

April 2024 | No. 37

NEWSLETTER

HIGH INSPECTOR OF JUSTICE

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Inspektori i Lartë i
Drejtësisë



Inspektori i Lartë i Drejtësisë Artur Metani
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**HIGH INSPECTOR OF JUSTICE CONDUCT WORK VISIT
TO JUSTICE INSTITUTIONS IN NETHERLANDS**



Boulevard “Dëshmorët e Kombit” | Sheshi “Nënë Tereza” | BUILDING nr.13 | Tiranë, Albania



HIGH INSPECTOR OF JUSTICE CONDUCT WORK VISIT TO JUSTICE INSTITUTIONS IN NETHERLANDS

Hague, April 11, 2024

High Inspector of Justice Artur Metani conducted a work visit to the justice institutions in the Hague, Kingdom of the Netherlands, accompanied by the ambassador of the Republic of Albania to the Kingdom of the Netherlands, Mr. Artur Kuko, liaison prosecutor for Albania at EUROJUST, Ms. Fatjona Memçaj and members of the HIJ team.

The aim of this visit was to get to know and have a professional exchange with the leaders and representatives of the justice system of the Netherlands, about the best

practices of the rule of law as well as the challenges that the justice system has, not only in countries with a new democracy like Albania, but also in countries with consolidated democracies such as the Kingdom of the Netherlands.

In the meeting with the member of the Supreme Court, judge Marc Fierstra, part of the special body of the Supreme Court that deals with disciplinary measures against magistrates and at the same time the president of the Dutch Association for the Judiciary, the conversation focused on the need to talk about ethical issues of magistrates, on the discussions even within the justice community about various profes-



sional dilemmas, and most importantly the independence is not a prerogative of the public's trust in the independence of the judge or prosecutor, but a right of the citizen system and towards other powers. citizens.

Mr. Metani and Mr. Fierstra shared the position that they have the same values for independence and the rule of law and that The experience with the practices of disciplinary proceedings were at the center of the meeting which the High Inspector of



The High Inspector of Justice also had a meeting with the President of the European Agency for Cooperation in Criminal Justice (EUROJUST), Mr. Ladislav Hamran. The President of EUROJUST expressed his appreciation for Albania's achievements in the field of justice and underlined his willingness to help a new institution like the HIJ, whose achievements he was familiar with .

Justice had with the Prosecutor General of integrity of magistrates and their independent-
the Supreme Court of the Netherlands, Mr. ence.

F.W. (Edwin) Bleichrodt, as the institution The High Inspector of Justice also had a
that deals with, among other things, the vio- meeting with the President of the European
lations of judges. Agency for Cooperation in Criminal Justice
(EUROJUST), Mr. Ladislav Hamran. The Presi-

The High Inspector of Justice was welcomed dent of EUROJUST expressed his apprecia-
in the premises of the High Judicial Council tion for Albania's achievements in the field
of the Netherlands, by the president of the of justice and underlined his willingness to
Council, Mr. Henk Naves. After the mutual help a new institution like the HIJ, whose
presentation of the functions of the two in- achievements he was familiar with. President
stitutions, Mr. Metani and Mr. Naves fo- Hamran evaluated Albania's contribution to
cused on the issues of trust in justice, the EUROJUST through the first liaison prosecu-





tor, Ms. Fatjona Memcaj.

After the thanks for the praise, High Inspector of Justice Mr. Artur Metani made a presentation of the functions of the institution and stated that the justice reform was a great trauma for the society but it was necessary and this was proven over time, since

the independence of magistrates is an asset of the rule of law that is being cultivated in a system.

Part of the work visit of the High Inspector of Justice in the Hague was also the visit to the Ministry of Foreign Affairs of the Nether-





lands, where Mr. Metani was welcomed by the Director for Europe Mr. Erik Weststrate and the team of the EU integration department of this ministry.

Diplomat Weststrate underlined that from the information received he was impressed by the numbers and results of Albania's progress, while Mr. Metani noted that despite all the natural and expected difficulties,

things are progressing in Albania and that the justice system is working and producing results. The High Inspector of Justice answered the interlocutors' questions on concrete aspects of the work and functions of the HIJ. Ideas regarding opportunities for professional cooperation through the Dutch government's programs for justice, were presented during this meeting.





HIGH INSPECTOR OF JUSTICE SIGNS COOPERATION AGREEMENT WITH UNIVERSITY OF SHKODRA

The High Inspector of Justice conducted a working visit to “Luigj Gurakuqi” University in Shkodër, within the framework of the institution cooperation with the law faculties of Public Universities in the country.

The conversation was followed by the signing of the memorandum of cooperation between High Inspector of Justice, Mr. Artur Metani and Dean of the Faculty of Law Mr. Gaspër Kokaj.

The memorandum foresees, among other things, the possibility of students of the Department of Law taking on internships at the Office of the High Inspector of Justice, in addition to the organization of joint activities with a focus on legal and professional education in the field of justice.



High Inspector of Justice, Mr. Artur Metani consolidation of the rule of law. noted that the HIJ Office is committed to “I strongly believe that justice reform raising awareness and to the professional cannot be successful unless the whole support for the new generation of legal society contributes to it, all the actors who professionals, as a real contribution to participate in the social, economic and the democratization of the society and the justice direction in Albania, such as the





Faculty of Law of Shkodra, part of the both with contributions for student future professionals of the system in internships as well as through the Albania. Therefore, we willingly thought contributions that the teaching staff of the about this initiative and we are excited to Faculty of Law of Shkodra can give to the move forward with it as soon as possible, High Inspector of Justice,” said Mr. Metani.

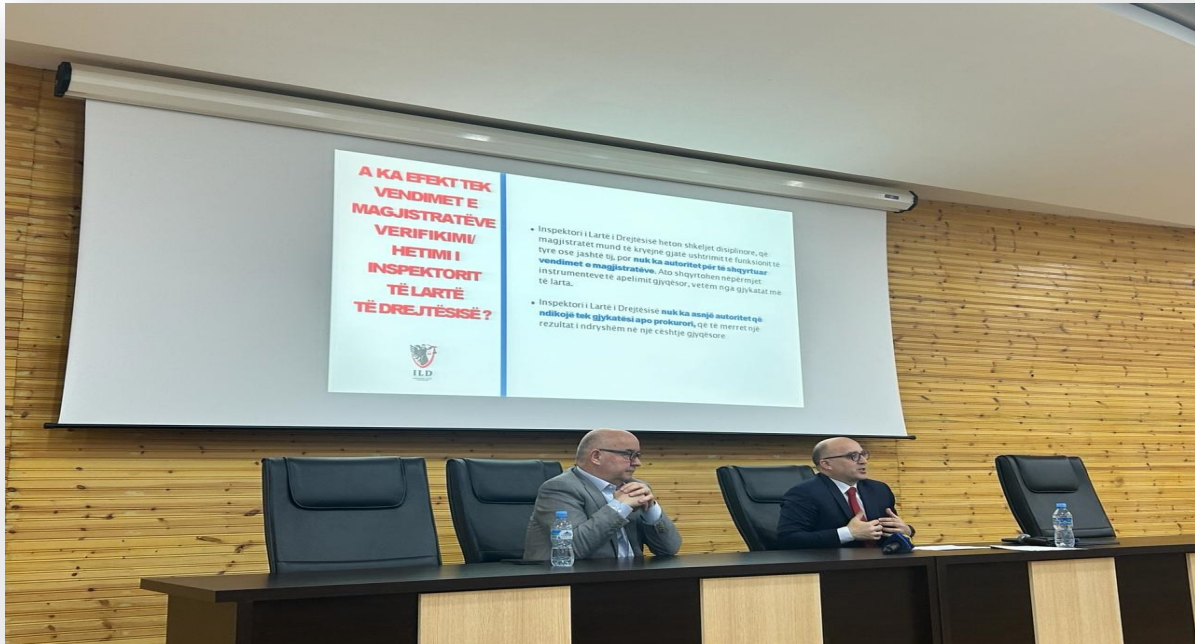


"I strongly believe that justice reform cannot be successful unless the whole society contributes to it, all the actors who participate in the social, economic and justice direction in Albania, such as the Faculty of Law of Shkodra, part of the future professionals of the system in Albania ." said Mr. Metani .

Dean Gaspër Kokaj expressed his gratitude for the formalization of cooperation with the HIJ. "

I am glad that such an important institution in Albania, above all in the field of justice, within the framework of the reform, takes the initiative and invites us to make this agreement, because we, the universities outside Tirana, are usually distant and less attentive, and for this reason this much-welcomed agreement becomes seven more valuable for us."





Then Mr. Metani conducted an open aspects of work, investigation and lecture with students of the Faculty of Law disciplinary proceedings, on the ethics of on the role of the HIJ in the new magistrates as well as the way young architecture of the Justice system, people see the justice system and its responding to the audience interest on functioning.





METANI: PARLIAMENTARY SUPERVISION FOR INTEGRATION PROCESS IMPORTANT FOR ALL INSTITUTIONS

The High Inspector of Justice participated in the work meeting organized by the National Council for European Integration (NCEI) on the achievements and challenges for fulfilling the recommendations of the European Commission Report for 2023, the Report on Analytical Review for Chapter 1

institution in terms of disciplinary investigations against magistrates, despite its lack of staff and the accumulated workload (backlog) inherited by previous institutions and that the increase of human capacities remains an important necessity for the institution.

“The Fundamentals”, as well as the commitments undertaken within the Roadmap for the Rule of Law.

In his speech Mr. Metani highlighted, among other things, the findings of the

Progress report of the European Commission for 2023 for the High Inspector of Justice, which says that the HIJ is a functional

The High Inspector of Justice restated, as before, the idea of institutional coordination and contribution of the assembly for the transparency and consensus on integration issues.

“...I personally think that parliamentary supervision of the European Integration, as



well as inter-institutional coordination, is one of the most important and essential roles that the Parliament of Albania should play at this stage of process where Albania is, in relation to its European integration. Albania's membership in the European Union is an issue that belongs to the entire Albanian society and above all it is a national priority. In this context, the Assembly must guarantee the most comprehensive cooperation, as well as having the duty to provide an effective contribution in terms of transparency and consensus on issues of EU integration."

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said Mr. Metani

Full speech of High Inspector of Justice Mr. Artur Metani, at the meeting of National Council of European Integration.

Dear Ms. Tabaku,

Dear members of parliament, heads of institutions,

Thank you for the invitation to participate in this meeting of the National Council of European Integration.

I highly appreciate today's NCEI meeting, as I personally think that parliamentary supervision of the European Integration, as well as *inter-institutional coordination*, is one of the most important and essential roles that the Parliament of Albania should play at this stage of process where Albania is, in relation to its European integration. Albania's membership in the European Union is an issue that belongs to the entire Albanian society and above all it is a national priority. In this context, the Assembly must guarantee the most comprehensive cooperation, as well as having the duty to provide an effective contribution in terms of transparency and consensus on issues of EU integration.

At the same time, I also appreciate the role of NCEI as one of the highest national advisory structures within the framework of monitoring the progress of the integration process, as well as in fulfilling the EU membership criteria, and I encourage the continuation of this process by NCEI with the highest possible proactivity.

Within the framework of monitoring the criteria established during the negotiation process and specifically on the development of today's meeting in terms of: (i) Achievements and challenges for fulfilling the recommendations of the European Commission Report for 2023; (ii) Analytical review report for Chapter 1 "The Fundamentals"; (iii) as well as the Commitments undertaken within the "The Roadmap for the Rule of Law", I emphasize in advance that:

Firstly: The findings of the Progress report of the European Commission for 2023 for the High Inspector of Justice have concluded that: *"The Office of the High Inspector of Justice continues to be functional, initiating and developing disciplinary investigations against magistrates. The HIJ office continues to face the lack of staff as well as the*





accumulated workload (backlog), regardless of the increase in staff, premises or budget. The recruitment of inspectors, as well as the increase of the capacities of the HIJ Office, remains an indispensable necessity”.

Complying with these findings, the High Inspector of Justice has taken the following measures:

- Presenting the request for the approval of legal changes, emphasizing the need for this approval even during the hearings of the presentation of the High Inspector of Justice activity report at the Commission for Legal Affairs Public Administration and Human Rights, during 2021- 2022.
- Proposing changes in the organizational structure and reviewing the distribution of human resources and personnel of the Office of the High Inspector of Justice;
- Presenting requests to the High Judicial Council and the High Prosecutorial Council for the appointment of magistrates.

Filling of vacancies for inspectors on the HIJ Office continues to remain a challenge for the HIJ and consequently a factor influencing the efficiency of the investigative and inspection activity of the HIJ institution. The experience so far has shown that the vacancies for inspectors result from the low number of magistrates in the system who can meet the legal criteria to become an inspector, the increasing vacancies in the judiciary, the lack of interest in continuous announcements for appointing magistrate inspectors from the HJC.

In order to address this issue, legal amendments were drafted and submitted to the Assembly 4 years ago. These legal changes are seen as an opportunity to fill the Office vacancies, and the need to approve these legal changes is a necessity for consolidating the HIJ activity as well as creating a long-term accountability system.

Being unable to approve the legal changes, we have taken other measures with a view to increasing the capacities of other administrative units so that they can carry out administrative actions to increase the efficiency of investigative and inspection activities.

In this case, it is worth noting that the Assembly so far, has played an important role in creating justice system new bodies and this proactive approach should continue. The activity of the Assembly should not focus only on the parliamentary supervisory process, but also on the coordinating one. The dynamics of developments of these last 8 years require the undertaking of measures which are under the competence of other institutions, but which dictate the efficiency and smooth running of the work of the High Inspector of Justice institution. Furthermore, the Assembly should give special importance and should focus on the legislative process, addressing the demands of all justice bodies in general, and the HIJ in particular, within the framework of the legal proposals sent to it.

Secondly: The analytical review process of the Group chapter “*The Fundamentals*” points out the assessment made by the Commission for the results achieved so far in terms of accountability, recognizing important merits in terms of the legal framework, but also of the guarantees for impartiality, independence, professionalism and protection from direct or indirect influence by the legislative or

executive power.

In addition to the positive and encouraging assessments regarding the activity of the High Inspector of Justice Office, there are also findings which are repeated throughout the progress report. Both of these documents have reached the conclusion that the HIJ needs human resources for the position of magistrate inspectors. Filling the vacancies of the inspection unit with magistrates is not only a necessity for the HIJ, but also for the justice system itself, in order to establish a responsible, impartial, independent justice system with standards based on the rule of law.

Thirdly: Regarding the achievements and challenges for the fulfillment of the recommendations as well as the measures taken within the Roadmap for the Rule of Law, it is preliminarily estimated that in terms of the measures established in the road map for the High Inspector of Justice, it results as follows:

- The systematic history of accountability and integrity at all levels of the judiciary, it is noted that the need for legal changes regarding the composition as well as the years of professional experience required for the position of inspectors at the HIJ, are to be gradually completed until 2026;
- The High Inspector of Justice, is to carry out thematic inspections on the legal obligation of judges to properly inform the litigant parties about the possibility of using mediation;

“The Assembly so far, has played an important role in creating justice system new bodies and this proactive approach should continue. The activity of the Assembly should not focus only on the parliamentary supervisory process, but also on the coordinating one. The dynamics of developments of these last 8 years require the undertaking of measures which are under the competence of other institutions, but which dictate the efficiency and smooth running of the work of the High Inspector of Justice institution” said Mr. Metani.

- The implementation of recommendations of thematic inspections.

Regarding the established measure to *“Create the systematic history of accountability and integrity at all levels of the judiciary, it is noted the need for legal changes for the composition as well as the years of professional experience required for the position of inspectors at the HIJ, are to be gradually completed until 2026”*, stipulated in the Roadmap for the Rule of Law, they are the same as the measures taken to fill the vacancies explained in the information regarding the progress report mentioned above.

As for the measure of the Roadmap for the Rule of Law, which is related to the performance of thematic inspections by the HIJ for the legal obligation of judges to properly inform the litigant parties about the possibility of using mediation, we have started the thematic inspection with object: *“Documenting by judges, the process of informing the litigant parties about the possibility of resolving their case through mediation during*

01.06.2023 – 31.12.2023”. The High Inspector of Justice will periodically evaluate through thematic inspections, the increase in the litigant parties’ awareness of the mediation institute. This inspection is currently ongoing.

Regarding the measure of the Roadmap *“The implementation of the recommendations of completed inspections”*, the High Inspector of Justice with decision no. 6, dated 24.02.2023 *“On the approval of inspection plans for 2023”*, as amended, has approved the plan of inspections to be carried out throughout 2023. While within the framework of the monitoring during 2023, the inspection subjects have fulfilled the recommendations and forwarded the information within the framework of the implementation of the recommendations from the High Inspector of Justice.

Thank you!

Full speech of High Inspector of Justice



WORKING MEETING WITH EU AMBASSADOR TO ALBANIA

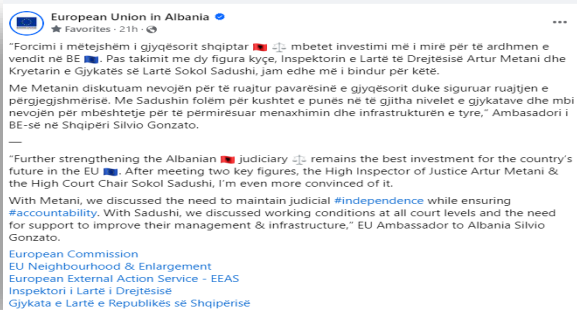
The Ambassador of the European Union in Albania, Mr. Silvio Gonzato expressed on social networks about the meetings with the High Inspector of Justice and the president of the Supreme Court.

“Further strengthening the Albanian judiciary remains the best investment for the country’s future in the EU. After meeting two key figures, the High Inspector of Justice

Artur Metani & the High Court Chair Sokol Sadushi, I’m even more convinced of it.

With Metani, we discussed the need to maintain judicial independence while ensuring accountability. With Sadushi, we discussed working conditions at all court levels and the need for support to improve their management & infrastructure.”

EU Ambassador to Albania Silvio Gonzato.





INTERVIEW OF HIGH INSPECTOR OF JUSTICE WITH JOURNALIST BLEONA METUSHI FOR KLAN TV

The High Inspector of Justice gave an interview for Klan TV, on conditional releases, which has been the first decision of Mr. Metani since he took office, due to the high public sensitivity after the releases of several criminals that were well known for the justice. In addition to the verifications of the proceedings of special cases, the High Inspector of Justice Office has conducted a thematic inspection on handling the requests with object "Conditional Releases", in all district courts and prosecution offices as well as appeal courts for the period 01.01.2017 – 31.01.2020. Due to the large volume of work and documentation to be evaluated, the inspection was carried out

by 6 inspectors assisted by 12 assistant inspectors.

Question: *Mr. Metani, two years ago some decisions which were reported in the media, created the perception that there were abuses with court decisions regarding requests for conditional releases. Soon after you started an inspection on these decisions. What are the conclusions of this inspection? What is the seriousness of this problem?*

High Inspector of Justice: The inspection was carried out in 15 courts and the prosecution offices in the country. 2514 practices



on conditional releases were analyzed.

There were found problems, and consequently, judges and prosecutors in several courts and prosecution offices of the country have been sent for measures. Actually, the verifications still continue, even after the inspection was completed, because of its conclusions. And the inspection concluded that there are some cases of suspected violations, such as wrong assess-

ment or violation of the criteria that must be applied in cases of conditional releases requests; there were violations, or serious or repeated non-compliance with procedural and criminal legislation and there was non-compliance with the unifying decision of the Supreme Court regarding issues which the Inspector deals with in general.

Question: Which courts, part of this inspection, had the most frequent violations?



High Inspector of Justice: Even from the practices that we have sent to the Councils, it was the court of Kruja, the court of Elbasan, the court of Korça. But as I previously mentioned, due to this inspection findings, the High Inspector of Justice has to carry out further verifications for some judges and prosecutors, even in other courts and prosecution offices of the country, to see whether the suspicions we have, constitute disciplinary violations, or not.

Question: *What were the most frequent violations found regarding the decisions on conditional releases and were there any cases where the same judge gave different decisions for the same circumstances?*

High Inspector of Justice: The violations are related to what I previously said. There were violations of the law, regarding the criteria provided for in article 64 and 65 of the criminal code, the criteria that the offender must meet in order to benefit from the early conditional releases. Secondly, violations which

have led to serious or repeated disrespect of material and procedural legislation in cases of early conditional releases.

Thirdly, non-compliance with the unifying decision of the Supreme Court regarding this matter. What I must point out or emphasize, is the fact that the institute of early conditional releases, is an institute provided for in article 64 and 65 of the Criminal Code. Article 64 makes a general assessment or forecast of this institute, or the criteria that must be met by convicts to benefit from early conditional releases – criteria which are evaluated by the court; and secondly, it is article 65, which gives a detailed description regarding prisoners sentenced to life imprisonment, who cannot benefit from early conditional releases. Both these provisions were found to have been wrongly applied, contrary to the Code and therefore we referred the magistrates cases to the Councils.

Question: *How many cases were referred for administrative investigation?*



“Before referring a magistrate to the Councils for disciplinary proceedings, we must verify a set and complex legal factor which oblige the High Inspector of Justice to take such an extreme step, which is the request for dismissing a magistrate from duty, so it is what I previously mentioned, that the violation must be a very e serious one, or a repeated one.” said Mr. Metani .

High Inspector of Justice: 5 cases, while now only on a specific investigation, or on a specific violation. the duty the High Inspector of Justice has, is to verify 9 more cases for judges and prosecutors.

Question: Was article 65, which provides for prisoners sentenced to life imprisonment, the most problematic one, or the most misinterpreted article by the magistrates, if I can consider it a misinterpretation?

High Inspector of Justice: There were a number of factors, so it is not a process based one. Before referring a magistrate to the Councils for disciplinary proceedings, we must verify a set and complex legal factor which oblige the High Inspector of Justice to take such an extreme step, which is the request for dismissing a magistrate from duty, so it is what I previously mentioned, that the violation must be a very e serious one, or a repeated one.





INDEPENDENT JUSTICE GUARANTEES THE PROTECTION OF CITIZENS RIGHTS

High Inspector of Justice Artur Metani welcomed the general prosecutor of the Kingdom of Spain Mr. Álvaro García Ortiz, who is conducting a work visit to our country.

Mr. Metani presented the work and challenges of the Office of the High Inspector of Justice as the constitutional institution that deals with the verification of complaints, the investigation of disciplinary violations and the initiation of disciplinary proceedings against judges and prosecutors of all levels in Albania.

The High Inspector of Justice informed Mr. Álvaro García Ortiz about the experience of the HIJ with the counterparts of the Justice

Inspection Service of Spain within the European Network of Justice Inspection Services (RESIJ), about the bilateral relationship, which was formalized with a cooperation agreement a year ago, and also about the Spanish experts of the EU project, EU4Justice, who support the HIJ in terms of strengthening the professional capacities.

Mr. Álvaro García Ortiz after thanking Mr. Metani for the hospitality, expressed his considerations for the cooperation between the HIJ and the Spanish experts within the EU4Justice project.

Discussing the work philosophy of the HIJ, in finding a balance between the public in-



terest in the administration of justice and European Union. respecting the independence of magistrates, the High Inspector of Justice and the Prosecutor General of the Kingdom of Spain shared the opinion that the independence of magistrates remains the foundation that supports the pillars of the rule of law and a key element for the functioning of any democracy, being crucial for Albania's journey towards membership in the

The interlocutors underlined that the independence of every judge and prosecutor is a guarantee for the constitutional rights of every citizen, to prevent any violation of those rights by the executive and legislative power. The contribution of each institution to an independent justice system is also essential for strengthening the public confidence in the rule of law.





HIJ INSPECTORS AND ASSISTANT INSPECTORS TRAINED ON ECtHR PRACTICES FOR DISCIPLINARY RESPONSIBILITIES OF MAGISTRATES

The practices of the European Court of Human Rights (ECtHR), on disciplinary responsibilities and freedom of expression of magistrates, have been the focus of training of the inspectors and assistant inspectors' units of the High Inspector of Justice Office, as part of strengthening inspection capaci-

ties with the support of the EU4Justice project. At the start of the activity, High Inspector of Justice Mr. Artur Metani said that the continuous professional growth of the inspectors and assistant inspectors' teams, remains a constant priority for the HIJ. "Familiarity with the legal practices of the





ECtHR, strengthens the inspection process in the Office of the High Inspector of Justice in the approach of respecting the balance between the public interest in the administration of justice and the independence of judges and prosecutors". The judge of the European Court of Human Rights, Mr. Darian Pavli dealt with the subject of the disciplinary re-

sponsibility of magistrates, regarding the procedural and fundamental guarantees within the ECtHR. While Ms. Roberta Lugarà, Lawyer at the Registry of the European Court of Human Rights brought cases from the practice of the ECtHR on the freedom of expression of magistrates and its limitation.



APRIL OF HIJ IN NUMBER

During **April** the Office of High Inspector of Justice has administered 72 complaints, 69 of which were submitted by citizens and 3 submitted by institution.

High Inspector of Justice Office has performed the standard confirmation process of receiving complaints for all the new complaints submitted during **April 2024**. Complaints against judges and prosecutors are referred to the inspectors and they are at different stages of the process such as the initial consideration, verification and the archiving together with relevant decisions.

ARCHIVED	VERIFICATION	DISCIPLINARY PROCESS
<ul style="list-style-type: none"> ◆ 62 decisions from 108 reviewed complaints, specifically: ◆ 32 decisions to archive after initial review from 84 consolidated complaints ◆ 30 decisions to archive after verification from 24 consolidated complaints 	<ul style="list-style-type: none"> • 5 decisions verification 	<ul style="list-style-type: none"> • 1 Request "For the Initiation of Disciplinary Proceedings" • 1 Decision For the Initiation Disciplinary Investigation" • 1 Decision "To Conclude the Disciplinary Investigation"



HJC ACCEPTS HIJ REQUEST FOR DISMISSAL OF MAGISTRATE M.M.

Today, the High Judicial Council has accepted by the Special Court of First Instance against the request of the High Inspector of Justice Corruption and Organized Crime as well as for the disciplinary proceedings “Dismissal from office” against magistrate M.M., judge at Durrës Judicial District Court, for the disciplinary violation provided for by Article 140, paragraph 2. letter “b” of the Constitution of the Republic of Albania, as well as article 104 of law no. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended, due to the conviction for committing the criminal offense of “Passive corruption of the judge, prosecutor, and other officials of the justice bodies” committed in cooperation, provided by article 319/ç – 25 of the Criminal Code.

During the hearing, the HIJ inspectors concluded that the magistrate was found guilty

the Court of Appeal, for more serious crimes, such as acts of corruptions related to the exercise of function of the judge, that constitute a criminal offense.

The irregular exercise of duty by the magistrate, as well as the nature of the criminal offense committed, has brought on consequences for the delivery of justice, has seriously discredited the magistrate’s image, authority, dignity and has seriously damaged the public trust in the magistrate and the bodies of justice, all of which constitute very serious disciplinary violations for which the HIJ requested the dismissal from office, which was accepted by the High Judicial Council.



HJC REFUSES HIJ REQUEST FOR DISCIPLINARY MEASURES AGAINST MAGISTRATE A.D

In today's hearing, the High Judicial Council (HJC) rejected the request of the High Inspector of Justice (HIJ) for the disciplinary measure "Dismissal from Office" for magistrate A.D., judge at Gjirokastër Judicial District Court, for severe professional violations.

The High Inspector of Justice completed the disciplinary investigation, based on the complaint filed by a citizen with the High Judicial Council in 2019 and forwarded to the HIJ for competence, on the violation of conditional release of a repeat offender, by judge A.D.

From the disciplinary investigation carried out by the inspectors of the HIJ, which also includes the analysis of 11 decisions delivered by the judge in the period 2017-2020, it is proven that the magistrate has undertaken actions/omissions which are related to the non-compliance with article 64 of the Criminal Code, article 477 of the Criminal Proce-

dure Code, and Article 75 of Law no. 81/2020 "On the rights and treatment of convicts and detainees" as amended, as well as, granting unlawful sentence reduction, by wrongly applying the material and procedural law, bringing unfair advantage, which is also the direct consequence of the disciplinary violation.

The irregular exercise of duty by the magistrate has brought consequences for the delivery of justice, harming the prestige of the judge and the loss of trust in him, as well as harming the public's trust in justice. At the end of the disciplinary investigation, the High Inspector of Justice concluded that the actions/omissions taken by magistrate A.D. constitute "Very serious disciplinary violations", discretizing the position and figure of the judge during the exercise of his duty, and proposed to the HJC the disciplinary measure "Dismissal from duty", a request that was rejected by this Council.



HPC REFUSES HIJ REQUEST FOR DISCIPLINARY MEASURES AGAINST MAGISTRATE SH.M.

The proposal of the High Inspector of Justice (HIJ) for disciplinary measures against magistrate SH.M., prosecutor at the Prosecution Office attached to the Court of First Instance of General Jurisdiction Shkodër, was not accepted by the High Prosecutorial Council (HPC) in today's hearing.

The disciplinary investigation of the HIJ against prosecutor Sh.M. was initiated due to the complaint of the Prosecutor General based on the complaint of a staff member of Shkodër prosecution office, about a serious violation conducted by the magistrate, of the rules of solemnity, rules of conduct in relations with litigant parties, and is related to the finding of some facts during December 2020, related to the violation of the rules of conduct with the personnel of the Prosecution administration attached to the Court of First Instance Shkodër.

The disciplinary investigation of the HIJ Inspectors concluded that the magistrate violated the rules of conduct regarding the personnel of the prosecution administration, but it can be categorized as a minor disciplinary violation, since the consequences of the violation have been reduced, also due to the normalization of the mutual relationship.

In the conditions where the purpose of the disciplinary measure is also the preventive effect, so that the magistrate does not commit any more disciplinary violations in the future, and that other magistrates understand that an inappropriate behavior should not be carried out, as it is punishable by a disciplinary measure, the HIJ proposed to the HPC the disciplinary measure "Confidential remark" against prosecutor SH.M., a request that was rejected by the High Prosecutorial Council.

COMPLAINT PROCESS AT HIJ

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

Can be completed directly and submitted online;

Can be downloaded, completed and sent by email to info@ild.al or by mail at the address **Boulevard "Dëshmorët e Kombit", Building no.13, Tirana.**

It can also be completed by presenting at the Office of the High Inspector of Justice, if nec-

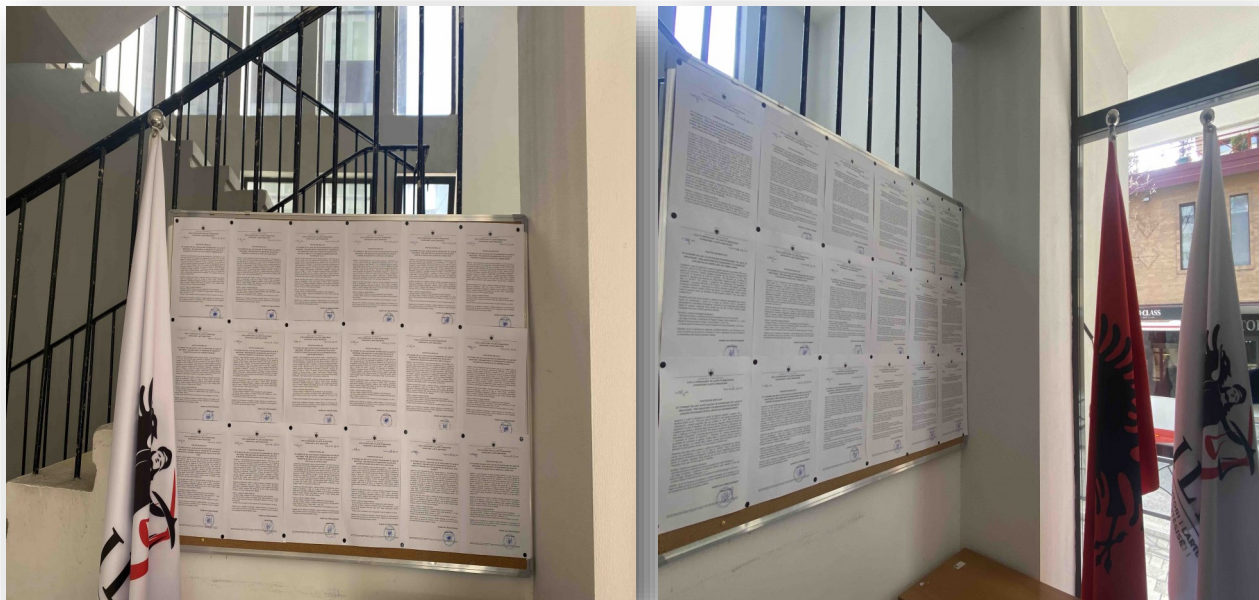
essary, to ask for assistance of the team of the Complaints Office.

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

The criteria for the admissibility of the complaint are published on the official website of HIJ www.ild.al, in the section "**How to receive complaints**".

PUBLIC ANNOUNCEMENT OF DECISIONS

Even during the month of **April 2024**, the Office of the High Inspector of Justice made public announcements of archiving decisions for **9 complainants**, who were unreachable at the addresses communicated by them. In addition to the stands of the HIJ, according to the law, these announcements are also found on our official website and posted in the stands of the municipalities where the complainants come from.





While assisting the complainants

The team of complaints office welcomes citizens-complainants every working day from 09:00 am to 02:00 pm, while for increased communication with interested citizens, in addition to communication through the web-

site and official address, the Office of the High Inspector of Justice has made available the phone number +355 4 2217217.

Coordinator for the right to information is part of this sector



During the month of April 2024, the Complaints and Public Relations Sector received 21 complainants, who appeared at the premises of the Office of the High Inspector of Justice, and 31 phone calls from citizens, who requested information on the stage of their complaints or information on completing the TIP complaint form.



CORDINATOR FOR THE RIGHT TO INFORMATION

In accordance with the principles and rules provided for in law no. 119/2014 "On the right to information", the coordinator for the right to information in the Office of the High Inspector of Justice, enables every applicant the right to be familiar with public information, as well as communicates according to the need with the applicant regarding the processing of the request for public information.

Requests for information are filed by

citizens, legal entities, interested groups, and can be send through the "Albanian Post", e-mail at the address: info@ild.al, as well as the e-mail of the coordinator for the right to information: amanta.jasa@ild.al.

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

MONTHLY FIGURES

During **April 2024**, at the Office of High Inspector of Justice, **6 requests for information** were received, which were processed in all cases within 5 days (the law provides that applicants to return response within 10 days).



HIJ INSPECTION TEAMS DEVELOPED PROFESSIONAL EXPERIENCE IN SPAIN

Two teams of inspectors and assistant inspectors of the High Inspector of Justice Office, conducted two one-week visits to the Kingdom of Spain.

The study visits are part of the support of the EU4Justice project, which aims to increase the capacities and obtain experiences from the European counterpart institu-

tions. During these visits, the inspectors and assistant inspectors of the HIJ had meetings in various institutions of justice – namely with the Head of the Inspection Service at the General Council of the Judiciary, Ms. María Dolores Hernández Rueda and Deputy Head Elena Burgos Herrera, Chief Prosecutor Inspector, Ms. María Antonia Sanz Gaité, as well as the presidents





of the Courts of Valencia and Murcia.

ministrative personnel of the respective courts.

The HIJ teams had the opportunity to be part of the inspections of the courts of Valencia and Murcia, through the telematic (online) inspection, as well as the one in the field, examining step by step the different phases of the thematic inspection, as well as structured interviews with judicial and ad-

In addition to gaining professional experience, the work visits also served to strengthen cooperation with the Spanish Inspection Service, with whom the High Inspector of Justice signed a cooperation agreement in March 2023.



HIJ ON TWITTER

Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Kënaqësi e vecantë komunikimi me drejtues të #Universitetit të Shkodrës dhe nënshkrimi i një memorandum bashkëpunimi 🤝 Tani edhe studentët të drejtësisë së këtij Universiteti do kenë mundësi të zhvillojnë praktikë pranë #ILD-së.#



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Falenderues për 🏆 shumë efikas Ambasadorit tonë 🇷🇸 të karrierës në 🇳🇱, z. Artur Kuko, këshilltares Eva Nastas, si dhe prokurorës ndërlidhëse në Eurojust, Fatjona Memçaj për organizimin e vizitës së punës së Inspektorit të Lartë të Drejtësisë në institucionet e drejtësisë në Hagë.

Translate post



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Kënaqësi e vecantë të bisedoja me anëtarin Gjykatës së Lartë, gjyqtarin Marc Fierstra, m procedimin disiplinor në Shqipëri 🇷🇸 e Holandë 🇳🇱 dhe për çështje të etikës e pavarësisë së magjistratëve #Hagë #GjykataeLartëeHolandws #ILD #ArturMet

Translate post



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Metani: Zyra e ILD-së ka gjithë vëmendjen për ndërgjegjësimin dhe mbështetjen profesional për brezin e ri të profesionistëve të drejtësisë si një kontribut konkret për demokratizimin e shoqërisë dhe konsolidimin e shtetit të së drejtës. #Shkodër 🇷🇸

Translate post



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Takim shumë interesant me Presidentin e EUROJUST 🇳🇱 z. Ladislav Hamran në Hagë 🇳🇱 Pozitivisht i mbësuar nga fjalët e mira për arritjet e 🇷🇸 në drejtësi dhe vlerësimet për prokuroren tonë ndërlidhëse #FatjonaMemçaj. Ide për bashkëpunim në forcimin e shtetit të së drejtës 🇳🇱

Translate post



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Marrja e experiencave më të mira duke parë proceset e punës së homologëve 🇳🇱 i shërbe forcimit të kapaciteteve të trupës së inspektorëve dhe ndihmës inspektorëve të Zyrës së Inspektorit të Lartë të Drejtësisë 🇳🇱 #ILD 🇳🇱 #Eu4Justice 🇳🇱 Spanjë 🇪🇸 @IraolaAlvaro



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Takim shumë interesant me Presidentin e EUROJUST 🇳🇱 z. Ladislav Hamran në Hagë 🇳🇱 Pozitivisht i mbësuar nga fjalët e mira për arritjet e 🇷🇸 në drejtësi dhe vlerësimet për prokuroren tonë ndërlidhëse #FatjonaMemçaj. Ide për bashkëpunim në forcimin e shtetit të së drejtës 🇳🇱

Translate post



Inspektori i Lartë i Drejtësisë Artur M...
@ILD_Albania

Në Ministrinë e Punëve të Jashtme 🇳🇱, në takimim me Drejtorin për Evropën z. Erik Weststrate folëm për procesin e negociatave të 🇳🇱 me 🇳🇱 dhe punën e Inspektorit të Lartë të Drejtësisë në kuadër të përpjekjeve për forcimin e shtetit të së drejtës. #ILD @AEmbNederland

Translate post



Inspektori i Lartë i Drejtësisë Artur Metani reposted

EU in Albania @EUinAlbania · 4d
Ne mbështesim plotësisht institucionet e reja të drejtësisë dhe reformën në drejtësi të vitit 2016, e cila u mundësoi atyre të japin drejtësi për qytetarët. Puna e tyre është çelësi për çrrënjosjen e korrupsionit nga Shqipëria. Në takimim e projektit BE për Drejtësinë, 1/2

Silvio Gonzato @EUAmbAL · 4d

We fully support the new justice institutions and the 2016 Justice reform, which enabled them to deliver justice to citizens. Their work is key to eradicating corruption from Albania. At the steering committee of the #EU4Justice project, I emphasized that EU integration ... 1/2



APRIL 2024

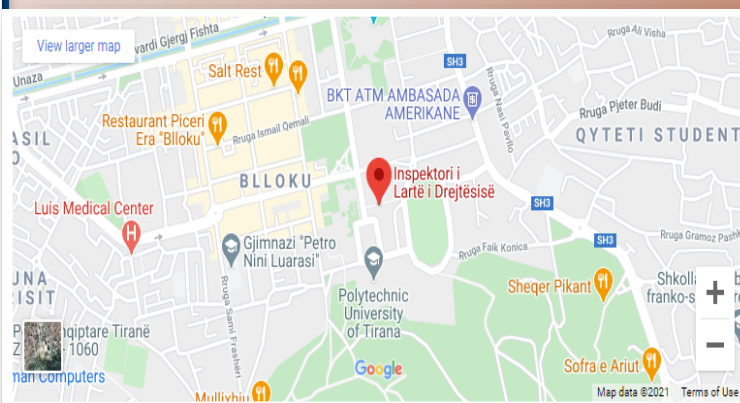
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Spot prezantues ILD
Prezantimi i Inspektorit të Lartë të Drejtësisë
[youtube.com](https://www.youtube.com)

*Kliko për të ndjekur spotin
prezantues të ILD*

