. that measure the institution's performance periodically. This structure will enable reports, analyses, information, etc., to be reviewed continuously in order to increase efficiency and reduce any possible risk that affects the performance of the HIJ, as well as the purpose of its creation, the collection , the processing and analysis of statistical data in order to create reports with the necessary information related to the activity of the institution.

During the year 2023, pursuant to law no. 152/2013 "For the civil servant", amended, the Labor Code and the organic law, a total of 23 appointments/recruitments were made within the approved structure, 12 (twelve) dismissals, as well as 1 (one) status suspension, as follows

Staff	
	3 (three) advisors, of which in one position “ <i>Advisor</i> ” one is a commanded magistrate with judge profile and 2 (two) Dismissals (1 advisor and 1 secretary of the High Inspector of Justice).
1. Magistrate inspector	1(one) promotion in duty judge in the Court of Appeals of General Jurisdiction).
2. Non Magistrate inspector	2 (dy) dismissals by resignation
3. High directing level	0 (zero)
4. Middle directing level	7 (seven) appointments (1 directorate director parallel movement and 6 assistant inspectors, of which 4 positions were filled through the promotion procedure and 2 positions by acceptance from outside the civil service), 1

- release (due to parallel movement to another institution) and 1 status suspension (due to of employment outside the civil service).
5. Low directing level 4 (four) appointments (Protocol Archive sector chief, Methodology and Standards Sector Chief, General Services Sector Chief, Representation and Reporting Sector Chief) and 2 Dismissals (due to the completion of promotion procedures).
6. Executive level 9 (nine) appointments, 1 (one) temporary transfer for the needs of the institution according to law no. 152/2023 "On the civil servant", amended, and 4 (four) dismissals (of which 3 employees due to completion of promotion procedures and 1 employee due to restructuring).

The total number of appointments for 2023 within the approved structure is 23 employees.

The number of employees according to the structure for 2023 is 101 approved employees. The total number of employees who effectively perform their duties is 80, of which 4 are magistrate inspectors and 7 non-magistrate inspectors. At the end of 2023, the vacancies created in the inspectors unit are 10, where 6 positions are for the position of "inspector" from the ranks of magistrates and 4 for the position of "inspector" from the ranks of jurists.

5.5 The process of evaluating the inspectors

The year 2023 has marked the first year of the beginning of the inspector evaluation process, thus enabling the continuation of other processes, such as the continuation of procedures for the selection of inspectors evaluated in important functions defined by law no. 115/2016 "On the governing bodies of the justice system", amended, the procedures for the evaluation of the magistrates in charge, or for the evaluation of skills for the purposes of the career of inspectors.

5.6 Activity within the framework of capacity building

During 2023, in terms of growth and capacities, the High Inspector of Justice has maximized efforts to find and enable professional development by continuing cooperation with international partners for the exchange of experiences in the field of investigations and inspections.

As for the training activity, in June 2023, the French General Inspectorate of Justice conducted trainings on the topics: "Performance of functional inspections by the IPD, methodology" and "Administrative investigations against magistrates: methodology", trainings in which Inspectors, Assistant Inspectors, the Cabinet, the Secretary General, and the Directorate of Drafting of Acts and Legal Services, of the Office of the High Inspector of Justice, participated.

Also, in December 2023, the Office of the High Inspector of Justice became part of the regional seminar on investigative processes and investigative interviewing techniques, organized in Vienna by the United Nations Office on Drugs and Crime (UNODC) with the support of the Republic Federal of Germany, with the participation of law enforcement experts of criminal law from Southeast Europe, Albania, Bosnia and Herzegovina, Kosovo, Moldova, Montenegro, North Macedonia, Turkey and Ukraine. Two inspectors (a magistrate inspector and a non-magistrate inspector) from the Office of the High Inspector of Justice made a presentation of the role and functions of the High Inspector of Justice and the development of the disciplinary investigation, in terms of the procedure of interviewing magistrates, witnesses and any other person who may have information about the facts subject to the disciplinary investigation.

As part of the training activity, the civil servants of the Office of the High Inspector of Justice have attended a significant number of trainings developed by the Albanian School of Public Administration for the period January-December 2023 (41 trainings).

The High Inspector of Justice has shown a special attention to the growth and strengthening of the capacities of the Office of the High Inspector of Justice, giving priority to the development of trainings by international and national experts, since the establishment of the institution.

VI. DATA ON JUDICIAL PROCESSES WHERE THE HIGH INSPECTOR OF JUSTICE IS A PARTY

The Office of the High Inspector of Justice until December 31, 2023, has participated in the following processes:

6.1. Proceedings at the Appeal chamber

6.1.1 Completed cases

- 1) Disciplinary jurisdiction case no. 1/2022, dated 16.02.2022, where the High Inspector of Justice was called in the capacity of the interested subject together with the High Prosecutorial Council, with the petitioner magistrate Sh. K., prosecutor in the Prosecutor's Office at the Pogradec Judicial District Court with object: "Repeal as a

decision contrary to the Constitution of the Republic of Albania of decision no. 411, dated 17.12.2021, of the High Prosecutorial Council "On the appointment of disciplinary measures against the prosecutor Sh. K." and the absolutely invalid declaration of dismissal for violation of human rights in the administrative process and for irregular legal process, which contradicts Article 6 of the ECHR and a number of articles of the Constitution. Restoring the rights limited by this decision". At the end of the trial of this appeal, the Appeal chamber reached the conclusion that the disciplinary measure "dismissal" given to the magistrate by the High Prosecutorial Council, is in accordance with the principle of legality, based on objective criteria related to the importance of the disciplinary offense, based on the criteria of individuality and proportionality, and necessary to fulfill the purpose of the law itself.

With decision no. 1, dated 20.02.2023, the Appeal chamber decided: not to accept the appeal of magistrate Sh. K. against decision no. 411, dated 17.12.2021, of the High Prosecutorial Council "For the assignment of disciplinary measures against the magistrate Sh. K., prosecutor in the Prosecutor's Office near the Court of First Instance Pogradec".

This decision was announced on 23.03.2023 and was published in the Official Gazette no. 54, dated 30.03.2023.

Disciplinary jurisdiction issue no. 2/2022, dated 20.06.2022, where the High Inspector of Justice was called in the capacity of the interested subject, together with the High Prosecutorial Council, with the petitioner magistrate B. Z., prosecutor in the Prosecution at the Dibër Judicial District Court with the object: " The change of decision no. 20, dated 31.01.2022, "On the assignment of disciplinary measures against magistrate B. Z., prosecutor in the Prosecution Office at the Court of First Instance Dibër", of the High Prosecutorial Council; Returning to the position of the prosecutor at the Dibër First Instance Prosecutor's Office". At the end of the trial of this appeal, the Appeal chamber reached the conclusion that the disciplinary measure

"dismissal" given to the magistrate by the High Prosecutorial Council, is proportional to the importance of the violations committed by her.

With decision no. 2, dated 24.10.2023, the Appeal Chamber decided: not accepting the appeal of magistrate B. Z. against decision no. 20, dated 31.01.2022, of the High Prosecutorial Council "On the assignment of disciplinary measures against magistrate B.Z., prosecutor in the Prosecution at the Court of First Instance Dibër".

This decision was announced on 24.11.2023 and was published in the Official Gazette no. 175, dated 06.12.2023.

6.1.2 Case under review in the Appeals Chamber

- a. 1) Disciplinary jurisdiction case no. 4/2023, dated 03.11.2023, where the High Inspector of Justice was called in the capacity of the interested subject, together with the High Prosecutorial Council, with the petitioner magistrate S. H. prosecutor in the Prosecution at the Court of First Instance of General Jurisdiction Saranda with object: "*Opposition to decision no. 284, dated 17.07.2023, of the High Prosecutorial Council "On the assignment of disciplinary measures against magistrate S. H., with the duty of prosecutor in the Prosecution at the Court of First Instance of the General Jurisdiction of Saranda". The issue of disciplinary jurisdiction is at the stage of consideration in the plenary session on the basis of documents.*

1) Court proceedings in the Court of Administrative Appeals of the General Jurisdiction Tirana

Court cases with plaintiffs: M. Z, S. M, L.Z, D.S etc.; defendants: the High Prosecutorial Council, the Prosecutor's Office of the Judicial District of Tirana, the General Prosecutor's Office, the Ministry of Finance and the Economy and the High Inspector of Justice, with the object: "Forcing the defendants to recalculate and pay the difference in unpaid wages for the period 01.01.2019 and following. Forcing the defendants to pay 10% legal interest on the unpaid amount until the full execution of this decision. Court costs, including attorney's fees, shall be charged to the defendants. Issuance of the decision with temporary execution".

This case is under trial in the Administrative Court of Appeal, for which no date has been set for its consideration.

1) 6.2. Court proceedings completed or in the trial phase at the Administrative Court of First Instance in Tirana

Administrative court case, registered at the Administrative Court of First Instance Tirana with plaintiffs: M. Z., S. M., L. Z., D. S. Etc., defendants: High Prosecutorial Council, Prosecutor's Office of the Judicial District of Tirana, General Prosecutor's Office, Ministry of Finance and Economy and the High Inspector of Justice, with the object: "Obligation of the defendants to recalculate and pay the unpaid salary difference for the period 01.01.2019 and following. Forcing the defendants to pay 10% legal interest on the unpaid amount until the full execution of this decision. Court costs, including attorney's fees, shall be charged to the defendants. Issuance of the decision with temporary execution".

- 2) At the end of the examination of this case, the Administrative Court of the First Instance of Tirana with the decision no. 1862(80-2023-1900), dated 22.09.2023 decided: "Partial acceptance of the lawsuit. The obligation of the High Inspector of Justice to pay the difference of the net salary and interests to the plaintiffs Ms. L. Z. and Mrs. D. S. as well as the granting of this decision with temporary execution". Administrative court case, registered at the Administrative Court of the First Instance

of Tirana with the plaintiff: the Albanian Committee of Helsinki, the defendant: the High Judicial Council and the High Inspector of Justice, with object:

- The annulment of the decision of the HJC no. 19 prot., dated 25.04.2023 "On the rejection of the appeal of the Albanian Committee of Helsinki, against the decision no. 312/1 prot., dated 30.01.2023 of the High Inspector of Justice.
- Repeal of decision no. 312 prot., dated 30.01.2023 of the High Inspector of Justice "For the archiving after the verification of the complaint presented by the Albanian Committee of Helsinki, regarding the claims against magistrates K. G. and A.M. and the conclusion for a final decision of the verification procedure, regarding the claims against the former magistrate B. Q."
- Obligation of the High Inspector of Justice to consider and conduct investigations as well as express a final decision on the complaint of the Albanian Committee of Helsinki".

1) Administrative court case, registered at the Administrative Court of the First Instance of Tirana, with plaintiff: High Inspector of Justice, defendant: Territory Protection Inspectorate, Municipality of Tirana, with object: "Repeal of administrative decision no. 5213 , dated 20.11.2023 of the Territory Protection Inspectorate, Tirana Municipality for "Penalty with fine etc".

2) Administrative court case, registered at the Administrative Court of the First Instance of Tirana, with plaintiff: E. A., defendant: High Inspector of Justice, with object: "Declaration of invalidity of decision no. 12, dated 15.03.2023, of the Office of the High Inspector of Justice, for "Termination of the Civil Service relationship for Mrs. E. A." or Repeal of decision no. 12, dated 15.03.2023, of the Office of the High Inspector of Justice, for "Termination of the civil service relationship for Mrs. E. A. etc."

VII. TRANSPARENCY AND PUBLIC RELATIONS

7.1 Citizen to the attention of the High Inspector of Justice

The High Inspector of Justice has also reflected during the year 2023, the responsibility, as one of the new institutions of the governance of justice, to help strengthen public trust in the institutions and the justice system, while maintaining the balance between the public interest in the administration of justice, respecting the independence of magistrates. Transparency towards the public and the media in the justice system in general, but also in that of the High Inspector of Justice in particular, has become one of the most important moments of HIJ's work, through open public communication.

In addition to the daily functional activity of inspection, verification, investigation and disciplinary proceedings, HIJ has focused its attention on the relationship with the citizen, in two dimensions:

- 1- As a complainant for alleged disciplinary violations against judges and prosecutors,
- 2- As an informed citizen, through legal education activities throughout the year with different social groups.

Bearing in mind the principle that an informed citizen manages to address where necessary the problem he encounters, the Office of the High Inspector of Justice continues to follow a public communication strategy, which starts in the institution, with the facilities created for every complainant, through the website of the Internet, where there is a dedicated form to be filled out, and further, every day, with the reception and assistance of citizens who want to file a complaint physically, or receive information about the progress of their complaint.

Since the beginning of the operation of the High Inspector of Justice, the attention to citizens/complainants has been high, both for those who have addressed the HIJ directly, but also for others, who had filed their complaints for years in predecessor institutions, in charge of the disciplinary process of magistrates.

7.2 The citizen as the initiator of thematic inspections

Complaining citizens have served as initiators of several thematic inspections of the HIJ Office during 2023, specifically:

- The thematic inspection on the procedure of announcing and justifying the decisions of the courts, initiated by the review of a large number of complaints on the claims for the delay of the trial and the delays in clarifying the decisions by the judges. This inspection was carried out in the Court of First Instance of General Jurisdiction Tirana

(Civil Chamber) and the Administrative Court of First Instance Tirana and has been completed.

- Thematic inspection with object: "Parole", which has been initiated since the start of HIJ's work in 2020, based on the high public sensitivity in that period, after the release of some well-known figures for justice completed in 2023.

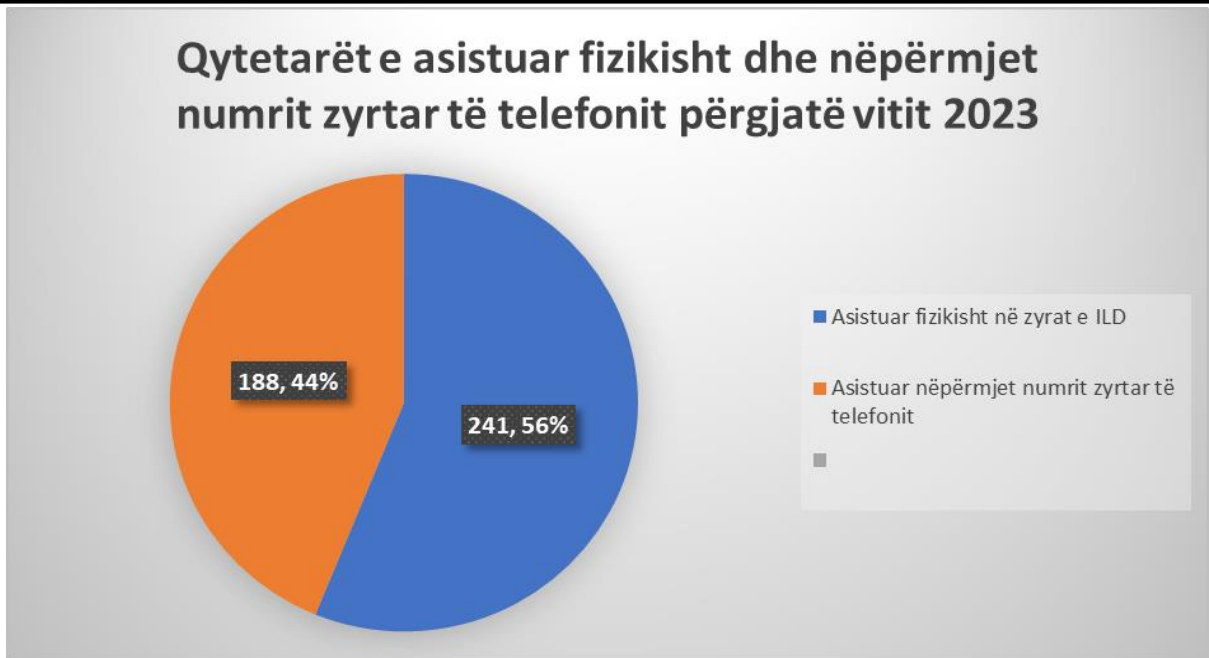
7.3 Reception of citizens in the premises of the High Inspector of Justice

In addition to information and the possibility of complaining through the official website, citizens or subjects are welcome every day in the office of the High Inspector of Justice, both to be informed and to file a complaint, if necessary with the assistance of the team of The Complaints and Public Relations Sector, which receives citizens on every official working day, from 09.00 14.00, but also responds to the interest of citizens or institutions through the official telephone number.

During the year 2023, an average of (two) citizens per day were assisted and informed through meetings and the telephone line regarding their claims/complaints to the magistrates.

Specifically:

- 241 meetings with citizens were carried out (on the basis of written requests, requests through telephone communication, as well as without prior determination). During the meetings, in every case the responsible officials listened to the claims, assisting/informing them about the ambiguities, regarding the rights of the citizens to complain.
- 188 citizens/interested subjects were assisted by phone, on the institution's official number, who mainly requested information on the stage at which complaints are located, how they are accepted, how to proceed with the presentation of additional documents in support of their claims , etc.



The chart show assisted citizens during the year 2023. The blue color show the citizens assisted personally in the premises of HIJ and the orange color shows assisted citizens through the official phone number of the institution.

During the year 2023, 350 announcement decisions were registered, in accordance with Article 162 of Law no. 44/2015 "Code of Administrative Procedures in the Republic of Albania", as well as were further confirmed as documents by the country's municipalities. All announcement decisions have been managed by the Complaints Department and some of them, despite the lack of facilities, were published in the announcement corner at the entrance of HIJ.

7.4 The right to information

Even during the year 2023, the Office of the High Inspector of Justice has fulfilled in any case before the deadlines the legal obligation, derived from the law no. 119/2014 "On the Right to Information" and from the approval of the revised Transparency Program. The register of requests and responses has been updated according to the deadlines according to the orders of the Commissioner for the Right to Information and Protection of Personal Data. The information made public in the transparency program comprehensively reflects HIJ's activity, through detailed publication on the official website www.HIJ.al, as well as in public reception areas.

The transparency program reflects in the columns, the texts/content, the deadlines for the publication of the information, the way of making it public, as well as the relevant structure, which produces or administers the document.

During 2023, the Office of the High Inspector of Justice received 204 requests for information, which were handled in all cases within the legal deadlines. Requests for information are categorized as follows:

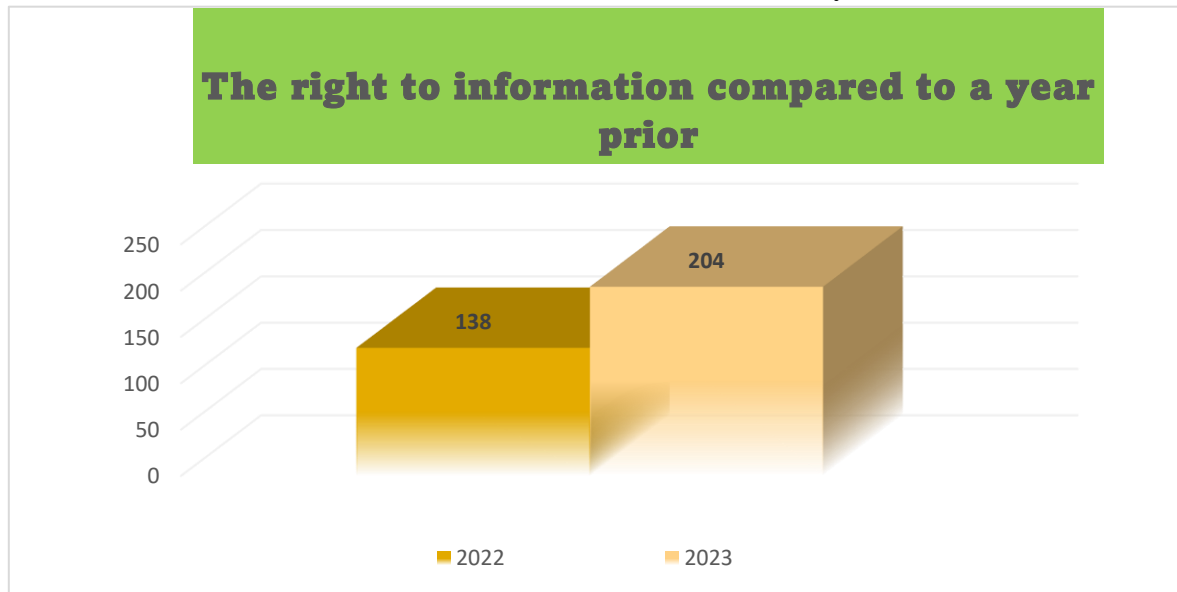
Year 2023	
Applicants	Number of requests for information
Physical persons	186
Media	8
Civil Society Organizations	2
Advocates	5
Legal entities	2
NPO	1
Total	204

No applicant appears to have complained to the relevant authorities for:

- a) lack of information;
- b) unclear information;
- c) exceeding the legal deadlines
- ç) refusal to provide information.

Compared to the data of the previous year, it is found that the number of requests for information is increasing. Considering it as a progressive indicator of the increase in 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 dealt with requests for information from citizens, media, interest groups or civil society organizations within a short period of time. On average, four requests for information were processed per

week for the year 2023.



7.5 The Office of the High Inspector of Justice will continue to maintain the good practice already established in public information, with special attention to the deadlines set by law no. 119/2014 "On the Right to Information", for providing public information.

Targeted public communication

In the function of transparency on the activity of the institution, but also the access of the public, even during the year 2023, in the communication strategy of the HIJ, the classical methods of communication have been used, improving elements for increasing the efficiency of the work, in the function of informing about the role and functions of HIJ.

7.5.1 Official website

The official bilingual website, Albanian and English (www.ild.al) is the main official tool of communication of HIJ with the public, in function of a proactive and transparent relationship. Information through the site is done almost in real time with the activity of the institution, with dedicated sections on acts, decisions, work procedures and the activity of the Office of the High Inspector of Justice. The page is improved from time to time in order to provide the most comprehensive information, but also to simplify its use by any citizen or interested entity, in search of information in real time.

Thus, the column "How complaints are accepted" is updated with concrete cases that guide the complainants on the legal conditions of the admissibility of the complaint, its progress, filing, complaint up to the investigation and disciplinary proceedings, with a graphic illustration of the entire journey that follows a complaint to HIJ. This updated information complements the existing information to facilitate the complaint process through the standard complaint form, with the relevant instructions for filling it out, a completed indicative model and the ways of sending it to the High Inspector of Justice, by e-mail, post or physically.

"Frequently asked questions about the complaints process", is the column created also based on the ambiguities found from the communications with citizens-complainants, as an added element of transparency in public information about the complaint process at HIJ, with answers on how and to whom you can complain in HIJ, how to proceed with the complaint, its progress, etc.

Every Monday, the page reflects the statistics of the weekly processing of filed complaints, the processes of review, verification, investigation and disciplinary proceedings.

Even during the year 2023, the "Survey on the activity of HIJ" continued to be used by citizens, as a tool that the institution uses to get evaluations on its work, based on experiences, the way they received the information, have they been assisted in their complaint, etc.

In the span of one year, 25 online surveys have been completed by different users.

The information newsletter during 2023 continued to be a systematic way of public communication regarding the monthly activity of the institution, in Albanian and English.

7.5.2 Communication with mass media.

Even during 2023, the Office of the High Inspector of Justice has continued consistent communication with the media, as a way to reach the public, trying to convey real-time information about the institution's activity, responding to interest in aspects of various aspects of HIJ's work, and monitoring them, with the aim of collecting information on various denunciations for cases of alleged disciplinary violations of magistrates.

7.5.3 Social networks.

Communication through social networks has received increased attention during 2023, in the conditions where they have turned into mass information platforms for users of all ages. In addition to Twitter and YouTube, the institution opened a Facebook account last year, with the aim of informing users about the role and functions of the HIJ Office. Although the site is only informative, the Complaints and Public Relations department that administers it, has responded to requests for assistance from various citizens, orienting them based on the relevant legislation.

7.6 Legal education as a direct way of communication

During the year 2023, the High Inspector of Justice has intensified the practice of communication with various social groups in function of legal education on the role, powers and responsibilities of the HIJ Office and the functioning of the justice system.

Legal education through the media has targeted the dynamics that have focused on the justice system. The High Inspector of Justice has paid special attention to public clarification on the ways in which the HIJ Office is activated for public denunciations, a process that continues in 2024. In public communication, the High Inspector of Justice has highlighted the institutional obligation to make a precise definition of the facts and actions related to data or public information, in relation to alleged disciplinary violations by magistrates, underlining that the interest of the public/media in the administration of justice must go parallel to the respect of independence of magistrates, as a balance that gives value to the rule of law.

Part of the public communication through the media has also been the clarification of HIJ's work methodology, in relation to the handling of complaints, which is done according to a priority order based on criteria such as time, typology or urgency of the processing, respecting the principle of equality and objectivity, as well as the time needed for reviewing and evaluating the complaint.

Legal education has also targeted other social categories, as the High Inspector of Justice and his team have created a tradition of presenting the institution to various interest groups, where they live, even outside the capital, through open conversations about the role, the activity, but also the object of HIJ's work, but also the way the institution is seen by them. In 12 meetings, conferences and memorandums of cooperation, different social categories have been included, from pupils, students to Civil Society Organizations, focused on the justice system and the protection of human rights.

During the year 2023, the Office of the High Inspector of Justice has been the subject of professional study analyzes by Civil Society Organizations, which focus on the monitoring of the justice system. The Institute for Political and Legal Studies, the Center for the Study of Democracy and Governance and Infochip, through special events, have presented and discussed together with the High Inspector of Justice, with professionals in the field and representatives of institutions, the progress of HIJ's activity, the challenges and progress, as well as the vision for the future.

This communication process is part of the public information program of the 2023 annual plan, which is followed by the Complaints and Public Relations Sector. This sector systematically absorbs the needs ascertained from physical meetings with citizens, communication through the telephone line, as well as the data collected through complaints, other information and through public information channels. Part of the institution's communication strategy, the collected information is translated into action plans and activities to address the identified challenges in terms of informing citizens and raising their

awareness, based on the object of the activity of the High Inspector of Justice, the strategic plan, the plan of integrity etc.

Setting transparency to the public as the main priority of the program for educating, informing and sensitizing citizens, the Office of the High Inspector of Justice works systematically to increase trust in every public actor, media or interest group.

VIII. FINANCIAL PERFORMANCE

With the law no. 84/2022 "On the budget of 2023", for the Office of the High Inspector of Justice, a budget of 288.4 million ALL was approved, of which:

1. For current expenses 215.4 million ALL
2. For investments, 73 million ALL

During 2023, the HIJ budget underwent changes, specifically:

- For the group of current expenses:

Pursuant to law no. 33/2023 "For a change in the law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", amended, decision no. 325 of the Council of Ministers and no. 326 dt. On 31.05.2023, the Ministry of Finance granted additional funds to cover the effect of the increase in the salaries of magistrates, civil servants and support workers with a total of about 36.1 million ALL.

Also, pursuant to VCM no. 929 dated 17.11.2010, amended and VCM no. 795 dated 28.12.2023, the Ministry of Finance has allocated the fund for employee bonuses for the year 2023, in the total amount of 1.1 million ALL.

By the Normative Act no. 6, dated 14.12.2023, given that even for 2023, the non-filling of vacant positions for "Inspector" positions created free funds in the "Salary" and "Insurance" items, the HIJ budget was reduced by 43.5 million lek in this group of expenses.

Regarding the item "Operating expenses", due to the low planning at the beginning of the year of the fund in the amount of 23.8 million ALL, it was possible to secure an additional fund of 10.5 million ALL, of which 9.4 million additional ALL through the transfer from the funds saved in the items "Salary" and "Insurance", and an additional 1.1 million ALL approved by Normative Act no. 6, dated 14.12.2023.

Budget for Investments according to projects, detailed as follows:

- For the project "Reconstruction of the premises of the HIJ building", in the annual budget law 2023, the fund was planned in the amount of 67 million ALL. During the year 2023, due to the structural problems identified in the building, the works were suspended by the contractor and the revision of the preventive reconstruction project was requested. Based on the non-realization of the approved fund, with Normative Act no. 6, dated 14.12.2023, the budget of the High Inspector of Justice was reduced by 37 million in this investment project.
- For the purchase of licenses for users of the complaint and document management system (SMAD), a system donated by the EURALIUS V project in January 2022, the allocated fund in the amount of 5 million was completed.
- For the year 2023, with the available budget of 1 million ALL, the purchase of computer equipment necessary for the staff of the High Inspector of Justice was completed.

At the end of 2023, the realization of the revised budget of the Office of the High Inspector of Justice according to expenditure items and in total is as follows:

<u>Expenses:</u>	<u>Plan</u>	<u>Realization</u>	
	(000 ALL)	(000 ALL)	(% of the plan)
1. Salary (600)	152,056	149,375	98.2%
2. Insurance (601)	21,600	20,460	94.7%
3. Operative expenses (602)	34,270	32,322	94.3%
4. Other current expenses (606)	1,198	447	37.3%
5. Investments (230-231)	36,00	5,891	16.4%
TOTAL BUDGET 2023	245,124	208,495	85.06%

IX. SUMMARY OF ACHIEVEMENTS

The priorities set for 2023 and the orientation of the work, in terms of completing the review of backlog complaints and increasing efficiency in terms of ensuring standards to increase the accountability of magistrates and the quality of their decision-making, have marked the following achievements:

1. Complete review of 2104 complaints inherited from previous institutions of disciplinary proceedings. The review of each complaint is carried out impartially, independently and in accordance with the principle of proportionality, to ensure on the one hand the magistrates to carry out a regular process, and on the other hand to provide the assurance that all complaints will to be examined to avoid impunity, influencing the increase of public confidence in the justice system.

The process of examining inherited complaints has been a process that has exceeded the normal workload, but thanks to the regulatory, administrative and structural measures undertaken, the results are visible and measurable. Determining the regulatory framework for reviewing complaints and following the methodology for their review according to a sequence dictated by clear criteria. Structural and organizational redesign, for three units of the Office, (i) that of assistant inspectors by increasing their number for the efficient administration of services in support of investigative activity; (ii) the sector for complaints and public relations, to assist each of the complainants to explain how to submit a complaint to the HIJ, as well as the competences of this institution in examining their claims, influencing the increase of awareness of the public, for submitting complaints to HIJ; (iii) the establishment of a new unit in order to carry out quality continuous processes in the areas of analytical and research work for the standardization of the work process and specific standards in order to define, update and analyze the indicators that measure the institution's performance periodically.

1. The completion of the two planned thematic inspections has brought the awareness of the magistrates to checking of the activity of the courts and prosecutor's offices subject to inspection and the increase in the level of accountability. From the completed inspections, recommendations of a legislative, organizational and good functioning character were given. The results of these recommendations have had an effect as from the monitoring of their implementation, the inspected bodies have reacted positively in addressing the recommendations by taking administrative and regulatory measures in order to improve the efficiency of the inspected body's activity.

After 4 years of operation of the HIJ, through the mechanisms of thematic inspections and consideration of citizens' complaints, we can confidently say that the system of monitoring the work of magistrates is working. Firstly, by defining the standards of a functional and

accountable system, which guarantees the right balance between the principle of independence and separation of powers on the one hand and the establishment of a responsible, functional and integrity justice system on the other hand, and secondly by being contributors with opinions, suggestions, recommendations through thematic inspections, for increasing the performance of the justice system.

1. The year 2023 marked the beginning of the process for the ethical-professional evaluation of inspectors, completing the evaluation for 1 (one) inspector and continuing the work for the evaluation of other inspectors. This process paves the way for the establishment of relevant commissions for the evaluation of inspectors, the appointment of non-magistrate inspectors, disciplinary proceedings, or the election of the Deputy High Inspector of Justice, due to the criteria that inspectors had to meet, especially related to experience in duty as an inspector or magistrate, evaluated according to ethical and professional evaluation criteria, as a prerequisite to be part of these collegial organizations.

2. Improving efficiency through digitalization, being proactive in coordinating processes with other justice bodies, for implementing an electronic system, for saving the time of reviewing complaints, receiving data from courts and prosecutors' offices in real time , generating data and various reports, simplifying procedures and effectiveness at work.

3. The creation of international professional partnership, marking another important collaboration, that of the unanimous acceptance of the High Inspector of Justice as a full member of the European Network of Justice Inspection Services (RESIJ), during the convened General Assembly from member countries dated 19.10.2023. As a member of RESIJ, HIJ has become part of the project " Cooperation for Environmental Protection through Justice Inspection Services " (COPEIJ), a project commissioned by the European Commission and finalized in May 2024.

4. Strengthening the capacities of human resources in the direction of increasing and strengthening integrity, improving the good functioning, good governance of the institution, increasing awareness of high-risk areas and addressing planned solutions.

5. Evaluation by the Office of the Commissioner for the Right to Information and Protection of Personal Data, for the implementation of the Transparency Program according to all its indicators, classifying HIJ as an institution with high proactive transparency¹¹.

¹¹ You can find the information in the Proactive Transparency Index of Central and Subordinate Institutions of the Office of the Commissioner for the Right to Information and Protection of Personal Data https://idp.al/wp-content/uploads/2024/03/2023_Indeksi_i_transparencas_autoritete_qendrore_varesia.pdf

X. PRIORITIES DURING 2024

1. Consolidation of activity in an independent, efficient and professional manner, through addressing measures to fill vacancies, submitting budget requests, creating working conditions and measuring the performance of units and evaluating inspectors.
2. Strengthening the activity for measuring the performance of the subjects of the disciplinary investigation on the quality and efficiency of the delivery of justice, through the creation of a complete and long-term system of responsibility and accountability of the justice system, by objectively examining complaints and conducting thematic inspections .
3. Strengthening of professional capacities for verification of property and integrity of magistrates, subjects of disciplinary proceedings.
4. Establishing an effective information technology system for electronic case management.
5. Increasing transparency and public access to the activity of the Office of the High Inspector of Justice, by publishing updated reports and information.
6. Development of awareness-raising activities for the role and functions of HIJ.
7. Follow-up and implementation of measures to prevent the violation of the integrity of the Office of the High Inspector of Justice.

XI. THE LEVEL OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE RESOLUTION OF THE ASSEMBLY OF THE REPUBLIC OF ALBANIA FOR THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE FOR THE YEAR 2022.

The Assembly of the Republic of Albania, in compliance with decisions no. 49/2017 "On the creation of a joint mechanism for the 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 work progress of the HIJ, it has made a detailed assessment of the annual work report filed with it by the High Inspector of Justice for the period January-December 2023.

In the plenary session of July 6, 2023, the Assembly of Albania approved the resolution "On the assessment of the work of the High Inspector of Justice, for the year 2022", through which 7 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 was drawn up, the persons responsible for the follow-up and implementation of the measures for each recommendation and the relevant deadlines for the fulfillment of the recommendations were appointed.

From the recommendations left according to the resolution of the Assembly of the Republic of Albania, for the Office of the High Inspector of Justice, in a synthesis of the level of their implementation, we note that:

- of them, recommendations no. 1, 2, 6 and 7;
- other recommendations, 3, 4 and 5, have been partially implemented and remain in the process for implementation during 2024, as their implementation is related to activities that are pursued in cooperation with other bodies.

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

1. *Completion within 2023 of the handling of complaints submitted by the competent bodies during the transitional period”.*

In order to implement this HIJ recommendation, with the approval of the complaint handling methodology during 2021 and the monitoring of its implementation on a periodic weekly basis of the progress of handling backlog complaints, it results that on the part of HIJ, the handling of submitted complaints by the competent bodies during the transitional period (backlog- 2104 complaints) has been fully realized.

2. The beginning of the ethical-professional assessment of inspectors as soon as possible in order to carry out periodic internal checks.

In accordance with this HIJ recommendation, the following measures have been taken:

1. Establishment of the Appointment and Evaluation Commission;
2. The calling of the first meeting, the constitution of the AEC;
3. Carrying out evaluation procedures, according to the approved acts;
4. Drafting of the evaluation report.

Pursuant to these measures by order no. 118, dated 30.12.2022 "For the establishment of the Appointment and Evaluation Commission, the members of the Technical Secretariat have been designated and appointed, and the beginning of the inspector evaluation procedure has been established", the Appointments and Evaluation Commission (AEC) was established, which date 31.05.2023 held the first meeting of its constitution, the draw and the selection of the relator of the evaluation file and the agreement of the evaluation program.

On 31.05.2023, the first meeting of the KEV was held, within which the evaluation program was discussed and it was decided to continue the evaluation of a magistrate inspector, for the period 13.02.2020-31.12.2022. Further, the draw was held for the selection of the relator to carry out the evaluation procedure, continuing with the issuance of decision no. 16, dated 31.05.2023 "On the initiation of the ethical-professional evaluation procedure of the magistrate inspector M.P., for the period 13.02.2020-31.12.2022.

With the approval of decision no. 16, dated 31.05.2023 of the AEC, the inspector was notified of the start of the procedure and the relevant correspondence was administered in order to make the assessment procedure real. AEC, upon receipt of the documentation, has approved the evaluation report with its decision no. 66, dated 24.11.2023. According to the program, the AEC will continue to evaluate other inspectors defined in the program.

2. Fast-paced follow-up of the development of the information technology system and case management strategy in fulfillment of legal obligations.

In accordance with this recommendation, HIJ has undertaken several measures, which aim to develop the internal system for the management of complaints/cases that are examined by the Office of the High Inspector of Justice, by setting up an electronic platform for recording statistical information of incoming complaints in the HIJ. For this purpose, relevant orders have been drawn up and approved, which are accessible at the following link: <https://HIJ.al/sq/legjislacion/akte/>. Pursuant to the orders, the necessary data for the collection, processing and analysis of statistical information for the year 2023 are being completed.

In the framework of the progress of the work at the Board of Directors of the Information Technology Center for the bodies of the justice system, work has begun on the drafting of the guide for the digitization of the justice system in Albania. Pursuant to decision no. 5, dated 15.06.2023, of the ITC Board of Directors "On the establishment of the inter-institutional working group for the drafting of the roadmap for the digitization of the justice system in Albania", the members have been appointed to participate in the inter-institutional working group for the drafting and the approval of the Roadmap for the digitization of the justice system. As for the drafting and approval of the Guide, under the coordination of the ITC and the participation of representatives in the inter-institutional working group for the drafting of the guide for the digitization of the justice system, it is being worked on according to the instructions and orientations coming from foreign experts. appointed by the EU delegation to assist the HJC and ITC in drafting the guide. On the part of the ITC, the work is organized following consultation with the relevant institutions that are part of the ICMS for the type of data as well as the way of providing them through meetings, exchange of information, official communication, the first draft was drawn up which is in consultation between members of the working group.

In relation to concrete measures for the HIJ, in this working group it was requested to determine the flow of work processes (workflow) and to identify the institutions with which the HIJ will interact through the electronic system. This work process has been completed and is for ITC review.

3. Follow-up and completion of inspector recruitment procedures at the Office of the High Inspector of Justice.

In order to implement this recommendation, requests for commanding magistrates have been drawn up to:

1. HJC (no. 2459/1 prot., date 31.07.2023), for two magistrates;
2. HPC (no. 2459 prot., date 31.07.2023), for two magistrates.

From the requests presented to the HJC, the latter has proceeded with the announcement of the request for candidacy from the ranks of judges for the command in the Office of the High Inspector of Justice, for 2 (two) vacant positions as inspectors, in date 21.09.2023. From consulting the official HJC website, there is no information on the continuity of this process¹².

¹² The announcement can be accessed at the following link: <https://HJC.al/ep-content/uploads/2023/09/NJOFTIM-P%C3%8BR-SHPALLJEN-E-K%C3%8BRKES%C3%8BS-P%C3%8BR-KANDIDATURA-NGA-RADH%C3%8BT-E-GJYQTAR%C3%8BVE-P%C3%8BR-KOMANDIMIN-N%C3%8B-ZYR%C3%8BN-E-INSPEKTORIT-T%C3%8B-LART%C3%8B-T%C3%8B-DREJT%C3%8BSIS%C3%8B.pdf>.

Also, in consultation with the official website of the HPC, regarding the request sent by us for commanding the HIJ, in the notification dated 20.10.2023 of the plenary meeting, the HPC has made the decision: "On disapproving the request of the High Inspector of Justice for the opening of the procedure for commanding prosecutors to this structure", on the grounds that there are many vacancies in the system and that until today 5 prosecutors have been commanded by the HPC to HIJ¹³.

HPC with its letter no. 2007/1 dated 30.10.2023, presented the arguments for the reasons for not approving the request, as it is not possible for the HIJ to command prosecutors beyond the already determined number of 5 prosecutors, assessing as a priority the guarantee of continuity of work in function of the exercise of criminal prosecution by the prosecution body. The reasons for the impossibility of the command are related to the current situation of the reduced number of prosecutors in the system, due to the vacancies created as a result of the vetting process, which has resulted in an extremely high load of proceedings in handling for each prosecutor. Also taking into account the legal criterion, provided in article 47, point 5 of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", amended, that the magistrate commanded by the HIJ must have 13 years of work experience, the Council estimates that, the separation from the system of any prosecutor with experience in these the circumstance would bring significant difficulties in the smooth running of daily work.

In response to this letter, the High Inspector of Justice with letter no. 2459/3, dated 27.12.2023, addressed the HPC within the framework of inter-institutional cooperation and requested the re-announcement of the procedure for command in order to complete the organization of the institution, emphasizing the importance of the fulfillment by the HPC of the legal obligation and the initiation of procedures for commanding two prosecutor magistrates.

The High Inspector of Justice has submitted that in relation to the assessment made for the impossibility of commanding prosecutors in the HIJ, arguing on the reduction of the number of prosecutors in the system, their excessively high workload and the criterion of 13 years of experience in the profession and problems that their commanding will bring, we emphasize that the criteria for commanding in HIJ are criteria defined by law, as is also the criterion defined in article 209, point 1 of law no. 115/2016 "On the governing bodies of the justice system", as amended, that for the exercise of the constitutional and legal activity of the High Inspector of Justice, half of the inspectors must be magistrates, who are assigned to this task by the High Judicial Council or High Prosecutorial Council. The evaluation of the needs for the command of magistrates in institutions should be proportional in relation to the importance of exercising the functions and the weight that the command occupies in the

¹³ The announcement can be accessed at the following link: <https://HPC.al/2023/10/20/njoftim-per-media-mbi-seancen-plenare-date-20-tetor-2023/>

exercise of the functions. The lack of magistrate inspectors and the criterion for an equal number of magistrate and non-magistrate inspectors has an inherent impact on the exercise of the activity of the High Inspector of Justice.

In reference to the arguments of the HPC regarding the number of prosecutors commanded in the HIJ, it was pointed out that a total of 5 (five) magistrate prosecutors were commanded in the Office of the High Inspector of Justice, 3 (three) of them perform the duty of inspector, 1 (one) magistrate is in the position of advisor, while 1 (one) magistrate has been dismissed from office by decision no. 426, dated 27.07.2021 of the Independent Qualification Commission and the final decision is awaited by the Appeal Chamber. Effectively, only 3 (three) magistrates perform their duties as inspectors in the Office of the High Inspector of Justice.

4. *Strengthening the institutional mechanisms for verifying the assets and integrity of the subjects of disciplinary proceedings.*

In order to implement this recommendation, the cooperation agreement was signed between HIJ and HIJKPKI, with no. 2643 prot., dated 12.09.2023, which has as object:

1. The exchange of information regarding the conflict of interests and the verification of declarations of private interests, to the subjects defined in the agreement during the exercise of the duty;
2. Cooperation for the exchange of experiences and experiences on the case of declaration of wealth and the encountered cases of conflict of interests, defining the modality, topics, as well as any other process within the framework of capacity building;
3. Cooperation for the exchange of information and consultation of acts such as regulations, decisions, instructions in the field of wealth check and conflict of interests issued by the Office of the High Inspector of Justice.

Following the signing of this agreement, a work calendar was defined, which is being implemented.

5. *Increasing the capacities of inspectors through the implementation of experiences and best experiences of foreign institutions with the same field of action, with a focus on improving the work process in handling complaints, investigative processes, etc..*

Increasing cooperation with international partners, both in terms of increasing and strengthening the capacities of the HIJ Office, the exchange of best work practices, participation in seminars, conferences and activities aimed at promoting discussions in different dimensions, are an ongoing priority, some of which are listed below:

The High Inspector of Justice continuously pursues efforts to find and enable the continuous professional development of human capacities. The deepening of cooperation with RESIJ, both with conferences and trainings, as well as preparatory materials to present the work of

HIJ, have influenced the creation of the international professional partnership of the Office of the High Inspector of Justice, marking another important achievement, that of the unanimous acceptance of the High Inspector of Justice as a member with full rights in the European Network of Justice Inspection Services (RESIJ), during the General Assembly called by the member countries on 19.10.2023.

In the framework of the decision-making of the General Assembly on October 19, 2023, under the auspices of the High Inspector of Justice, and with the participation of the delegations of the justice inspectorates of Romania, which holds the presidency of RESIJ, of France, Italy, Belgium, Bulgaria, Spain and Portugal, in Tirana, on December 14, 2023, the General Assembly of the European Network of Justice Inspection Services (RESIJ) was held for the first time. At the RESIJ General Assembly, the members approved the final changes to the Network Statute, as well as discussed the future projects of RESIJ. During the General Assembly, future projects and the dynamics of the organization and operation of the Network were discussed through the exchange and sharing of methodological experience of inspection and engagement in common challenges such as the independence of magistrates and public expectations from the justice system.

On December 13 2023, the Office of the High Inspector of Justice became part of the regional workshop on investigative processes and investigative interviewing techniques, organized in Vienna by the United Nations Office on Drugs and Crime (UNODC) with the support of the Federal Republic of Germany, with the participation of law enforcement and criminal law experts from Southeast Europe, Albania, Bosnia and Herzegovina, Kosovo, Moldova, Montenegro, North Macedonia, Turkey and Ukraine. HIJ inspectors made a presentation of the role and functions of the High Inspector of Justice and the development of the disciplinary investigation, in terms of the procedure of interviewing magistrates, witnesses and any other person who may have information about the facts that are the subject of the disciplinary investigation. The presentation of the representatives of the High Inspector of Justice included the legal basis and the methodology provided for in the Albanian legislation for the development of the questioning process.

On November 13, the High Inspector of Justice together with the heads of several independent bodies conducted a working visit to the USA, at the invitation of Open Gov Hub USA, together with colleagues from other Albanian justice institutions. During the visit, a public event was organized with the theme "Justice reform in Albania, constitutionalism in action", on which the High Inspector of Justice, Mr. Artur Metani, Chairman of the High Judicial Council, Mrs. Naureda Llagami and the Chairman of the Independent Qualification Commission, Mr. Roland Ilia, who then answered questions from the audience. Speaking about finding the right balance between a stable, solid government and the protection of basic human rights and freedoms, Mr. Metani made a comparison with the way of working in the Office of the High Inspector of Justice.

On November 1, 2023, as part of the European Network of Justice Inspection Services (RESIJ), the Office of the High Inspector of Justice has accepted the invitation of the Network to engage in the COPEIJ project of the European Commission "On cooperation in the protection of the environment through national authorities of the inspection of justice", alongside the counterpart institutions of France, Italy, Romania and Portugal, under the management of Expertise France. In this context, members of the HIJ Office have participated in all the project activities developed in the period February-September 2023, from coordination meetings to study visits, which were carried out in rotation in each of the project sites, and during which local national authorities for environmental protection have referred to work practices and both institutional and legal challenges. At the end of this phase, the work report was drafted, in French, with the overview and recommendations for the national authorities and the European Commission, for the creation of tools to reduce the gap between the need for effective environmental criminal justice and the current reality in each country¹⁴.

In the framework of the official visit of the French General Inspectorate of Justice on 01-02 June 2023 with Inspectors, Assistant Inspectors, the Cabinet, the Secretary General, and the Directorate for the Drafting of Acts and Legal Services of the Office of the High Inspector of Justice, it is carried out training on inspections and working methods of the French inspection service. This activity was carried out in the framework of cooperation with RESIJ and with the support of CEPEJ, the joint project of the European Union/Council of Europe for Justice.

The High Inspector of Justice has been invited to the Magistrate's School to train on the topic: "Disciplinary violations and their types according to law no. 96/2016, "On the status of judges and prosecutors in the Republic of Albania", amended". Criteria for determining the importance of the disciplinary violation of magistrates, focusing on the individualization of disciplinary measures in concrete cases. Types of disciplinary measures and decision-making of the Council, the interdependence of disciplinary proceedings initiated in the HJC with disciplinary procedures initiated by transitional review bodies.

In February 2023, the High Inspector of Justice Mr. Artur Metani, at the invitation of the State Council of Greece, has conducted a working visit to Athens, and has signed a memorandum of cooperation in respect of the common interest in guaranteeing the functioning of the rule of law, the independence of the justice system. This memorandum envisages cooperation between the parties by exchanging information, practices and

¹⁴ This report is published in the following link: <https://HIJ.al/sq/2023/11/01/raport-kombetar-i-HIJ-bashkepunimi-per-mbrojtjen-e-mjedisit-nga-autoritetet-kombetare-te-inspektimit-te-drejtessise-copeij/>

experiences regarding all procedural aspects of conducting a disciplinary investigation and disciplinary proceedings against judges and prosecutors¹⁵.

6. *Cooperation with the High Judicial Council, the High Prosecutorial Council and the Prosecutor General for the determination of cases for thematic inspections with the aim of recommending the same standards in investigative and judicial processes and respect for human rights, equality before the law and the principle of proportionality.*

HIJ has initiated the requests directed to HJC, HPC, PP and the Ministry of Justice, for the submission of topics for inspection to be included in the annual plan of inspections for the next year, setting the date 22.12.2023 as the deadline for submission of requests theirs. By the set deadline, the HJC has returned an answer, which informs that in the following days it will present the topics. With letter no. 1854/1 prot., dated 26.12.2023, the Prosecutor General forwarded his proposals for thematic inspections, while other institutions did not submit proposals.

The annual plan of inspections is carried out by taking into consideration the problems identified by the review of complaints, the evaluation of the most frequent claims for various violations by magistrates, the administration of courts or prosecutors' offices, proposals received from institutions as well as in support of the provisions of applicable to inspections. The annual plan of inspections will be set in January 2024. The plan is approved after being subject to the discussions of the General Meeting of inspectors and after the objective and real assessment of the opportunities and human and financial capacities available to HIJ.

Until December 2023, the High Inspector of Justice has completed 4 inspections and is in the process of carrying out planned thematic inspections near courts and prosecution offices. The primary aim of these thematic inspections has been to ascertain the problems in the system and recommend solutions, which are expected to serve to improve the work of the prosecutor's offices and courts.

Specifically, in relation to the inspections, the Office of the High Inspector of Justice has carried out four thematic inspections that have as their object:

1. Evidence of the way of interpretation, compliance with the conditions and criteria for assigning personal security measures for the criminal offense of "Unauthorized Possession and Production of Weapons, Explosive Weapons and Ammunition", by the prosecutors. At the end of the inspection, recommendations were issued for the competent bodies to take measures of a regulatory nature, through legal changes and the issuance of

¹⁵ The memorandum is available at the link <https://HIJ.al/sq/2023/02/02/inspektori-i-larte-i-drejtewise-nis-bashkepunimin-me-keshillin-e-shtetit-te-greqise/>.

- by-laws under their competence for the assignment of personal security measures for the criminal offense of "Possessing and manufacturing weapons without permission, explosive weapons and ammunition". At the same time, administrative measures have been proposed, proposing training sessions for the constitutional and conventional guarantees of personal freedom, the unification of practices in all prosecutor's offices and the increase of the quality of magistrates, through the provision of ongoing training¹⁶.
2. The implementation of the orders of the Prosecutor General, in order to preserve the stability of the prosecution body through institutional cohesion and uniformity of activity in all prosecutions, in guaranteeing the functional independence of the prosecutor in decision-making on specific cases¹⁷.
 3. Evaluation of the practices of the Court of First Instance of the General Jurisdiction of Tirana (Civil Chamber) and the Administrative Court of First Instance of Tirana, related to the implementation of legal criteria on the announcement and filing of reasoned court decisions in the secretariat. At the end of the inspection, recommendations were issued for the competent bodies to take measures of an administrative nature and to implement the procedural requirements for the notification of final, non-final and intermediate court decisions, for which the right of appeal is provided by the Code of Civil Procedure . Recommendations have also been issued for the beginning of verifications within the framework of law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania, amended, to ascertain whether there are sufficient facts for the initiation of a disciplinary investigation against some magistrates¹⁸.
 4. The handling of requests for "*Parole*" by the courts of the judicial districts, the courts of appeal as well as the offices of the prosecutors next to them, in relation to the implementation of the material/procedural law in force. This inspection has brought significant effects in the framework of the accountability and responsibility of the magistrates, concluding in investigations and disciplinary proceedings against some magistrates, for whom the Councils have also accepted the HIJ's request by dismissing them from office¹⁹.
 5. At the end of this inspection, HIJ has drawn up some recommendations for the prosecutions and courts subject to inspection, the Supreme Court, the Prosecutor General, the High Judicial Council, the High Prosecutorial Council and the School of Magistrates,

¹⁶ You can find information on this inspection at the link: <https://ild.al/sq/2022/11/11/raport-i-inspektimit-mbi-respektimin-e-kushteve-dhe-kritereve-per-aktimin-e-masave-te-sigurimit-personal-per-vepren-penale-te-mbajtjes-pa-leje-dhe-prodhimit-te-armeve-armeve-shperthyese-dhe-munici/>

¹⁷ You can find information on this inspection at the link: <https://ild.al/sq/2023/01/17/raport-per-krerjen-e-inspektimit-tematik-te-prokurorive-te-juridiksionit-te-pergjithshem-me-objekt-mbi-marrjen-e-masave-administrative-dhe-procedurale-ne-kuader-te-zbatimit-te-udhezimit-te-per/>

¹⁸ You can find the report at the following link: <https://ild.al/sq/2023/10/04/raport-i-inspektimit-mbi-proceduren-e-shpalljes-dhe-arsyetimit-te-vendimeve-gjyqesore-te-gjykates-se-shkalles-se-pare-te-juridiksionit-te-pergjithshem-tirane-dhoma-civile-dhe-gjykates-administrat/>

¹⁹ You can find the report at the following link: <https://ild.al/sq/2024/02/22/raporti-i-inspektimit-mbi-krerjen-e-inspektimit-tematik-te-gjykatave-dhe-zyrave-te-prokurorive-prane-tyre-mbi-trajtimin-e-kerkesave-me-objekt-lirim-me-kusht/>

and the deadline for monitoring the implementation of these recommendations has been set from 01.04.2024-01.10.2024.