

November 2024 | No. 43

NEWSLETTER

HIGH INSPECTOR OF JUSTICE

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Inspektori i Lartë i
Drejtësisë



Inspektori i Lartë i Drejtësisë Artur Metani
@ILD_Albania

HIJ: THE DISCIPLINARY PROCESS CANNOT BE A STATISTICS, BUT A SUSTAINABLE WORK STANDARD THAT SERVES THE SYSTEM



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



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The Office of the High Inspector of Justice Committee for this organization and the participated in the activity organized by the drafting of this report, in which findings from the Albanian Helsinki Committee, on the work of the monitoring carried out on the Office of justice institutions, for two of which, the the High Inspector of Justice during 2023 are High Inspector of Justice and the High presented. Appreciations to the team of Judicial Council, it has drafted a report after experts of this Committee for the work done. monitoring their activity during 2023.

Speech of the High Inspector of Justice role of civil society organizations in delivered by Inspector Magistrate monitoring the work of justice institutions to Ms. Elena Pelushi be extremely important, and the Helsinki Committee is one of the six organizations with which the HIJ signed a cooperation agreement in March 2022, with the aim of increasing the performance of the Office of the High Inspector of Justice, through

Greetings to all,

On behalf of the High Inspector of Justice, I would like to thank the Albanian Helsinki

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increased communication and the development of joint activities, within the framework of monitoring, analysis, accountability and awareness-raising process on the activities of the HIJ Office, through the exchange of data, the organizing of periodic meetings, and the provision of relevant expertise by specialized CSOs.

Therefore, it is of great interest to us to get

acquainted with the perspectives of external actors, to reflect on them, to benefit from them, and to provide any necessary clarification to understand the nature of the work of such a specific institution as the Office of the High Inspector of Justice.

Since the activity of 2023 is at the center of this report, I would like to bring to your attention that this year has had a high



During 2023, a third of the proceedings initiated, accurately evidenced in the presented report, have been at the initiative of the High Inspector of Justice which is an illustration that our institution remains attentive to the information that is made public, in addition to analyzing the problems that we identify from direct complaints of the citizens or institutions.

workload for the Office of the High Inspector of Justice, because we managed to fully complete the handling of the backlog, i.e. the contingent of 2104 cases, that the HIJ inherited from previous institutions. In parallel, the handling of complaints received from citizens and the conduct of inspections continued, while there were no changes in the staffing of inspectors, a deficiency that continues to remain a permanent challenge for the activity of the HIJ.

In February 2023, the HIJ institution was moved to different working premises, due to the reconstruction of the building and this is just for an overview of the situation in which the activity was carried out until October 2024.

However, the work has continued with the same standard parameters, taking care of the main principle of our work, maintaining the balance between the public interest in the administration of justice and respecting the independence of judges and prosecutors.

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initiative of the High Inspector of Justice which is an illustration that our institution remains attentive to the information that is made public, in addition to analyzing the problems that we identify from direct complaints of the citizens or institutions. That said, the Office of the High Inspector of Justice constantly underlines that a set of facts may be presented in a public information, which are alleged to have occurred and which constitute a disciplinary violation, but it is the High Inspector of Justice who can make an accurate or different characterization of the facts and actions related to the disciplinary violation, without being linked to the determination that may be claimed in this public information.

In the philosophy of the work of the HIJ, disciplinary proceedings against judges and prosecutors are neither an end purpose in itself, nor a statistic to satisfy anyone who measures the work of an institution with numbers. The High Inspector of Justice continues to remain committed to the standards it sets, by examining the legitimate interests of both the complainant and the magistrate, by judging proportionally and by documenting all the evidence and testimony presented and by



respecting the rights of the magistrate under investigation.

public interest, removing the magistrate from duty.

This is because disciplinary measures have two functions, first, the educational role, through which the appropriate standard of work is brought to the attention of other magistrates, and second, when this educational role cannot be carried out, then the measure becomes of a purely punitive nature, committed to the protection of the

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THE HIGH INSPECTOR OF JUSTICE MET THE CHARGÉ D'AFFAIRES OF THE U.S. EMBASSY IN ALBANIA

The U.S. Embassy's post following the meeting:

“Chargé d’Affaires Nancy VanHorn met with High Justice Inspector (HJI) Mr. Artur Metani to reaffirm the United States' support for the HJI's vital role in overseeing the conduct and professionalism of judges, prose-

cutors, and council members. Ms. VanHorn encouraged the HJI to maintain the positive momentum in implementing justice reform and emphasized the importance of upholding the high standards established during the vetting process in the months and years to come”.





THE HIGH INSPECTOR OF JUSTICE WELCOMED THE NEW OSCE AMBASSADOR IN ALBANIA

High Inspector of Justice, Mr. Artur Metani welcomed the new ambassador of the OSCE Presence in Albania, Mr. Michel Tarran. Mr. Metani introduced the OSCE ambassador to the functions of the High Inspector of Justice and the dynamics of its activity, as the institution responsible for disciplinary violations of judges and prosecutors in the country and responded to the interest of Ambassador Tarran in aspects of the HIJ's role.

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The interlocutors evaluated the cooperation to the behavior of magistrates in the system. The interlocutors evaluated the cooperation so far between the HIJ Office and the OSCE Presence in Albania, in function of the communication strategy of the Office of the High Inspector of Justice for the presentation of the institution to the various interest groups, where they live and discussing with them on how they see the role of the institution, experiences and expectations in relation to the behavior of magistrates in the justice system.

Mr. Metani and Mr. Tarran committed to continue the institutional cooperation, also in other projects with an impact on the work of HIJ and further in increasing and strengthening the public's trust in the justice system.

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ANNOUNCEMENT

Upon the completion of the reconstruction of the office building, The Office of the High Inspector of Justice returns to its own headquarters, at the address: Boulevard “Dëshmorët e Kombit”, Building no. 13, Tirana.

We thank the citizens for their understanding, on the impact that the transfer process will have on admission times and communi-

cation, until the full stabilization of the staff of the Office of the High Inspector of Justice.

In the following, the schedules for communication with citizens who want information or want to submit a complaint to the HIJ remain unchanged. The team of the Complaints Office will welcome you every working day from 09.00 am to 2:00 pm.

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NOVEMBER OF HIJ IN NUMBER

During **November** the Office of High Inspector of Justice has administered **67 complaints**, **60** of which were submitted **by citizens** and **7 submitted by institution** . High Inspector of Justice Office has performed the standard confirmation process of receiving complaints for all the new complaints submitted during **November 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
<p>103 practices treated of which:</p> <ul style="list-style-type: none"> • 24 decisions to archive following initial review, (including 53 consolidated cases) • 17 decisions to archive following verification (including 9 consolidated complaints) 	<ul style="list-style-type: none"> • 21 verification decisions 	<ul style="list-style-type: none"> • 4 decisions to initiate disciplinary investigation (3 judges, 1 prosecutor) • 1 decision to conclude disciplinary investigation (prosecutor)

COMPLAINT PROCESS AT HIJ

To facilitate this process for interested persons, The Office of the High Inspector of Justice 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 necessary, to ask for assistance of the team of the Complaints Office.

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

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

PUBLIC ANNOUNCEMENT OF DECISIONS

Even during the month of **November 2024**, the Office of the High Inspector of Justice made public announcements of archiving decisions for **7 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 website 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 **November 2024**, the Complaints and Public Relations Sector :

- ⇒ **received 28 complainants**, who appeared at the premises of the Office of the High Inspector of Justice, and
- ⇒ **1 phone call 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 **November 2024**, at the Office of High Inspector of Justice, **22 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 ON TWITTER

Inspektori i Larte i Drejtesise Artur Metani reposted



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Kënaqësi njohja dhe bashkëbisedimi me ambasadorin e ri të #OSBE në #Shqipëri, diplomatin e karrierës z. Michel Tarran.
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Why the disciplinary process cannot be a statistics? #HIJ



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NOVEMBER 2024

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