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I DREJTËSISË

FOR THE WORK OF THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE

**FOR THE PERIOD
01.01.2024 – 31.12.2024**

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I. INTRODUCTION

This annual report summarizes the activity of the High Inspector of Justice (HIJ) for the period January-December 2024, analyzing the review and verification of complaints, disciplinary investigations, disciplinary proceedings, thematic inspections, performance as a public institution, as well as inter-institutional and international cooperation.

The activity of the HIJ has followed a progressive path, moving from the establishment and consolidation of processes to the strengthening of inspections, with the aim of increasing the efficiency of the justice system. In the HIJ view, inspections not only serve to check the accountability of magistrates, but also help increase the performance of the judicial system and improve the quality of service to citizens.

In this context, the report highlights data on the number of complaints filed, decisions taken by the High Inspector of Justice, as well as the progress of thematic inspections. During 2024:

- 1374 complaints were processed;
- 25 magistrates were investigated;
- 11 disciplinary proceedings were initiated;
- 23 disciplinary investigations were conducted;
- 6 thematic inspections were completed.

Through disciplinary investigations and the procedures followed, an increase in the standards of accountability and responsibility in the justice system has been observed, aiming at the continuous improvement of the monitoring mechanisms and implementation of recommendations.

In terms of institutional and international cooperation, the report reflects on the relations of the High Inspector of Justice with key justice institutions, including the High Judicial Council (HJC), the High Prosecutorial Council (HPC), the Prosecutor General Office and the Ministry of Justice, as well as with civil society organizations and international partners.

Another way of external evaluation of the work of the HIJ comes from international institutions, which in the Progress Report for Albania 2024 have highlighted the contribution of the HIJ in strengthening the accountability of magistrates, emphasizing the satisfactory functioning of the HIJ and the continued good progress in the implementation of justice reforms that have strengthened accountability throughout the justice system. The assessments also highlighted the completion of the review of the backlog of inherited complaints and the need to continue strengthening thematic inspections, as a key priority for increasing the transparency and effectiveness of the system.

Regarding capacity building, the main emphasis has been placed on training the Inspectors' Unit and the Assistant Inspectors' Unit with foreign experts, who have brought the best international experiences in inspection and disciplinary checks. In addition, training provided by ASPA and the School of Magistrates has also been attended, supporting the professional development of staff at all levels.

In accordance with the principles of transparency and communication with the public, HIJ has continued to promote citizen information, transparency and increased access to the institution. Legal education has been put in place to raise awareness of the rights and obligations of individuals, aiming for a fairer and more efficient administration of justice.

In conclusion, the report reflects the focus of the HIJ on activities that help increase the performance of the justice system, address issues related to the efficiency of the justice system, adopt the highest standards of the transitional re-evaluation process of magistrates,

professional growth of the body of inspectors and assistant inspectors, as well as increase public communication on the role of the HIJ at home and abroad.

1.1. Vision of the High Inspector of Justice in fulfilling the activity

The activity of the Office of the High Inspector of Justice is guided by the principles and values of the best international systems and practices as well as by the spirit that inspired the establishment and operation of the new Justice system. Exercising the activity independently of any 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 to the public, as well as cooperative at the institutional level, are the pillars established by the Reform to which the High Inspector of Justice and the Office of the High Inspector of Justice must refer in every case submitted for resolution.

In light of the vision of the activity, the High Inspector of Justice directs the work with the aim of achieving these important objectives:

- Consolidation of the activity in an independent, efficient and professional manner;
- Strengthening the activity for measuring the performance of the subjects of disciplinary investigation on the quality and efficiency of the delivery of justice according to European standards;
- Development of the information technology system;
- Increasing the 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 above-mentioned objectives.

II. 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 Prosecutorial Council and of the Prosecutor General, 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 governance institutions 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 25.7.2019, 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 checking 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 07.08.2010 "On financial management and checking", amended;

- Law on the annual budget;
- Law no. 162/2020 "On public procurement";
- 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, all the necessary acts for the functioning of the structure of the Office of the High Inspector of Justice at the level of administrative organization have been drafted and approved by the High Inspector of Justice. A total of 30 acts have been approved, of which 17 general orders of an administrative nature and 2 decisions regarding issues of organization and functioning ^[1].

In addition to the general orders and decisions, 7 decisions have been drafted in order to ensure the proper administration of inspection processes, as well as 6 decisions amending them.

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

- Organization and functioning,
- Inspection activity.

2.2.1 Acts related to organization and functioning

1. Order No. 136/1, dated 05.01.2024, on an amendment to Order No. 136, dated 27.12.2023 "On the composition of CAEI, the appointment of members of the technical secretariat, the approval of the annual evaluation program and the initiation of the evaluation procedure for inspectors";

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

2. Decision No. 3, dated 15.01.2024 “On the assigning of civil service positions to be announced for the year 2024, for the Office of the High Inspector of Justice”;
3. Order No. 1, dated 08.01.2024 “On the unification of the administrative document”;
4. Order No. 26, dated 06.03.2024 “On the replacement of the work of 27.11.2023”;
5. Order no. 36, dated 28.03.2024 “On the redistribution of practices in the initial review phase to inspector Ms. D. S.”;
6. Order no. 38, dated 29.03.2024 “On some changes to order no. 33/1, dated 04.11.2022 “On the appointment of assistant inspectors at the Office of the High Inspector of Justice”, as amended”;
7. Order no. 1/1, dated 30.04.2024, “On an addition to order no. 1, dated 08.01.2024, of the High Inspector of Justice “On the unification of the administrative document”;
8. Order No. 71, dated 13.06.2024 “On the establishment of the working group for the organization of activities to mark the 5th anniversary of the Office of the High Inspector of Justice”;
9. Order No. 72, dated 18.06.2024 “On the replacement of the working day of 15.03.2024”;
10. Order No. 74, dated 26.06.2024 “On the initiation of the selection procedure for non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice”;
11. Order No. 75, dated 01.07.2024 “On some amendments to 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”, as amended”;
12. Order no. 77, dated 10.07.2024 “On the distribution of practices submitted by inspector A. T.”;
13. Order no. 80, dated 03.08.2024 “On the delegation of competence”;
14. Order no. 91, dated 08.10.2024 “On some amendments to 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”, as amended”;

15. Decision no. 56, dated 10.12.2024 “On some additions to the decision no. 38, dated 08.06.2021, of the High Inspector of Justice “On the approval of the procedures and rules for the assessment of the ethics and professional activity of inspectors”, as amended”;

16. Order no. 74/1, dated 16.12.2024 “On some amendments to the order no. 74, dated 26.06.2024 “On the initiation of the selection procedure for non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice”;

17. Order no. 107, dated 16.12.2024 “On the approval of the “Risk Register for Information Technology Systems” and the “Manual for Security Measures for Information Technology Systems for the Office of the High Inspector of Justice”;

18. Order no. 118, dated 31.12.2024 “On the establishment of the Appointment and Evaluation Commission, the appointment of members of the Technical Secretariat and the initiation of the evaluation procedure for inspectors for the period 2021-2025”;

19. Order no. 119, dated 31.12.2024 "On the establishment of the unit responsible for reporting and protecting whistleblowers in the Office of the High Inspector of Justice".

2.2.2 Acts related to the inspection activity

1. Decision No. 5, dated 31.01.2024 “On the approval of the inspection plan for 2024”;

2. Decision No. 6/13, dated 15.02.2024 “On some amendments to decision No. 6/2, dated 28.02.2023 “On conducting the thematic inspection of prosecutors' offices with the subject: “On the assignment of cases to the prosecution office”, as amended”;

3. Decision No. 7, dated 15.02.2024 of the thematic inspection with the subject: “Documentation by judges of informing the parties about the possibility of resolving the case through mediation for the period 01.06.2023 – 31.12.2023”;

4. Decision No. 10, dated 29.02.2024 “On some amendments to decision No. 6/5, dated 30.06.2023 “On conducting the thematic inspection with the subject: “On the practice and causes of the replacement of prosecutors for the period 01.01.2022-31.12.2022”, as amended”;

5. Decision no. 7/1, dated 29.03.2024 “On some amendments to decision no. 7, dated 15.02.2024, “On conducting the thematic inspection with the subject: “Documentation by judges of informing the parties about the possibility of resolving the case through mediation for the period 01.06.2023 – 31.12.2023””.

6. Decision no. 14, dated 02.04.2024, “On conducting the thematic inspection with the subject: “On the procedure for announcing and reasoning judicial decisions of the Courts of First Instance of General Jurisdiction in Fier and Shkodra, for the period 01.01.2023 – 01.06.2023””;

7. Decision no. 18, dated 15.04.2024, “On conducting the thematic inspection with the subject: “On the duration of the trial of court cases of the Court of First Instance of General Jurisdiction of Tirana, Civil Chamber, for the period 01.03.2023 –31.05.2023””;

8. Decision no. 21, dated 15.05.2024, “On conducting the thematic inspection with the object: “Allocation of cases by draw, as well as checking the reports of the electronic system in the courts for the period 01.01.2023 – 31.12.2023””;

9. Decision no. 22, dated 15.05.2024, “On conducting the thematic inspection with the object: “On the assignment of cases to the prosecution office for the period 01.01.2023 – 31.12.2023””;

10. Decision no. 23, dated 15.05.2024, “On conducting the thematic inspection with the subject: “On the practice and causes of the replacement of prosecutors, for the period 01.01.2023 –31.12.2023””.

11. Decision no. 22/1, dated 27.11.2024 “On some amendments to decision no. 22, dated 15.05.2024, of the High Inspector of Justice “On conducting the thematic inspection with the subject: “On the assignment of cases to the prosecution office for the period 01.01.2023 – 31.12.2023”””;

12. Decision no. 14/1, dated 27.12.2024 “On some amendments to decision no. 14, dated 02.04.2024, of the High Inspector of Justice “On the procedure for announcing and reasoning judicial decisions of the Courts of First Instance of General Jurisdiction of Fier and Shkodra, for the period 01.01.2023 – 01.06.2023””;

13. Decision no. 18/1, dated 27.12.2024 “On some amendments to decision no. 18, dated 15.04.2024, of the High Inspector of Justice “On conducting a thematic inspection with the object: “On the duration of the trial of judicial cases, with opposing parties, completed during the period 01.03.2023-31.05.2023, at the Court of First Instance of General Jurisdiction of Tirana, Civil Chamber””.

III. VERIFICATION OF COMPLAINTS, DISCIPLINARY INVESTIGATIONS AND INSPECTIONS

3.1. Complaints filed with the High Inspector of Justice

The High Inspector of Justice, based on Article 194 of Law No. 115/2016 “On the governance institutions of the justice system”, as 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, is the authority responsible for:

- verification of complaints;
- investigation of disciplinary violations and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General;
- the institutional inspection of courts and prosecutorial offices.

Referring to the activity and in function of fulfilling the above legal provisions, at the Office of the High Inspector of Justice, for the year 2024, an increasing number of complaints filed, compared to the previous year, is noted.

During this year, 1491 new complaints were filed, which, distributed according to the complaining subjects, are:

- **1376** complaints filed by natural persons;
- **115** complaints filed by legal entities.

At the end of 2023, 1363 complaints were submitted for processing. The total number of complaints subject to review for 2024 is 2854, including complaints filed during this year (1491).

Of these, the Office of the High Inspector of Justice reviewed **1374** complaints during 2024.

Table no. 1. Data on complaints for 2024

Complaints filed during 2024	Complaints carried over from 2023	Complaint subject to review during 2024	Complaints reviewed during 2024	Complaints carried over to 2025
1491	1363	2854	1374	1480

According to the data on the progress of reviewing and handling complaints, at the end of 2024, it results that 1,480 complaints remain in process, which will be carried over for processing in 2025.

The result of reviewing 1374 complaints is as follows:

- 993 complaints archived after initial review;
- 327 complaints archived after verification^[2];
- 54 complaints concluded with disciplinary investigation.

Of the 1374 complaints reviewed, it results that:

- 1246 complaints were filed by natural persons;
- 127 complaints were filed by legal entities, namely:
 - 64 complaints from public institutions;
 - 44 complaints from private entities;
 - 15 complaints from foundations and civil society organizations;
 - 2 complaints from the media;
 - 2 complaints from religious institutions;
- 1 anonymous complaint, as the name of the complainant is not identified.

3.1.1 Data of the complainants

Complainants who address the High Inspector of Justice have a geographical representation from all over the country, where the largest share is in the Tirana region with 284 complainants (36% of complainants), followed by the Vlora region and the Durrës region, respectively 91 and 81 complainants (12% and 10% of complainants). While the regions that record the lowest number of complainants are the Dibër region, the Gjirokastër region and the Kukës region, respectively with 16, 19 and 10 complainants (2%, 2% and 1% of complainants).

From the analysis of information regarding the registration and processing of complaints, it is noted that 576 complainants (74%) have filed only 1 complaint with the Office of the High Inspector of Justice, while 189 complainants (24%) have filed more than one complaint for the same subject.

3.1.2. Data on the subject against whom claims are made

The complainants have filed complaints with the Office of the High Inspector of Justice, raising claims against the subjects magistrates, judges and prosecutors. Out of 1374 complaints reviewed, it results that the claims have been filed in the following manner:

- 642 complaints against magistrates (47%);
- 357 complaints against magistrates (26%);

² The number of complaints archived after verification also includes complaints for which the HIJ has disposed of the verification procedure without a final decision, based on Article 95 of the Code of Administrative Procedures..

- 284 complaints against judges and prosecutors together (21%);
- 91 complaints (7%) the subject against whom the claims are raised is not identified.

Table No. 2. Data on the distribution of reviewed complaints according to the institution where the magistrate exercises his/her duties (Judiciary)

No.	Institution	Complaints reviewed according to the institution where the magistrate exercises his/her duties	Percentage report of reviewed complaints
1	Court of Appeal of General Jurisdiction	208	15%
2	Court of First Instance of General Jurisdiction Tirana	168	12%
3	Court of First Instance of General Jurisdiction Fier	73	5%
4	Court of First Instance of General Jurisdiction Vlorë	64	5%
5	Court of First Instance of General Jurisdiction Kukës	56	4%
6	Court of First Instance of General Jurisdiction Shkodër	54	4%
7	Court of First Instance of General Jurisdiction Durrës	50	4%
8	Court of First Instance of General Jurisdiction Elbasan	49	3%
9	Court of First Instance of General Jurisdiction Saranda	48	3%
10	Administrative Court of First Instance of Tirana	44	3%
11	Court of First Instance of General Jurisdiction Berat	33	2%
12	Court of First Instance of General Jurisdiction Korçë	32	2%
13	Administrative Court of First Instance of Lushnje	30	2%
14	Administrative Court of Appeal	27	2%
15	Court of First Instance of General Jurisdiction Lezhë	25	2%
16	Supreme Court	24	2%
17	Special Court of First Instance for Corruption and Organized Crime	12	1%
18	First Instance Court of General Jurisdiction Gjirokastër	6	0.4%
19	First Instance Court of General Jurisdiction Dibër	5	0.3%
20	Special Court of Appeal for Corruption and Organized Crime	1	0.07%

Table No. 3. Data on the distribution of reviewed complaints according to the institution where the magistrate exercises his/her duties (Prosecution Office)

No.	Institution	Complaints reviewed according to the institution where the magistrate exercises his/her duties	Percentage report of reviewed complaints
1	Prosecution Office at the Court of First Instance of General Jurisdiction Tirana	201	14%
3	Prosecution Office at the Court of First Instance of General Jurisdiction Durrës	62	5%
4	Prosecution Office at the Court of First Instance of General Jurisdiction Elbasan	51	4%
5	Prosecution Office at the Court of First Instance of General Jurisdiction Kukës	46	3%
6	Prosecution Office at the Court of First Instance of General Jurisdiction Saranda	41	3%
7	Prosecution Office at the Court of First Instance of General Jurisdiction Fier	40	3%
8	Prosecution Office at the Court of First Instance of General Jurisdiction Lezhë	40	3%
9	Special Structure Against Corruption and Organized Crime (SPAK)	25	2%
10	Prosecution Office at the Court of Appeal of General Jurisdiction	34	2%
11	Prosecution Office at the Court of First Instance of General Jurisdiction Shkodër	28	2%
12	Prosecution Office at the Court of First Instance of General Jurisdiction Vlorë	24	2%
13	Prosecution Office at the Court of Court of First Instance of General Jurisdiction Korçë	20	1%
14	Prosecution Office at the Court of First Instance of General Jurisdiction Berat	16	1%
15	Prosecution Office at the Court of First Instance of General Jurisdiction Dibër	13	1%
16	Prosecution Office at the Court of First Instance of General Jurisdiction Gjirokastrë	4	0.2%

3.2 Review and the verification of the complaints

3.2. Review of the complaints

The High Inspector of Justice, pursuant to Article 121 of Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended, initially examines whether the complaint is admissible or not, according to the admissibility criteria set out in letters “a” to “dh”, paragraph 1, Article 120 of Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended. During the initial examination phase, the fulfillment of the admissibility criteria is verified, for which its archiving is decided, if one or more of the admissibility criteria of the complaint are not met. According to Article 122 of Law No. 96/2016, for a complaint that does not have clear information, the High Inspector of Justice verifies whether there are sufficient facts that justify the initiation of an investigation, by requesting additional documents and explanations from the complainant on the manner and circumstances in which the alleged violation occurred, or by obtaining any other information from the Council, court or relevant prosecution office.

Based on the review of the subject of the complaints, it results that the issues or claims most frequently raised by the complainants, according to their weight in relation to the total number of complaints, are as follows:

- Allegations related to the manner of resolving the judicial case and the assessment of evidence and the assessment of evidence by the respective court;
- Allegations of delays in the announcement and reasoning of judicial decisions;
- Allegations of the performance/failure of investigative actions, or the assessment of evidence collected by the investigative body during the investigative process;
- Complaints against unfair decision-making by magistrates during the examination of cases;
- Allegations of delay in the trial by judges but also delay in investigative activity by prosecutors;
- Allegations of incompatibility or conflict of interest;
- Allegations of ethical violations by magistrates.

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

Table No. 4. Number of complaints by type of case

Type of cases	Number of complaints
Criminal cases	783
Civil cases	385
Administrative cases	103
Other (where the type of legal process is not indicated)	103

3.2.2 Decision-making of the High Inspector of Justice

In compliance with the legal provisions, the High Inspector of Justice, after reviewing the complaints, has adopted 970 decisions, of which:

- a. **568** decisions for archiving after the initial review, where 993 complaints have been reviewed;
- b. **190** decisions for archiving after verification, where 327 complaints have been reviewed;
- c. **23** decisions for disciplinary investigation against 25 magistrates:
 - **13** decisions for disciplinary investigation against 14 magistrates, where 54 complaints have been reviewed;
 - **10** decisions for disciplinary investigation against 11 magistrates, initiated on the initiative of the High Inspector of Justice.

During 2024, The High Inspector of Justice has taken 189 decisions for the verification of 277 complaints, of which, 158 verification decisions are based on complaints and 31 decisions for verification on the initiative of the High Inspector of Justice. After verification, some of the complaints have been archived with an archiving decision calculated in the letter “b” and the rest is in the verification process.

The High Inspector of Justice as a competent body for the verification of complaints, the investigation of disciplinary violations and the initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices, based on point 2, article 194 of law no. 115/2016 “On the bodies of governance of the justice system”, as amended, has also taken into consideration and verification complaints from special entities. In implementation of this provision, the presidents of courts and heads of prosecutors’ offices have filed written complaints against the magistrates who exercise their duties in these institutions. There have also been written complaints from other bodies, which, according to special provisions and their functions, are obliged to transfer cases or to file a written complaint for further verification when they identify causes that may constitute disciplinary violations. The entities that have forwarded complaints are listed as follows:

Data on complaints from heads of the court:

For the year 2024, a court head forwarded a total of 2 complaints to the Office of the High Inspector of Justice, the progress of which is reflected in the following table:

Tabela nr. 5. *Ecuria e trajtimit të ankimeve të përcjella nga kryetarët e gjykatave*

Total complaints from heads of the courts	Archiving decisions after initial review	Archiving decisions after initial review	Decisions to initiate disciplinary investigation	In process
2	-	-	1	1

Të dhëna për ankimet nga drejtuesit e prokurorive:

Tre drejtues të prokurorive kanë përcjellë gjithsej 20 ankime në Zyrën e Inspektorit të Lartë të Drejtësisë, ecuria e të cilave gjendet e pasqyruar në tabelën vijuese:

Table No. 5. Progress in handling complaints forwarded by head of the courts

Total complaints of heads of prosecution offices	Archiving decisions after initial review	Archiving decisions after verification	Decisions to initiate disciplinary investigation	Decision to end verification without a final decision	In process
20	1	2	2	1	8

From 3 (three) heads of prosecution offices during 2024, there are 20 complaints filed, respectively 1 Director- 12 complaints, 1 Director- 1 complaint and 1 Director- 7 complaints. For these complaints, the results of the treatment are as follows:

1. For 12 complaints, 1 complaint is in process and the other 11 complaints have been treated with 3 decision-making, specifically:
 - archiving for some of the claims;
 - verification for some of the claims;
 - initiation of disciplinary investigation for the rest of the claims.
2. For 1 complaint, the High Inspector of Justice has initiated a disciplinary investigation.
3. While 7 complaints remain in process.

Also during 2024, HIJ has processed with decision-making 2 more complaints submitted in the previous period, by 1 prosecutor, specifically:

- Verification has been initiated for 1 complaint which remains in process;
- Verification has been completed without a final decision for the other complaint.

Data from referrals transferred from IQC

A total of 2 cases were forwarded to the institution of the High Inspector of Justice by the Independent Qualification Commission during 2024. The progress of the treatment of cases submitted in periods over the years but processed during 2024 is reflected in the following table:

Table no. 7. Progress of the treatment of cases transferred from the IQC

Cases transferred in 2024 from IQC	Cases handled during 2024			In process
	Archiving decisions after initial review	Verification decisions	Decisions to initiate disciplinary investigation	
2	7	1	2	1

The High Inspector of Justice, out of the 2 cases followed up during 2024, has initiated a disciplinary investigation for 1 case and the other case is in process. The High Inspector of Justice has also handled 9 cases transferred to previous periods from the IQC with decision-making, for which it has decided:

- Initiation of a disciplinary investigation and has sent a request for the initiation of disciplinary proceedings for 1 case;
- Archiving after the initial review for 7 cases;
- Archiving after verification for 1 case.

Data from the decisions of the Supreme Court:

Attention has also been paid to the handling of cases followed up by the High Court within the framework of the adjudication of requests for ascertaining the violation of the reasonable time limit for the trial. The High Court has followed up a total of 4 decision-making during 2024, where it has reviewed requests for ascertaining the violation of the reasonable time limit. The progress of the handling of cases presented in periods over the years but handled during 2024 is reflected in the following table:

Table no. 8. Progress of the handling of cases forwarded by the Supreme Court

Cases forwarded in 2024 by the Supreme Court	Cases processed during 2024			In process
	Archiving decisions after initial review	Archiving decisions after verification	Decision to end verification without a final decision	
4	26	2	1	4

The four cases forwarded by the High Court are in process. The High Inspector of Justice has also handled 29 cases received from the High Court in previous periods, for which he has decided:

- archiving after initial review for 26 cases;
- archiving after verification for 2 cases;
- completion of verification without a final decision for 1 case.

Table no. 9. Progress of handling of complaints by the Prosecutor General

Complaints from Prosecutor General	Archiving decisions after verification	In process
-	1	0

During 2024, there were no complaints filed by the Prosecutor General. The High Inspector of Justice has handled 1 complaint filed in previous periods by the Prosecutor General, specifically decided to archive it after verifying the complaint.

Table no. 10. Progress in handling complaints of the Minister of Justice

Complaints from Minister of Justice	Archiving decisions after initial review	Archiving decisions after verification and completion of verification without a final decision	Decisions to start investigation	In process
-	1	1	1	0

During 2024, there were no complaints filed by the Minister of Justice. The High Inspector of Justice has dealt with 2 complaints filed in previous periods by making decisions, specifically deciding:

- For 1 complaint, archiving was decided after the initial review for a magistrate.
 - For 1 complaint, in which claims are raised for 6 magistrates, the High Inspector of Justice has decided:
 - for 2 magistrates, archiving was decided after verification, as there were no sufficient grounds for initiating the investigation;
 - for 3 magistrates, the verification was concluded without a final decision since the object or purpose for which the verification had been initiated had become impossible, because the magistrates had lost their status;
 - for 1 magistrate, a disciplinary investigation was initiated.

3.3 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, shall initiate an investigation if there are reasonable suspicions that a violation may have been committed, based on the facts and evidence collected, which justify the initiation of the investigation. The High Inspector of Justice shall initiate an investigation on its own initiative, based on substantial data on facts resulting from reliable sources, on the basis of which a reasonable suspicion arises that a violation may have been committed.

Referring to these legal provisions, during 2024 the High Inspector of Justice, after ascertaining the existence of reasonable suspicions, has adopted 23 decisions for disciplinary investigation, through which the alleged violations against the activities of 25 entities have been investigated. Disciplinary investigations for 14 subjects were initiated based on complaints and for 11 subjects on their own initiative. The HIJ also continued with investigations initiated in 2023.

During 2024, from the investigations initiated on their own initiative in two cases, the High Inspector of Justice also conducted property investigations, based on publicly reported data. The data on the investigations initiated are as follows:

- For 5 magistrates (3 judges and 2 prosecutors), requests for proceedings were submitted to the respective Councils;
- For 3 magistrates and 1 member of the Council, the disciplinary investigation was closed (for one magistrate, the investigation began in 2023);
- For 17 magistrates (10 judges and 7 prosecutors) of the disciplinary investigation, the investigative procedures remain in process.

Table no. 11. Disciplinary investigations for 2024

During 2024, there were no complaints filed by the Minister of Justice. The High Inspector of Justice has dealt with 2 complaints filed in previous periods by making decisions, specifically deciding:

- For 1 complaint, archiving was decided after the initial review for a magistrate.
- For 1 complaint, in which claims are raised for 6 magistrates, the High Inspector of Justice has decided:
 - for 2 magistrates, archiving was decided after verification, since there were no sufficient grounds for initiating the investigation;
 - for 3 magistrates, the verification was concluded without a final decision since the object or purpose for which the verification had been initiated became impossible, because the magistrates had lost their status;
 - for 1 magistrate, a disciplinary investigation was initiated.

Investigation according to subjects				
Number of investigated subjects				
25				
Prosecutors	Judges	Council members	Investigations based on a complaint at the HIJ	Investigations on the HIJ initiative
11	13	1	14	11

The disciplinary investigation for 25 subjects of disciplinary investigation has been initiated after reasonable suspicions that the alleged violation may have been committed. The disciplinary violations for which the institution of the High Inspector of Justice has initiated the disciplinary investigation are related to disciplinary violations ^[3] in the exercise of the function, which are listed:

- For action, inaction or conduct of the magistrate, which brings unfair benefits or damages to the parties in a judicial or investigative procedure, contrary to the law,

³ Në disa raste një subjekt është hetuar për më tepër se një shkelje disiplinore.

provided for in article 102, point 1, letter “dh” of law no. 96/2016, as amended, for 8 cases;

- Repeated delays or those that bring serious consequences or unjustified procrastination of actions and/or procedural acts, provided for in article 102, point 1, letter “d” of law no. 96/2016, as amended, for 6 cases;
- Unjustified or repeated failure to fulfill functions during a trial or investigation, provided for in article 102, point 1, letter “ç” of law no. 96/2016, as amended, for 4 cases;
- Failure to submit a request to waive the proceeding or trial of the case, when this is mandatory by 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, as amended, for 2 cases;
- Other violations ^[4], 20 cases.

3.4 Appeals against decisions for archiving and for investigation

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 governance institutions of the justice system”, as amended, respectively provide for the right to appeal against decisions to archive or to discontinue/close the investigation of the High Inspector of Justice, before the Temporary Appeals Review Commission, which is established by the High Judicial Council and the High Prosecutorial Council, respectively. The decisions of the Temporary Appeals Review Commission are final and cannot be appealed before the plenary meeting of the Council.

During 2024, the HIJ has received 762 decisions subject to appeal before the Temporary Appeals Review Commissions, from which it results that only 89 decisions have been appealed against the decisions:

- 68 appeals against 568 decisions to archive after initial review;
- 21 appeals against 190 decisions to archive after verification;

⁴ Article 102, point 1, letters “c”, “e”, “ë” of Law No. 96/2016, as amended, - 6 cases.

Article 102, point 2, letter “dh” of Law No. 96/2016 - 2 cases.

Article 102, point 1, letters “b”, “g”, “i”, “j”, “p” of Law No. 96/2016 - 5 cases.

Article 103, letters “a”, “b”, “dh” of Law No. 96/2016, as amended, - 4 cases.

Article 140, point 2, letters “a”, “b” of the Constitution of the Republic of Albania, - 1 case.

Article 319/ç of the Criminal Code, - 1 case.

Article 103/1/k of Law No. 115/2016, amended, - 1 case.

- no appeal against 3 decisions to close disciplinary investigations, initiated on the basis of a complaint.

3.5 Requests for disciplinary proceedings and decisions of the Councils

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 evaluating the evidence collected and when the results of the investigation lead to the conclusion that there are reasonable suspicions that the magistrate has committed a disciplinary violation, initiates disciplinary proceedings before the Councils, by submitting the investigation report together with the investigation file.

During 2024, the High Inspector of Justice requested the initiation of disciplinary proceedings for 11 magistrates, for 6 magistrates the requests for proceedings were submitted to the High Judicial Council and for 5 magistrates 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 for in Articles 102, 103 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 their functions such as:

- Repeated delays or those that lead to serious consequences or unjustified procrastination of actions and/or procedural acts;
- Serious or repeated failure to comply with procedural and substantive legislation or incorrect application of procedural and substantive legislation, when a higher court finds that a request for withdrawal from the proceedings or adjudication of the case has not been submitted, when this is mandatory, according to the law, if the magistrate is aware or should have been aware of such circumstances;
- Violation of the rules of incompatibility or prevention of conflict of interest, according to the provisions of the legislation in force;
- Use of the status of a magistrate, with the aim of creating benefits for oneself or for others;
- Action, inaction or behavior of a magistrate, which brings unfair benefits or damages to the parties in a judicial process or investigative procedure, contrary to the law;
- Repeated or serious violation of the rules of solemnity, rules of conduct in relations with the parties, other subjects involved in the process, with the president, other magistrates, as well as with the personnel of the judicial administration;
- For cases when the judge has been convicted by a final decision for committing a crime.

The High Inspector of Justice has presented 6^[5] requests for disciplinary proceedings at the High Judicial Council, proposing the following disciplinary measures:

“Dismissal from office” - 6 cases.

The review by the High Judicial Council results in the following:

- 2 requests for disciplinary proceedings have been accepted;
- 1 request for disciplinary proceedings has been rejected;
- 1 request for disciplinary proceedings has been suspended;
- 2 requests for disciplinary proceedings are in process.

The High Inspector of Justice has submitted 5^[6] requests for disciplinary proceedings to the High Prosecutorial Council, proposing the following disciplinary measures:

- “Confidential warning” – 2 cases;
- “Temporary salary reduction of up to 40% for a period of one year” – 3 cases.

The review by the High Prosecutorial Council results in the following:

- 1 request for disciplinary proceedings has been accepted with a change in measure: from “Temporary salary reduction of up to 40% for a period of one year” to “Public reprimand”;
- 2 requests for disciplinary proceedings disciplinary proceedings have been dismissed;
- 2 requests for disciplinary proceedings are in process.

Table no. 12. Dynamics of disciplinary measures proposed by HIJ for 2024

Disciplinary measure proposed by HIJ	Number of requests for disciplinary proceedings	Magistrate	
		Judge	Prosecutor
Dismissal from office	6	6	0
Temporary salary reduction of up to 40% for a period of one year	3	0	3
Confidential remark	2	0	2

⁵ Disciplinary investigation for 3 magistrate judges has begun in 2023

⁶ Për 3 magjistratë prokuror hetimi disiplinor ka filluar në vitin 2023

Total	11	6	5
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3.6 Thematic inspection

3.6.1 Progress of thematic inspections

In accordance with Article 194, point 4 of Law No. 115/2016 “On the bodies of governance of the justice system”, as amended, the High Inspector of Justice has as its object of activity, among others, the conduct of institutional and thematic inspections regarding every aspect of the work of the courts, judicial administration, prosecutoion offices and prosecution administration.

According to the established tradition, the High Inspector of Justice has also addressed the institutions specified in Article 194, point 4 of Law No. 115/2016 “On the bodies of governance of the justice system”, as amended, for the year 2024, with a request to forward inspection topics. Referring to the received correspondence, the following data result:

- The Prosecutor General has proposed undertaking inspections regarding:
 - Respect for the rights of victims of human trafficking, victims of sexual crimes and domestic violence;
 - Implementation of the measure of avoidance of criminal prosecution, implementation of security measures and punishment for minors.
 - The High Judicial Council has submitted that in addition to the issues provided for in the Assembly resolution on the activity of the HJC for 2023, regarding the protection of fundamental rights and freedoms, it will continue to submit concrete proposals on inspection topics. During 2024, no other topics related to inspections have been received.
- The High Prosecutorial Council has not followed up on any proposed topics.
- Minister of Justice:
 - Delays of judicial processes and failure to submit reasoned decisions on time together with the court file, a problem that extends to all courts in the country.

In addition to the proposals of the institutions, as was done with previous inspection plans for 2024, the following were taken into account during the drafting of the plan:

- Legal obligations;
- Issues identified by the complaints submitted;
- Proposals from institutions established by law for proposing topics for inspections;
- Requests from other public bodies;

- Commitments and obligations within the framework of the integration process.

In 2024, a request was received from the Saranda Local Bar Association, where it presents several issues related to the implementation of civil and criminal procedural legislation by some of the judges of the Saranda Court of First Instance of General Jurisdiction, and in particular, the duration of judicial processes as a whole, the reasoning of judicial decisions, non-compliance with the list of lawyers in the main, and the failure to communicate procedural acts to the parties in a timely manner. The request has been taken into consideration and the received proposal will be included in the topics planned for the 2025 inspections.

❖ Drafting of the Thematic Inspections Plan

The work on drafting the plan is subject to extensive discussion at the General Meeting of Inspectors, where all the above factors are considered and after detailed analysis, those topics are selected that focus on good administration and the smooth running of the system.

The mechanism established by the HIJ for obtaining periodic data from head of the courts and heads of prosecution offices, in the absence of an electronic system, as well as access to the current systems in use by courts and prosecution offices, to monitor aspects of the functioning of the judicial and prosecution service, serves the efficiency and checking of the system. Periodic information reports are reviewed with the team of inspectors and the conclusions can be included in inspection topics or, as the case may be, with verifications of the activity of magistrates.

The selection of topics is also dictated by the conditions, capacities and objective possibilities in the implementation of the inspection plan. During the discussions, the dynamics of the inspections of the previous year as well as the dynamics of the system are taken into account. At the end of the analysis of the factors explained above, with the agreement of the General Meeting of Inspectors, decision no. 5, dated 31.01.2024 of the High Inspector of Justice “On the approval of the inspection plan for 2024” was approved.

The approved plan contains the following topics:

1. “Allocation of cases by draw, as well as electronic checking of electronic system reports for the period 01.01.2023 – 31.12.2023”, with a realization period of 15.05.2024 – 31.12.2024;
2. “On the practice and reasons for the replacement of prosecutors for the period 01.01.2023 – 31.12.2023”, with a realization period of 15.05.2024 – 31.12.2024.
3. “On the assignment of cases to the prosecution offices for the period 01.01.2023 – 31.12.2023”, with a realization period of 15.05.2024 – 31.12.2024;

4. “On the duration of the trial of court cases for the period 01.03.2023 – 31.05.2023”, with implementation period 15.04.2024 – 02.12.2024;
5. “On the procedure for announcing and reasoning court decisions for the period 01.01.2023 – 01.06.2023”, with implementation period 01.04.2024 – 30.09.2024;
6. “Documentation by judges of informing the parties about the possibility of resolving the case through mediation for the period 01.06.2023 – 31.12.2023”, with implementation period 15.02.2024 – 29.03.2024.

In addition to the approval of the inspection topics for 2024, the following inspection reports have been completed:

1. “Allocation of cases by draw, as well as checking of electronic system reports in courts for the period 01.01.2022 – 31.12.2022”.
2. “On the practice and reasons for replacing prosecutors for the period 01.01.2022 – 31.12.2022”.
3. “On the assignment of cases to the prosecution office for the period 01.01.2022 – 31.12.2022”.
4. “Allocation of cases by draw, as well as checking of electronic system reports in courts for the period 01.01.2023 – 31.12.2023”.
5. “On the practice and reasons for the replacement of prosecutors for the period 01.01.2023 – 31.12.2023”.
6. “Documentation by judges of informing the parties about the possibility of resolving the case through mediation for the period 01.06.2023 – 31.12.2023”.

Compared to the number of inspections planned for 2023, the number of inspections approved in the 2024 plan has increased. The 2024 plan contains 2 additional topics, specifically the thematic inspection “On the duration of the trial of court cases for the period 01.03.2023 – 31.05.2023” and the thematic inspection “On the procedure for announcing and reasoning court decisions for the period 01.01.2023-01.06.2023”. Both of these topics aim to address the phenomena identified by the complaints received, the public's complaints, but also as topics proposed at the request of the Minister of Justice.

Another important topic included in the inspection plan for 2024 is the information of the parties by the court about the right to resolve cases through mediation. This topic has been included as a measure within the framework of the integration process and the roadmap for the rule of law for this purpose. On the other hand, the topic has been assessed as having particular value in terms of increasing the efficiency of the system and respecting the procedural guarantees of individuals, but also as a priority in the framework of accelerating the adjudication of cases and reducing the backlog in the courts.

The completion of the inspections has highlighted not only the checking of the system's activity in terms of accountability of magistrates, by conducting verifications in cases where

disciplinary violations have been found, but is also creating premises for increasing efficiency and improving the quality of service to citizens.

3.6.2 Inspection Recommendations

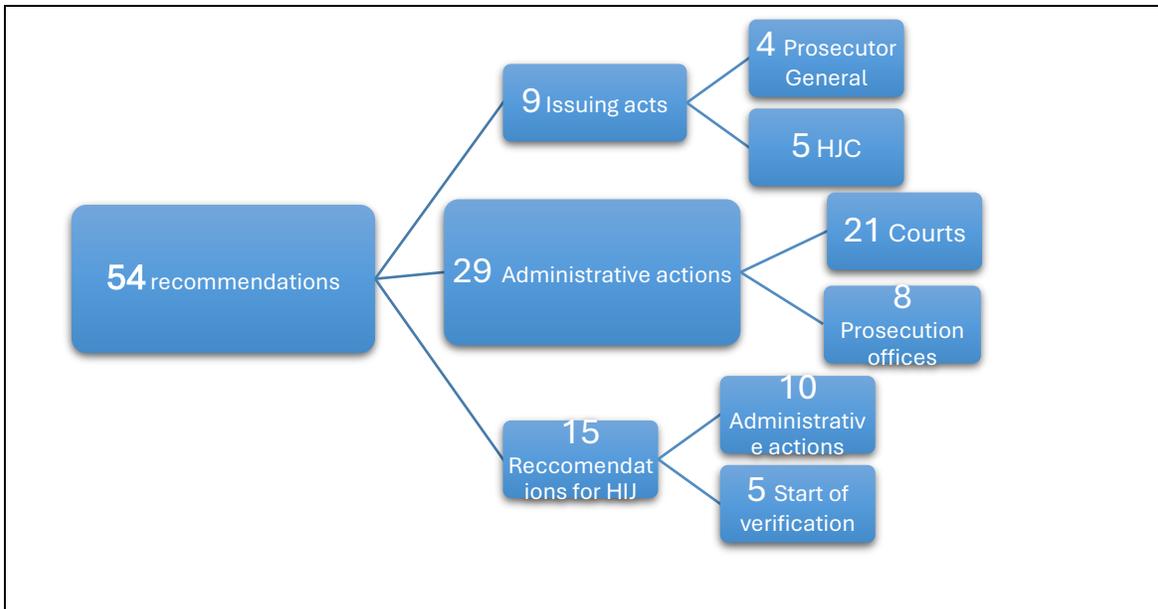
At the end of the inspection, recommendations are given in the inspection reports, which, depending on the type of inspection, contain measures in the following aspects:

- i. Regulatory, which includes recommendations for the issuance of by-laws by the Councils or, as the case may be, by the presidents of courts or heads of prosecution offices;
- ii. Administrative, which includes assessments on aspects of the efficiency of the activity; structural organization and human resources aspects; internal work procedures; distribution of work; respect for ethics; discipline; relations with the parties/public; financing and budget; electronic systems, judicial statistics, security and capacity of the building as well as any issue of a general nature with an impact on the effectiveness of service provision; capacity building or training;
- iii. Disciplinary, which includes verifications on actions or inactions of magistrates that give rise to verification or even disciplinary investigation.

The follow-up of recommendations is ensured by the High Inspector of Justice through monitoring the implementation of the recommendations made. Monitoring is carried out through requests addressed to the inspected bodies and the assessment of information received from the inspection teams.

In the context of monitoring completed inspections, it results that 54 recommendations were left for 6 completed inspections, where 9 recommendations are related to taking measures for approving/issuing acts, 29 recommendations for taking administrative actions and 15 recommendations for the High Inspector of Justice.

Graphical presentation as follows:



3.6.3 Monitoring of recommendations

The follow-up of the recommendations is ensured by the High Inspector of Justice through the monitoring mechanism of the implementation of the issued recommendations. Monitoring is carried out by receiving information from the inspected bodies and evaluating the information received.

Upon completion of the implementation period (up to 6 months) specified in the inspection report, the High Inspector of Justice requests information from the inspected bodies on the implementation of the recommendations. All data received is further analyzed by each inspection group, to determine whether measures have been taken to address the recommendation.

In terms of implementation, all inspected bodies have provided data expressing the relevant measures or challenges in achieving the purpose of the recommendations. The challenges are due to the lack of human resources, the mobility of magistrates, poor infrastructure, the lack of digitalization or the need to further develop information technology in the courts and prosecution offices.

Following up on the implementation of recommendations also poses a challenge for the High Inspector of Justice, as each inspection requires a high level of human resource involvement, in the face of the call to increase the number of qualitative inspections related to the quality and efficiency of the justice system. Following up on recommendations is a process that requires continuous efforts and professional growth both at the level of human resources and in capacity building, which the High Inspector of Justice aims to improve in the future.

The High Inspector of Justice is considering the possibility of following up on recommendations not only on the basis of the information received, but also through subsequent inspections. Of course, this is related to the challenges, but the possibilities of testing this tool are currently being assessed.

3.7 Analysis of the review of complaints and inspections

3.7.1 On the review of complaints

If we look at the numbers and statistics, during 2024, 1374 complaints were reviewed. It should be considered that each of the complaints contains claims of the complainants against one or more magistrates. Therefore, based on these statistics, a magistrate (and eventually the cases and files reviewed by him/her) has been checked more than once.

This means that the presence of the institution of the High Inspector of Justice in the system is not only constant but the high number of complaints reviewed makes one understand the weight of the checking that is conveyed to magistrates by the verifications made, however the accountability mechanism does not depend on the number of cases that are verified as constituting disciplinary violations.

For the year 2024, during the review of complaints, increased attention has been paid to their verification in compliance with Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended. The High Inspector of Justice has verified every complaint for which there is no clear information. The volume of work at each stage of the verification is high and is the same both in cases where the complaint is archived and in cases where the verification results in reasonable suspicions that justify the initiation of a disciplinary investigation and the assessment of the severity of the disciplinary violation.

A challenge for the institution of the High Inspector of Justice in the context of the review, verification or investigation of complaints remains the lack of access to the electronic system of courts and prosecutors' offices, to enable the receipt of the necessary information in real time, but also the establishment of an effective internal information technology system for the electronic management of cases. The lack of access not only requires a greater commitment of human resources which remain limited, but also prolongs the process of review, verification or disciplinary investigation.

The dynamics of work processes and data coming from several sources have also become a reason for the verification on the initiative of the High Inspector of Justice. The important source for verification is the data that emerged from the 4 completed thematic inspections, from which 11 individual cases were verified (for 3 cases a disciplinary investigation has been initiated, 4 cases have been archived after verification, as no violations reasoning the investigation have been found and 4 cases are in the verification process). Another source is

the information made public and the denunciations made in the media, we mention here the public communication of the Minister of Justice, according to which after the start of the implementation of Law No. 33/2024 “On granting amnesty”, problems have emerged dictated by the behavior of magistrates in terms of clarifying court decisions, issuing execution orders, or other issues related to the activity of magistrates. Based on this public communication, the High Inspector of Justice has approved 19 verification decisions which are in process.

Again, from a denunciation made in the media, HIJ has reacted by verifying the activity of a magistrate, for whom it has initiated a disciplinary investigation in order to identify the legal elements as well as the facts or circumstances, which, based on a reasonable suspicion, justify the initiation of a disciplinary investigation due to the exercise of the duty in conditions of incompatibility or conflict of interest. At the end of the investigation, the existence of factual and legal elements that prove the commission of violations and prove the responsibility of the magistrate, against whom HIJ has requested the initiation of disciplinary proceedings.

The standards of work followed by the High Inspector of Justice refer to the fundamental values of the exercise of judicial power, according to which the magistrate exercises his functions, in accordance with the Constitution and the law, independently by assessing the facts and interpreting the law according to his internal conviction, free from any direct or indirect influence from any party and for any reason.

The High Inspector of Justice, during the review of complaints, guided by the principle of respecting the independence of the magistrate in the exercise of his duty, has taken measures in an objective and balanced manner to avoid any perception as interference in the competence or resolution of the specific case, in full compliance with the principle set out in Article 3 and Article 100 of Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended.

On the other hand, the principle of independence of judges, in addition to the importance it assumes in the organization and functioning of the judicial power, is also associated with the relevant mechanisms that ensure the accountability and responsibility of the system, with the aim of guaranteeing the proper functioning of the rule of law, the protection of the public interest and the stability of a democratic society. In this perspective, the Constitution has also provided for the relevant institutions and mechanisms that will ensure the appropriate balance between respect for the independence of the judiciary, on the one hand, and the principles of responsibility and accountability, on the other. Each judge has reasoned and interpreted the legal provisions in the exercise of his constitutional function in application of the constitutional principle of the independence of the judge during the exercise of his duty, while referring again to the Constitution, this independence is always framed by the principle of legality and that of responsibility.

The High Inspector of Justice first analyzes the facts (actions or omissions of the magistrate) alleged by the complainant, independently within the framework of the initial review, verification or disciplinary investigation process. The complainant may allege a set of facts and may identify in the complaint any type of disciplinary violation that he claims has occurred, but it is the High Inspector of Justice who independently and in accordance with the procedure and rules provided for by the law “On Status” makes a qualification of the facts, actions/inactions related to the disciplinary violation alleged in the complaint without being linked to the determination that natural/legal persons may claim.

At the same time, the High Inspector of Justice does not have the legal obligation to initiate disciplinary proceedings for every allegation of disciplinary violation presented in the complaint, but to initiate verification when there is a reasonable suspicion that a disciplinary violation may have been committed.

During 2024, the High Inspector of Justice has archived complaints also due to the fact that the circumstances of the alleged fact have not been described, the magistrate against whom there are allegations, or the institution in which the magistrate exercised his function at the time when the alleged violation was committed.

Complaints received for review during this year have also been archived due to the fact that the magistrate has lost his status, due to the process of transitional reassessment or resignation as defined in articles 64 to 67 of Law No. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended. The verification of complaints is a voluminous and dynamic work process, due to the exchange of numerous information with courts and prosecutors, work processes which have been interrupted as a result of the loss of the magistrate’s status.

Regarding the review of complaints regarding the claims raised by the complainants regarding the procedural and legal activity of the magistrate, the position taken regarding this activity is that any claim against magistrate judges that they have issued unjust decisions, have been overturned or changed by higher courts, are essentially claims related to the manner of resolving the judicial case, as well as the assessment of evidence by the respective courts, as an attribute of the judicial power and the High Inspector of Justice cannot interfere or assume the attributes of this power.

The HIJ has also verified 6 complaints about magistrates who are under special protection from disciplinary investigation according to article 149, point 1 of law no. 10019, date 29.12.2008 “Electoral Code of the Republic of Albania”, as amended. Under these conditions, the HIJ has completed the verification of the complaint without a final decision because the object or purpose for which the verification was initiated has become impossible.

3.7.2. On appeals against decisions on archiving and closing investigations

Out of 762 decisions subject to appeal, only 89 archiving decisions were appealed, 68 appeals to the High Judicial Council and 21 decisions to the High Prosecutorial Council or expressed in percentage, 11.6% of the archiving decisions were appealed. Out of all the appeals submitted, no decisions were returned for review. While for 3 decisions to close the disciplinary investigation initiated on the basis of a complaint, it results that there is no appeal in the Temporary Commissions for the Review of Complaints, where from all the reviewed complaints no decisions result returned for review.

As evidenced above, for the year 2024 it results that there is again a low number of appeals, in the Temporary Commissions at the Councils, against the decisions of the High Inspector of Justice. For all appeals against the archiving decisions, it results that in all cases, the Commissions have decided to reject as unfounded the appeal submitted 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 been violated.

The means of appeal available to the appellant and their review by the relevant committees provided for in the law provide certainty and guarantee that the decision-making of the High Inspector of Justice is subject to continuous review of legality. From the results of the complaints of 2024, but also those before, it results that the work practice and standards followed so far have not been violated by the competent bodies determined by law for their review.

3.7.3 On the disciplinary investigation

Compared to the previous year, there is an increase in the number of investigations conducted, but also in the type of disciplinary violations investigated, as is the case with ethics, incompatibility and conflict of interest. The High Inspector of Justice has conducted two investigations, the object of which was incompatibility and conflict of interest, which have also become the cause for the checking of the assets of these two entities by the competent bodies for property, taxes, property registers, registers of permits and licenses and other bodies, whose activity is related to the facts and object of the investigation. Standards that coincide with the practice and standards of the transitional re-evaluation process (vetting).

The disciplinary investigation as a means to ensure the accountability and responsibility of magistrates has been carried out according to the standards of disciplinary proceedings in full compliance with legal and institutional criteria. For each investigation undertaken, the principles sanctioned in the law have been followed both from the point of view of facts, evidence, law and from the point of view of the implementation of constitutional rights and elements of due process.

The increase in the number of investigations has also marked an increase in internal work standards to verify in a complete and comprehensive manner all allegations, making an accurate characterization of the facts, a detailed assessment of the evidence and actions/behavior of the magistrate, which prove the existence of the commission of the violation by the magistrates.

The disciplinary investigations carried out have aimed to develop processes in accordance with the principle of proportionality, objectivity and individualization of disciplinary responsibility.

The High Inspector of Justice, for each investigated case, has reviewed the documentation, assessed the evidence and clarified the circumstances that dictated the initiation of the investigation, by verifying and proving the existence of legal and factual elements that prove the existence of the commission of a disciplinary violation by the magistrates.

At the end of the investigation, the High Inspector of Justice has submitted a request for the initiation of disciplinary proceedings or has closed the investigation, due to insufficient evidence to prove the violation against the magistrate. There is no appeal filed with the Council for the decisions to close the disciplinary investigation.

3.7.4 On requests for disciplinary proceedings

For the year 2024, there is a doubling of requests for disciplinary proceedings, compared to the previous year, specifically for this year there are 11 magistrates prosecuted, for disciplinary violations during the exercise of their functions, but also for violations of ethics.

Within the framework of the disciplinary proceedings, the Councils have assessed the investigation conducted by the High Inspector of Justice as complete, as they have not decided in any case to return the investigation or further develop the investigation with concrete investigative actions, thus not violating the legality of the investigation and verification of the violation.

The decision-making of the Councils for the review of requests for disciplinary proceedings is at the institutional discretion in accordance with the principle of independence and separation of powers.

The High Inspector of Justice, in accordance with the judicial jurisprudence that deals with the decision-making of the Councils in cases of disciplinary proceedings, assesses that during the development of disciplinary proceedings, the Councils have respected the rules and procedures set out in the law and their respective regulations regarding the development of hearings, the administration of evidence, the parties' access to information and the respect of the deadlines of the disciplinary proceedings.

3.7.5 *On inspections*

The High Inspector of Justice, through thematic inspection mechanisms, is active in the system of checking of the work of magistrates, by setting standards for a functional and accountable system, in accordance with the balance that should also exist with the principle of separation of powers, by setting standards for a responsible, impartial and integrity justice system.

The continuous improvement of work processes and the testing of new tools for obtaining information in order to address inspection topics have served to increase the number of inspections, but also to address issues that are currently of public concern. Among the measures taken in order to address the issues presented in the inspection plan, the High Inspector of Justice:

- Has established the administrative mechanism for monitoring the activity of magistrates by receiving periodic information from courts and prosecutors' offices, thus identifying those phenomena that are included in inspection topics related to the quality and efficiency of the system.
- Participation in the annual analysis of the courts, becoming closely acquainted with the challenges of the system during the year.
- Participation in working meetings with the councils to discuss and strengthen cooperation through proposals on the topics.

Through thematic and institutional inspections, the High Inspector of Justice has not only ensured the accountability of magistrates by investigating suspected violations, but also addresses the judicial system with recommendations for measures of a regulatory, administrative and institutional nature to be followed by the inspection subjects, as well as other bodies that have governing functions towards the system.

The HIJ, in addition to the recommendations made for the inspection subjects, has also given recommendations for other bodies, whose activity affects the performance of the judicial system, such as measures for:

- Proposal for amendments to acts or their issuance;
- Change of the administrative practice followed by proposing measures for administrative actions;
- Strengthening of human resources capacities by proposing the following of certain topics in the continuous training of magistrates.

Some methods in the administrative aspect can be implemented by the courts themselves to temporarily promote the acceleration of the adjudication of cases. Another mechanism for increasing efficiency could be the system of evaluation of magistrates, which could

continuously encourage them to increase their performance, or increase their human and financial capacities. However, it is worth noting that for the above cases, the last and extraordinary remedy that should be applied is the proceeding.

Thematic inspections have also highlighted actions or inactions of magistrates, against whom the High Inspector of Justice has initiated verification, the results of which have led to disciplinary liability for some magistrates and work continues to verify other cases.

In conclusion, from the above data it results that the accountability checking mechanism towards the justice system is functioning, with raised and confirmed standards, without excluding the need for continuous strengthening and improvement. In this regard, they are strengthening the monitoring mechanisms for following up on the implementation of recommendations, as a tool that will contribute to the continuity of work checking by increasing the quality and efficiency of the system, towards the individual and the rule of law.

III. INTERINSTITUTIONAL AND INTERNATIONAL COOPERATION ^[7]

Cooperation and strengthening of institutional relations with justice system bodies 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 consolidating the activity of justice system bodies and strengthening public trust in the activity of the HIJ. On the other hand, this cooperation also serves the continuous strengthening of the professional capacities of the HIJ staff.

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

Regarding cooperation with the councils, beyond the recommendations left by the resolution of the Parliament of Albania "On the evaluation of the activity of the Office of the High Inspector of Justice for the year 2023"^[8], The High Inspector of Justice has given priority to providing information regarding complaints filed with the councils, regarding HIJ decision-making on archiving and closing investigations, information on the data of complaints filed for magistrates who are in the evaluation process and for those applying for promotion within the career system, as well as other issues related to the field of activity of these institutions.

For 2024, the High Inspector of Justice has cooperated with the High Judicial Council and the High Prosecutorial Council both in the exchange of information and in discussions on professional issues of mutual interest, as follows:

- Exchange of updated data on magistrates who are currently exercising their duties, are part of the delegation or transfer scheme, as well as data related to the list of former magistrates who are no longer part of the justice system.
- Exchange of information within the process of reviewing appeals against decisions to archive or decisions to close disciplinary investigations with the High Judicial Council (68 cases) and the High Prosecutorial Council (21 cases).
- Exchange of information within the process of ethical and professional evaluation of magistrates, with the High Judicial Council, for 64 cases and with the High Prosecutorial Council, for 54 cases.
- The High Inspector of Justice has forwarded referrals to the councils for ethical and professional assessment, in cases where the disciplinary investigation for a certain magistrate has been closed, because the assessed facts did not justify the initiation of disciplinary proceedings, or even in cases where, after verifying the allegations, there

⁷ For each activity mentioned there is a special publication on the official HIJ website, in Albanian and English.

⁸ For more information, you can access: <https://ild.al/sq/2024/07/31/rezolute-e-kuvendit-per-vleresimin-e-veprimtarise-se-inspektorit-te-larte-te-drejtises-per-vitin-2023/>

were not enough facts to justify the initiation of disciplinary proceedings. During 2024, 5 cases were referred to the High Prosecutorial Council and 3 cases were referred to the High Judicial Council.

- On the Day of Justice, representatives of the Office of the High Inspector of Justice participated in the joint plenary meeting of the High Judicial Council and the High Prosecutorial Council, where the draft regulation “On the unification of disciplinary proceedings in cases where a judge and a prosecutor are involved in the same violation” was presented and discussed. The process of drafting this regulation has gone through long phases of consultations and discussions, between the members of the working group, which consisted of the Disciplinary Commissions of each of the councils and representatives of the High Inspector of Justice, under the assistance of experts from the EU4JUSTICE mission.
- During the month of June 2024, representatives of the HIJ, HJC and HPC, participated in a roundtable discussion, in order to increase cooperation and coordination between justice institutions, with a special focus on the continuous evaluation of judges and prosecutors.
- In December 2024, the High Inspector of Justice Mr. Artur Metani held a working meeting at the High Prosecutorial Council, with members of the HPC, legal advisors and representatives of the Support Unit of the Council's Committees. The focus of the conversation was on addressing challenges related to institutional communication and further strengthening the synergy of cooperation between the two institutions for an efficient and more sustainable justice system.

Communication with the councils is continuous for the coordination of work and the exchange of information in a timely and quality manner.

In the framework of inter-institutional cooperation, with the Independent Qualification Commission for decision-making against magistrates, prosecutors or judges, the Office of the High Inspector of Justice has exchanged information within the framework of the IQC requests, in function of the re-evaluation process. This communication has continued systematically, due to the 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 in office. For each communication, related to the IQC referrals for verification of the activity of magistrates, even if confirmed in office, the High Inspector of Justice has reviewed the cases by conducting the necessary verifications.

During 2024, cooperation with the Independent Qualification Commission continued with the exchange of information within the framework of the re-evaluation process of magistrates for a total of 6 cases.

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

Cooperation with the Prosecutor General continued during 2024 within the framework of mutual commitments, in the function of suggesting inspection topics, within the framework of information related to individual violations of prosecutors, but also in the implementation of the cooperation agreement signed in February 2021 between the two institutions.

4.3 Cooperation of the High Inspector of Justice with the Minister of Justice

Cooperation with the Minister of Justice has continued and increased during 2024, in several directions. First, cooperation has increased in the function of inspection topics, on issues that address aspects of increasing the quality of the system and that have a common point of intersection with the problems that also appear through the process of reviewing complaints in the Office of the High Inspector of Justice. Another dimension of cooperation has increased in terms of referring concrete institutional complaints, on the behavior of magistrates, on problems within the system of execution of criminal decisions.

Given Albania's rapid advancement, especially in the last two years, with the process of negotiations for membership in the European Union, but also from the progress of opening negotiations for the first fundamental chapter group, as regards Chapter 23 "Judiciary and fundamental rights", for 2024, cooperation with the Ministry of Justice has had European integration as its main topic. The cooperation has consisted of reports, participation in meetings with representatives of the European Commission, coordination meetings with heads of independent institutions, meetings of representatives in the Inter-institutional Working Group on European Integration.

The High Inspector of Justice has been an active participant in the drafting and coordination of strategic documents and specifically in the Drafting of the Intersectoral Justice Strategy 2024 - 2030, as well as in the drafting of various reports in the implementation of these documents.

4.4 Cooperation with actors of civil society

In the function of transparency and public awareness of the mission, competencies and responsibilities, the High Inspector of Justice has created a tradition of conversations with various social groups, maintaining communications outside the institution through legal education. On the other hand, during 2024, there was no lack of attention for Civil Society Organizations, which focus on justice and human rights both for communications and activities. During the year, the following activities were carried out:

- At the beginning of January 2024, an open lecture was held with the participants of the Academy of European Integration and Negotiations, in the module "Independence and efficiency of the Justice System, reforms before and after accession", within the

framework of the “Rule of Law” edition. The High Inspector of Justice made a presentation of the role and functions of the High Inspector of Justice and answered questions about the institution he leads, the new justice system and the expectations of the public.

- From the engagements with Civil Society organizations, in June 2024, the High Inspector of Justice participated in the “IDM Morning Briefing”, a communication forum, organized by the Institute for Democracy and Mediation, which aims to encourage an open discussion with heads of institutions, members of Parliament, representatives of civil society, the media, academics and scholars, etc., on issues of public and institutional interest. In the capacity of the guest of honor, the conversation of the attendees with the High Inspector of Justice served to stimulate an evidence-based discussion on the quality of Justice in general, and with the completion of the vetting process, the challenges of the HIJ, as the institution responsible for violations by judges and prosecutors, the management of complaints, the parliamentary initiative for deepening reforms, the rule of law and anti-corruption, issues of independence and separation of powers, as well as the prospects for the future in the current context of justice reform in Albania.
- Another meeting of the High Inspector of Justice was the one that took place in July 2024 with the Diplomatic Academy of the Ministry for Europe and Foreign Affairs, where Mr. Metani spoke on “The Role of the High Inspector of Justice in the Framework of Justice Reform, the Challenges of Its Progress and Diplomacy in Relation to It”, before the Albanian ambassadors accredited in various countries and other diplomats, online and physically in the premises of the Ministry of Justice. During his speech, Mr. Metani found agreement among the Albanian diplomats on the importance that diplomatic communication on justice in Albania should also take, especially at the stage where Albania’s negotiations with the EU are, as well as the attention that the Union has for the rule of law and the rule of law, which was concretized with the inclusion for the first time of Albania and other aspiring countries in the region, in the European Commission’s Annual Report on the Rule of Law.
- Within the framework of the monitoring of the justice system by Civil Society Organizations, the Office of the High Inspector of Justice participated in the activity organized in November 2024 by the Albanian Helsinki Committee, on a monitoring report on the activity of the High Inspector of Justice and the High Judicial Council during 2023. The High Inspector of Justice considers the role of civil society organizations in monitoring the work of justice institutions to 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 increased communication and the development of joint activities, within the framework of monitoring, analysis, accountability and awareness-raising processes on the activity of the HIJ Office,

through the exchange of data, the organization of periodic meetings, and the provision of relevant expertise to specialized civil society organizations.

- At the end of the calendar year December 2024, the High Inspector of Justice held a working meeting with leaders of civil society organizations, whose work includes monitoring justice reform, human rights, transparency, accountability and good governance. The meeting was held with the Institute of Political Studies, the Institute for Public and Legal Studies, the Center for Development and European Integration, the Center for Public Information Issues (CPII) and the Institute for Democracy and Mediation. The meeting discussed aspects of the work of the HIJ and issues of the justice system, conveying perspectives, but also proposals for the efficiency of the work of the HIJ during the coming year.

4.5 Cooperation agreements and activities from agreements

- In April 2024, the High Inspector of Justice conducted a working visit to the “Luigj Gurakuqi” University in Shkodër, where he signed a memorandum of cooperation, within the framework of the institution’s cooperation with the faculties of law of the country’s Public Universities. Afterwards, Mr. Metani conducted an open lecture with students of the Faculty of Law on the role of the HIJ in the new architecture of the Justice system, responding to the audience’s interest in aspects of work, investigation and disciplinary proceedings, on the ethics of magistrates, but also the way young people see the justice system and its functioning.
- In May 2024, the Office of the High Inspector of Justice and the School of Magistrates formalized the cooperation, through an agreement, which was signed by the High Inspector of Justice Mr. Artur Metani and the director of the School of Magistrates Mr. Arben Rakipi. The Memorandum provides for close cooperation on issues of mutual interest, in terms of strengthening cooperation for the inclusion in the continuing education program of the School of Magistrates, of training modules and topics, appropriate for the interest of inspectors and assistant inspectors at the High Inspector of Justice, which will be subject to annual review.
- In December 2024, the High Inspector of Justice hosted a group of students and lecturers from the Faculty of Law of the University of Pristina. The 4-day study visit of the delegation from Kosovo is part of the cooperation that the HIJ Office has established with the Faculty of Law of the University of Pristina, through the agreement signed in October 2022 in the capital of Kosovo.

4.6 Cooperation of the High Inspector of Justice with international partners

- The cooperation of the Office of the High Inspector of Justice with international partners is carried out in three dimensions: strengthening capacities, through continuous training of the various units and sectors of the institution's staff, working meetings in function of the common field and communication on the achievements and challenges of the institution and justice in the country. Activities are carried out as part of the cooperation with partners who assist the HIJ in Albania, but also within the framework of events and projects, as a member of the European Network of Justice Inspection Services.
- In this context, several important activities were carried out during 2024, which are listed as follows:
- In February 2024, the Inspectors Unit and the Assistant Inspectors Unit of the Office of the High Inspector of Justice participated in the targeted training on identifying and addressing conflict of interest issues in the framework of disciplinary investigations, organized by the EU4Justice Project expert mission, which assists the HIJ. Identifying, addressing and handling conflict of interest issues in the framework of disciplinary investigations remains important for the very role of this process, which is to protect the public interest through the investigation of disciplinary violations of magistrates.
- In April 2024, the High Inspector of Justice Mr. Artur Metani conducted a working visit to the justice institutions in The Hague, Kingdom of the Netherlands. The aim of the visit was to familiarize and exchange professionally with leaders and representatives of the Dutch justice system on the best practices of the rule of law and the challenges faced by the justice system, not only in countries with new democracies like Albania, but also in countries with consolidated democracies like the Kingdom of the Netherlands. At the High Court of the Netherlands, Mr. Metani held a meeting with the member of this court, Judge Marc Fierstra, part of the special body of the High Court that deals with disciplinary measures against magistrates and at the same time President of the Dutch Association for the Judiciary. Further, Mr. Metani met with the Prosecutor General of the High Court of the Netherlands, Mr. F. W., (Edwin) Bleichrodt, as the institution that deals, among other things, with violations of judges, the President of the European Agency for Criminal Justice Cooperation (EUROJUST) Mr. Ladislav Hamran and the Integration Department at the Ministry of Foreign Affairs.
- The High Inspector of Justice held an official meeting in Tirana during 2024 with the Attorney General of the Kingdom of Spain, Mr. Álvaro García Ortiz. The High Inspector of Justice introduced Mr. Álvaro García Ortiz to HIJ's experience with counterparts from the Spanish Justice Inspection Service within the European Network of Justice Inspection Services (RESIJ), a bilateral relationship formalized with a cooperation agreement a year ago and recently with Spanish experts from the EU project, EU4Justice, who support HIJ, in terms of strengthening professional capacities. Discussing the HIJ work philosophy, finding a balance between the public

interest in the administration of justice and respecting the independence of magistrates, the High Inspector of Justice and the Attorney General of the Kingdom of Spain jointly shared the opinion that the independence of magistrates remains the basis on which the foundations of the rule of law are supported and a key element for the functioning of any democracy, with particular importance for Albania's journey towards membership in the European Union.

- In April 2024, inspectors and assistant inspectors of the Office of the High Inspector of Justice, in two teams, conducted two one-week working visits to the Kingdom of Spain. The study visits were part of the support of the EU4Justice project, which aims to increase capacities and gain experience from European counterpart institutions. During these visits, the HIJ inspectors and assistant inspectors had meetings in various justice institutions. HIJ teams had the opportunity to be part of the inspections of the courts of the jurisdiction of Valencia and Murcia, through telematic (online) inspection, as well as on-site inspection, examining step by step the different phases of the thematic inspection, as well as structured interviews with judicial and administrative personnel of the respective courts. In addition to gaining professional experience, the working visits also served to strengthen cooperation with the Spanish Inspection Service, with which the High Inspector of Justice signed a cooperation agreement in March 2023.
- In May 2024, the High Inspector of Justice conducted a working visit to the USA, with heads of justice at the US Department of Justice, facilitated by the Office for Overseas Prosecutorial Development, Assistance and Training (OPDAT) at the US Embassy in Tirana. During his visit to Washington, DC, the Inspector General of Justice met with the Inspector General of the Department of Justice, the Deputy Assistant Attorney General, and the Counsel of the Office of Professional Responsibility. The US officials reaffirmed the support of the United States for the Office of the Inspector General of Justice in its vital mission of supporting professionalism, independence, and integrity among judges and prosecutors. Following his working visit to the US, in the framework of National Justice Day, the Inspector General of Justice held a conversation with Albanian lawyers and professionals in New York, a meeting organized by the “The Albanian Professionals and Entrepreneurs Network” (APEN). The conversation was led by the first Albanian judge elected in New York, Ms. Edit Shkreli of the Bronx Civil Court, with whom Mr. Metani focused on the changes implemented in Albania within the framework of the justice reform with new institutions, one of which is the High Inspector of Justice. After presenting the role and functions of the institution he leads, Mr. Metani responded to the interest on various aspects of the rule of law and institutions in Albania.
- In May 2024, a short-term mission of experts from the High Judicial Council of Spain conducted training sessions with employees of the HIJ Office, with the aim of conducting a comprehensive analysis of the current technological situation of the

institution. The activity aimed to assess the current situation and suggest measures to improve the efficiency and transparency of the HIJ, considering the necessity of creating and using a fully electronic system for processing complaints. Members of the cabinet, employees of the inspectors' support unit, the directorate of drafting acts and legal services, the methodology and standards sector, the information technology sector and the archive-protocol sector, were introduced by Spanish information technology and documentation experts to the context of the Spanish judiciary, best practices, tools and the model of the decision search engine in judicial practices. The activity is part of the EU4Justice project support for strengthening the capacities of the Office of the High Inspector of Justice.

- As a member of the European Network of Justice Services (RESIJ), in May 2024 the Office of the High Inspector of Justice was an active part of the closing conference of the COPEIJ project held in The Hague, “Cooperation in environmental protection through national justice inspection authorities”, which brought together representatives of the French Inspectorate General of Justice, the Inspectorate General of the Ministry of Justice of Italy, the High Council of the Judiciary of Portugal, the Judicial Inspectorate of Romania and the Office of the High Inspector of Justice of Albania, members of the European Network of Justice Inspection Services (RESIJ). Launched two years ago, with funding from the European Commission, the COPEIJ project analysed and promoted the effectiveness of environmental protection by criminal justice in the EU, including national inspection services, in the framework of the new European Union directive of 11 April 2024 on the protection of the environment through criminal law, which obliges Member States to adopt national rules in line with the provisions of this directive within two years. During the closing event, which was held at Eurojust premises in The Hague, the challenges of the fight against environmental crime in Europe, in particular in the field of the fight against organised crime, the latest developments in this field were presented and discussed, and the good practices and innovations identified by the COPEIJ team to improve its effectiveness were assessed. Officials and experts from the European Commission, Eurojust, Europol, magistrates, heads of law enforcement bodies dealing with environmental crime, lawyers and lecturers from EU countries, discussed for two days the fight against environmental crime in Europe, national phenomena and priorities, challenges in the fight against environmental crime: judicial organization for efficient justice through the harmonization of judicial standards and practices, mechanisms to improve the fight against environmental crime.
- In June 2024, a team from the Office of the High Inspector of Justice, composed of inspectors, assistant inspectors and cabinet members, conducted a 5-day study visit to the General Inspectorate of Justice of France, in Paris, with the support of Expertise France and EU4Justice. The Head of the General Inspectorate of Justice, Mr. Christophe Straudo, made a presentation of the various functions of the General Inspectorate of Justice and the dimensions of the inspection work. While in the

following days, departments of the French Inspectorate and related institutions held working sessions with the HIJ team, on the pre-disciplinary procedure of magistrates, administrative investigations, methodology, rights of defense, objectification techniques, issues of ethics of magistrates, which were followed by professional discussions with the HIJ team.

- In parallel with this study visit, the High Inspector of Justice held working meetings organized by his French counterpart Mr. Christophe Straudo. Both appreciated the practice of exchanging experiences over the years between the two inspection services of France and Albania, as well as the cooperation, as part of the European Network of Inspection Services (RESIJ). Mr. Metani had a working meeting with the Prosecutor General of the High Court, Mr. Remy Heitz, also President of the High Judicial Council for Prosecutors, with Judge Valérie Delnaud, who heads the cabinet of the Minister of Justice, with the director of the French school of magistrates Ms. Nathalie Roret etc.
- In September 2024, Mr. Metani was engaged in the second meeting of the Steering Committee of Beneficiaries of the program “Horizontal Instrument III for the Western Balkans and Turkey”. Mr. Metani highlighted the cooperation over the years of the HIJ Office with this joint initiative of the European Union and the Council of Europe in the context of strengthening the quality and efficiency of justice in Albania.
- During October 2024, the High Inspector of Justice carried out a working visit to Stockholm (Kingdom of Sweden), with the support of the Albanian Embassy in Sweden. During the meetings in the Parliament, the Ministry of Justice and the Ministry of Foreign Affairs of Sweden, the function and role of the High Inspector of Justice and the contribution to strengthening the rule of law were presented, as a key element for the negotiation process of Albania for membership with the European Union.
- Interest in the progress of the rule of law in Albania and the work of institutions to consolidate democracy was at the center of the meeting that Mr. Metani held in the EU Affairs Committee in the parliament, and further with two deputies of Kosovo origin, Ms. Aida Birinxhiku and Mr. Arbër Gashi. At the Ministry of Foreign Affairs, the progress of the implementation of the justice reform in Albania was discussed, with attention to the role of the High Inspector of Justice in the system. Issues of magistrates' work standards, public trust in the justice system and the exchange of experiences were discussed at the meeting that the delegation had at the Ministry of Justice, with the Director General of External Relations Dr. Anna-Carin Svensson.
- Also in October 2024, in view of the increased attention of the Office of the High Inspector of Justice to the obligations arising from the process of Albania's accession to the European Union, a consultative working meeting was held on the document "Common Position of the European Union", a few days after its publication, in the context of the opening of Albania's accession negotiations for the first basic chapter group. The inspectors' unit, the assistant inspectors' unit and members of the cabinet

of the Office of the High Inspector of Justice discussed the findings of the report on aspects of the activity of the High Inspector of Justice and taking the necessary measures in order to address the findings. The discussions extended to aspects of daily work processes, from the administration of a complaint that can be made against a judge or prosecutor, to the investigation and disciplinary proceedings against, and perspectives were shared on improving the pace of work, based on existing capacities.

- In October 2024, the Inspectors Unit and the Assistant Inspectors Unit of the Office of the High Inspector of Justice conducted the second phase of the training on increasing the efficiency of the HIJ in terms of thematic and institutional inspections, supported by the EU4Justice project. The 3-day training held in Tirana focused on the preparation, conduct and analysis of institutional inspections in courts and prosecutors' offices and was developed as a combination of theoretical understanding with the development of practical skills, to create a favorable and collaborative environment in the conception and conduct of institutional inspections, by the French expert magistrate, Mr. Vincent Delbos and the Romanian expert magistrate Ms. Nicoleta Rhfir. Part of this training were also ethical issues for institutional inspections and further, disciplinary investigations.
- In December 2024, the Inspectors Unit together with the High Inspector of Justice conducted a working visit to the European Court of Human Rights (ECHR) in Strasbourg, France. The Albanian delegation held professional working sessions with judges and lawyers of the ECHR, on the disciplinary process and its connection with the independence of magistrates, as well as presentations and discussions of articles 8, 10 and article 6, the civil part, on working standards in the context of disciplinary proceedings. In the framework of this visit, the Albanian embassy in Strasbourg organized a reception with ambassadors of the Council of Europe countries, where the High Inspector of Justice Mr. Artur Metani, in the capacity of the guest of honor, gave an overview of the justice reform in Albania, the challenges and the role of the HIJ, and responded to the interest of the ambassadors present on aspects of the work of the justice system in our country.

4.7 Implementation of recommendations of international instruments, within the framework of the European integration process

The High Inspector of Justice is part of the network of key institutions within the framework of commitments and measures within the framework of several international reports, within the framework of the integration process. Under the direction and coordination of reports, information but also reporting and coordination meetings, the High Inspector of Justice has effectively fulfilled all recommendations or requests received within the framework of reports within the framework of the integration process by actively participating in the meetings:

- EU - Albania Subcommittee on Justice, Freedom and Security, in Brussels, 20 March 2024;
- Bilateral meetings on the rule of law, Brussels 21 March 2024;
- National Council for European Integration;
- Roundtables organized by the Minister of Justice within the framework of the EU Common Position.

Meanwhile, at the technical level, the High Inspector of Justice has designated two employees to attend and participate in all reporting and coordination meetings for Chapter 23 “Judiciary and Fundamental Rights”, who have attended all meetings in person and online within the framework of the commitments of Chapter 23. Also within the framework of Chapter 23, the High Inspector of Justice, in the capacity of a contributing institution, has provided contributions regarding:

- Progress Report for Albania – 1 report.
- Contribution to the recommendations of the Subcommittee on Justice, Freedom and Security – 1 report.
- Report on the Rule of Law of the EU – 2 reports.
- Interim benchmarks within the framework of the EU Common Position, – 1 report.
- Data updates for different reporting periods – 3 reports.
- Common Position of the European Union”, for the First Group chapter, “Fundamentals” - 2 explanatory meetings and 2 coordination meetings at the Ministry of Justice.

V INTERNAL ORGANIZATION

5.1 Secondments from HJC

In addition to the organizational structure of the Office of the High Inspector of Justice, the vacant positions in the inspectors' unit, the High Inspector of Justice, through letter no. 1445 prot., dated 24.05.2024, has submitted to the High Judicial Council the request for initiating procedures for the secondment of 3 (three) magistrate judges at the Office of the High Inspector of Justice.

The High Judicial Council, with decision no. 284, dated 29.05.2024 “On the opening of the command procedure in the Office of the High Inspector of Justice and the announcement of the request for candidacy from among judges”, has decided to open the procedure and announce the request for candidacy for command of judges in the Office of the High Inspector of Justice for 3 (three) vacant positions, determining the deadline for submitting requests in addition to the relevant documents. This decision also defines the duration, conditions, criteria and general and special conditions of command.

Within the deadline set for submitting requests for command, only 1 (one) request was submitted to the High Judicial Council, for which the HJC continued with the assessment of the criteria and conditions set out in points 2 to 7 of Article 32 of Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended and with Decision No. 700, dated 03.12.2024[] “For the qualification of the candidate Ms. {--} to be seconded to the position of “Inspector” in the Office of the High Inspector of Justice, the submitted candidacy has been qualified. The opinion of the HJC regarding the secondment of the candidate, for whom the HIJ has been in the evaluation process for this reporting period, has also been submitted to the High Inspector of Justice, in accordance with the provisions made in article 54, point 5 of law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended.

5.2 Secondments from HPC

Following the completion of the structure of the Office of the High Inspector of Justice of the vacant positions in the inspectors' unit, the HIJ has addressed the High Prosecutorial Council with letter no. 1445/1 prot., dated 24.05.2024 to initiate procedures for the command of 3 (three) prosecutor magistrates to the Office of the High Inspector of Justice. Meanwhile, the HPC has proceeded with the announcement^[1] of the request for candidacy from among prosecutors for the command of a magistrate with prosecutorial duties to the Office of the High Inspector of Justice.

The High Prosecutorial Council^[9] with decision no. 274, dated 23.12.2024, has initiated the procedure for verifying the fulfillment of the legal conditions for the candidacy for the command of a prosecutor to the position of inspector magistrate in the Office of the High Inspector of Justice. A procedure that is still in progress during the period of drafting this report.

The High Inspector of Justice has also expressed concern in previous activity reports that the lack of magistrate inspectors is a factor with a high impact on the exercise of the functions of this institution. The lack of filling vacant positions affects work processes, such as the disciplinary investigation process, thematic inspections, as well as the timely handling of the high number of complaints according to the legal provisions provided for in Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, as amended.

5.3 Recruitment of non-magistrate inspectors

During 2024, in accordance with articles 209 and 211, point 2 of Law No. 115/2016 “On the governance institutions of the justice system”, as amended, of Decision No. 536, dated 25.07.2019, of the Council of Ministers “On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verify the integrity and assets of non-magistrate candidates for the position of inspector”, as well as of Order No. 7, dated 04.03.2020 of the High Inspector of Justice “On the approval of the Regulation “On the procedure and criteria for the evaluation, scoring and ranking of non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice”, on 27.05.2024 the High Inspector of Justice has announced the procedure for 4 (four) vacant positions for non-magistrate inspectors in the Inspectors Unit, at the Office of the High Inspector of Justice, setting the deadline for expression of interest as 26.06.2024. The verification procedure is in progress/process.

The announcement has been made public on the official website of the institution, on the “National Employment Service” Portal, as well as on public information stands. After the end of the 1 (one) month deadline for expression of interest, the High Inspector of Justice by order no. 74, dated 26.06.2024 “On the initiation of the selection procedure of non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice”, established the Committee for the Appointment and Evaluation of Inspectors, which on 03.07.2024 began the selection procedure by notifying the 19 candidates who have expressed interest in the position of non-magistrate inspector at the Office of the High Inspector of

⁹ I https://klp.al/wp-content/uploads/2025/01/v.nr_.274.pdf

Justice, as well as by publishing on the official website of the institution the announcement on the initiation of the selection procedure.

Following the selection procedure in accordance with decision no. 536, dated 25.07.2019, of the Council of Ministers “On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, the verification of the character and assets of non-magistrate candidates for the position of inspector”, after fulfilling the legal obligation to provide candidates with the relevant forms and submitting the forms completed by the candidates to the High Inspector of Justice, the Inspectors Appointment and Evaluation Committee has continued with sending official letters to the relevant institutions, in order to obtain information on which the verification of the fulfillment of legal conditions and criteria, the verification of character and assets will be based.

At the end of the information collection process from the relevant institutions, the further stages of the selection procedure for candidates who have expressed interest in the position of non-magistrate inspectors will continue at the Office of the High Inspector of Justice, in accordance with decision no. 536, dated 25.07.2019, of the Council of Ministers “On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verify the character and assets of non-magistrate candidates for the position of inspector”.

Currently, the process is still in the phase of obtaining information, on which the verification of the fulfillment of legal conditions and criteria, verification of character and assets will be based.

5.4 Implementation of the Law "On Civil Service" in the context of complementing and building human resources capacities

During 2024, in accordance with Law No. 152/2013 "On Civil Servants", as amended, the Labor Code and the organic law, a total of 14 appointments/recruitments were made within the approved structure, 9 (nine) dismissals, as follows:

1. Cabinet 1 (one) Secretarz of High Inspector of Justice).
2. Magistrate inspector 1 (one) reinstatement of magistrate with the profile“Prosecutor” after decision no. 7 (JR), dated 22.02.2024 of the Special Appeals Chamber. Non-magistrate inspector 1 (one) release with resignation.
3. High level directing 0 (zero)
4. Middle level directing 4 (four) positions as assistant Inspector, of which 2 (two) positions were filled through parallel moves, 1 (one) position was filled through the promotion procedure and 1 (one) position was filled through recruitment

from outside the civil service), out of 4 vacant positions created during the year, due to resignations at the request of employees.

5. Low Level directing 1 (one) appointment to the position of Head of sector in the Statistics Sector, Directorate of Analysis and Standards through the promotion procedure.
6. Executive level 5 (five) appointments, of which 2 (two) with parallel movements and 3 (three) with admission to the civil service, as well as 3 (three) dismissals (due to the appointment of civil servants to other institutions part of the civil service).
7. Support employees 2 (two) appointments and 1 (one) release due to reaching retirement age

The total number of appointments for 2024 within the approved structure is 14 (fourteen) employees/ and 9 (nine) dismissals.

The number of employees according to the structure for 2024 is 101 approved employees. The total number of employees who have performed their duties during 2024 is 84.

5.4 Activities within the framework of increasing human resource capacities

During 2024, in terms of increasing 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.

The High Inspector of Justice, together with the inspectors' unit and the inspectors' support unit, have attended a series of trainings and have carried out exchanges of experiences, focusing on professional development, as well as the standardization and unification of the practice of inspection activity.

The High Inspector of Justice has shown special attention to increasing and strengthening 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.

Regarding training activities during 2024, in the framework of capacity building, the following trainings and study visits were conducted:

In February, the unit of inspectors and assistant inspectors of the Office of the High Inspector of Justice participated in targeted training on identifying and addressing conflict of interest

issues in the framework of disciplinary investigations, organized by the mission of experts of the EU4Justice project, which assists the HIJ.

In April, inspectors and assistant inspectors of the Office of the High Inspector of Justice, in two teams, conducted two one-week working visits to the Kingdom of Spain. The study visits are part of the support of the EU4Justice project, which aims to increase capacities and gain experience from European counterpart institutions. In addition to gaining professional experience, the working visits also served to strengthen cooperation with the Spanish Inspection Service, with which the High Inspector of Justice signed a cooperation agreement in March 2023.

Also, the unit of inspectors and assistant inspectors of the Office of the High Inspector of Justice, as part of strengthening inspection capacities with the support of the EU4Justice project, participated in the training with a focus on “Practices of the European Court of Human Rights (ECHR), on disciplinary responsibilities and freedom of expression of magistrates, as part of strengthening inspection capacities with the support of the EU4Justice project.

Following the cooperation agreement between the High Inspector of Justice and the School of Magistrates, application forms for participation in the continuous training sessions for the period 2024-2025 for inspectors and assistant inspectors have been forwarded to the High Inspectorate. Within the framework of this agreement, a number of considerable training during 2024 by inspectors and assistant inspectors.

During the month of June, the methodology of preparation, conduct and analysis of classic thematic inspections were the focus of a 5-day training activity, which took place in Tirana and Durrës, with the participation of the inspectors' unit and the assistant inspectors' unit of the Office of the High Inspector of Justice.

A team of the Office of the High Inspector of Justice, composed of inspectors, assistant inspectors and members of the cabinet, conducted a 5-day study visit to the General Inspectorate of Justice of France, in Paris, with the support of Expertise France and EU4Justice. During the visit, presentation sessions were held on the ethics and pre-disciplinary procedure of magistrates, as well as administrative investigations, methodology, rights of defense, objectification techniques, which were followed by professional discussions with the HIJ team.

In October, the Inspectors Unit and Assistant Inspectors at the Office of the High Inspector of Justice conducted a 3-day training in Tirana on increasing the efficiency of the HIJ, in terms of thematic and institutional inspections, supported by the EU4Justice project.

In December, the High Inspector of Justice, accompanied by the inspectors unit, conducted a two-day working visit to the European Court of Human Rights (ECHR) in Strasbourg (France). The Albanian delegation held professional working sessions with judges and lawyers of the ECHR, on the disciplinary process and its connection with the independence of magistrates, as well as presentations and discussions of articles 8, 10 and article 6, civil part, on working standards in the context of disciplinary proceedings.

As part of the training activity, civil servants of the Office of the High Inspector of Justice, for the period January-December 2024, all employees/clerks of all levels attended trainings, in total 63 trainings were attended by ASPA (for civil servants) and 16 trainings with foreign experts & 8 trainings organized by the School of Magistrates (inspectors and assistant inspectors).

VI DATA ON COURT PROCEEDINGS WHERE THE HIGH INSPECTOR OF JUSTICE IS A PARTY IN THE JUDICIAL PROCEEDINGS

The Office of the High Inspector of Justice, until December 31, 2024, has participated in the following processes:

6.1 Processes in the Appeal Chamber

Disciplinary jurisdiction case no. 1/2024, dated 16.02.2022: In this case, the High Inspector of Justice was summoned as an interested party, along with the High Judicial Council, regarding the applicant magistrate M.M., a judge at the Court of First Instance of General Jurisdiction of Durrës. The subject of the case is as follows:

1. **Suspension of the execution of decision no. 180 dated 09.04.2024** of the High Judicial Council, pending the conclusion of the case in the Appeal Chamber with a final decision.
2. **Abrogation as unconstitutional of decision no. 180, dated 09.04.2024**, by the High Judicial Council, which decided to dismiss magistrate M.M. (judge at the Court of First Instance of General Jurisdiction of Durrës) from office, along with the termination of financial relations, salary, and benefits.

The High Inspector of Justice has submitted relevant documents within the deadline set by the Appeal Chamber.

- **Current Status:** This case is still under review, and a final decision has not yet been issued.

6.2 Judicial proceedings in the Administrative Court of Appeals of General Jurisdiction of Tirana

- Plaintiffs: M. Z., S. M., L. Z., D. S., etc.

- Defendants: High Prosecutorial Council, Tirana Judicial District Prosecution office, General Prosecution office, Ministry of Finance and Economy, High Inspector of Justice

The plaintiffs have made the following claims:

1. **Obligation of the defendant to recalculate and pay the difference in unpaid salary for the period from 01.01.2019 onwards.**
2. Obligation of the defendant to pay 10% legal interest on the unpaid amount until the full execution of the decision.
3. **Court expenses, including attorney's fees, to be borne by the respondent parties.**
4. **Issuance of the decision with temporary execution.**

Current Status: This case is currently under trial in the Administrative Court of Appeal, and a date for its review has not yet been set.

6.3 Completed or pending court proceedings at the Administrative Court of First Instance of Tirana

- 1- Administrative court case, registered with the Administrative Court of First Instance of Tirana with no. 6334, dated 01.12.2023, with plaintiff: High Inspector of Justice, defendant: Inspectorate of Territory Protection, with subject matter: "Abrogation of administrative decision no. 5213, dated 20.11.2023 of the Inspectorate of Territory Protection, Municipality of Tirana for the fine. Obligation of the defendant ITP Municipality of Tirana to return the amount of 100,000 lek, paid by the High Inspector of Justice, according to decision no. 5213, dated 20.11.2023".
- 2- Administrative court case, registered with the Administrative Court of First Instance of Tirana with no. 6334, dated 01.12.2023, with plaintiff: High Inspector of Justice, defendant: Inspector of Territory Protection, with subject: "Abrogation of administrative decision no. 5213, dated 20.11.2023 of the Inspectorate of Territory Protection, Municipality of Tirana for the fine. Obligation of the defendant ITP Municipality of Tirana to return the amount of 100,000 lek, paid by the High Inspector of Justice, according to decision no. 5213, dated 20.11.2023".

At the end of the review of this case, the Administrative Court of First Instance of Tirana with decision no. 876, dated 27.03.2024 has decided: "Acceptance of the claim by HIJ. Abrogation of the administrative act, decision no. 5213, dated 20.11.2023 of the fine, given by the Inspectorate of Territory Protection at the Municipality of Tirana. Obligation of the defendant, the Inspectorate of Territory Protection at the Municipality of Tirana, to return the amount of 100,000 lek, paid by the High Inspector of Justice, according to decision no. 5213, dated 20.11.2023. The decision constitutes an executive title and the office of the bailiff service is charged with its execution, (execution which shall be carried out upon the adoption of the final decision). This decision is final. No appeal is allowed against this decision".

- 3- Administrative court case, registered with the Administrative Court of First Instance of Tirana with no. 4045/5915, date 22.06.2023 regj, with plaintiff: Albanian Helsinki Committee; defendant: High Inspector of Justice; with object: 1. Abrogation of the decision of the HJC no. 19 prot., dated 25.04.2023 "On the rejection of the appeal of the Albanian Helsinki Committee, against decision no. 312/1 prot., dated 30.01.2023 of the High Inspector of Justice 2. Abrogation of decision no. 312 prot., dated 30.01.2023 of the High Inspector of Justice "On the archiving after verification of the

appeal submitted by the Albanian Helsinki Committee, regarding the claims against magistrates Kastriot Gramshi and Arben Mickaj and the conclusion of the final decision of the verification procedure, regarding the claims against former magistrate Bedri Qori". 3. Obligation of the High Inspector of Justice to consider and conduct investigations as well as to give a final decision on the appeal of the Albanian Helsinki Committee".

At the end of the review of this case, the Administrative Court of First Instance of Tirana, with decision no. 2607, dated 09.07.2024, has decided: "Non to accept the claim, because it is filed against an administrative decision/act that cannot be appealed, according to the normative acts in force".

The Albanian Helsinki Committee filed an appeal against this decision on 20.09.2024. Based on this appeal, the case is currently under review at the Administrative Court of Appeal and has not yet been reviewed.

VII TRANSPARENCY AND PUBLIC RELATIONS ^[10]

7.1 Informed citizens at the attention of the HIJ

Even during 2024, the public communication of the High Inspector of Justice has continued to focus on transparency and good information, as a way to facilitate citizens' access to the institution and the accurate addressing of their claims, as far as the competences of the HIJ are concerned. Even in communication, the institution has followed the principle of finding a balance between the public interest in the administration of justice and respecting the independence of magistrates, since the more independent the magistrate, the more guaranteed the citizen is for his rights.

The public communication strategy of the institution aims to translate the information collected through systematic interaction with citizens, interest groups and institutions into action plans and activities, to address the challenges identified in terms of informing citizens and raising their awareness, based on the scope of the activity of the High Inspector of Justice, the strategic plan, the integrity plan, etc.

By setting as the main priority of the program for education, information and awareness of citizens and transparency towards the public, the Office of the High Inspector of Justice has continued to work systematically to increase the trust of every public actor, media or interest group, through continuous information on the competences and functions of the institution.

A detailed program for information, legal education and awareness of citizens has been drafted. The plan is built based on the needs identified and suggestions received from physical meetings with citizens, from the survey published on the website, communication through the telephone line, as well as data collected through complaints, various information and through other channels of public information. This program has defined the main goals and objectives, which are mainly related to legal education, on the competences of the High Inspector of Justice in particular and the justice system in general, with the aim of informing citizens and raising their awareness, based on the scope of activity of the High Inspector of Justice, the strategic plan, the integrity plan, etc.

Increasing public awareness is a prerequisite for creating facilities to minimize the flow of complaints that are outside the scope of the activity, or do not meet the legal conditions for admissibility as a complaint.

Data analysis, referring to the entirety of communication tools, such as meetings with interest groups, various activities, media information, communication with civil society

¹⁰ Every public activity of the HIJ Office is reflected on the institution's official website in Albanian and English..

organizations dealing with human rights and the rule of law, serves the Office of the High Inspector of Justice to target efforts not only for information, but also to increase public trust in the Office of the High Inspector of Justice and further in the justice system.

Of course, the success of implementing various programs for legal education, information and awareness is a complex process, which requires patience and systematic dedication, as success also depends on the contribution of other actors, cooperating in this field, with whom the Office of the High Inspector of Justice has a cooperation agreement, or that may have one in the future.

7.2 Reception of citizens in the premises of the Office of the High Inspector of Justice

In addition to information and the possibility of filing a complaint through the official website, citizens or subjects are welcomed every day at the Office of the High Inspector of Justice, both to be informed and to file a complaint, if necessary, with the assistance of the Complaints and Public Relations Sector team, which meets with 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 2024, an average of (two) citizens per day were assisted and informed through meetings and the telephone line regarding their claims/complaints against magistrates.

Specifically:

- 271 meetings with citizens were held (based on written requests, requests via telephone communication, and without prior appointment). During the meetings, in each case, the responsible officials listened to the claims, assisting/informing them about the uncertainties regarding the rights of citizens to complain, the ways in which they can make a complaint, the deadlines for its treatment, the way in which they can be informed about their complaint, etc.
- 197 citizens/interested subjects were assisted by telephone, on the official number of the institution, who mainly requested information on the stage at which the complaints are, the way in which they are received, how to proceed with the submission of additional documents in support of their claims, etc.

7.3 The right to information

Even during 2024, the Office of the High Inspector of Justice has fulfilled the legal obligation, arising from 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 Personal Data Protection.

The information made public in the transparency program exhaustively reflects the activity of the HIJ, through detailed publication on the official website www.ild.al as well as in the premises of the office for the reception of citizens.

During 2024, the Office of the High Inspector of Justice received 137 requests for information, which were handled in all cases within the legal deadlines. The requests for information are categorized as follows:

Year 2024	
Applicants	Number of requests for information
Physical persons	123
Media	11
Legal entities	3
Total	137

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

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

7.4 Targeted public communication

In order to ensure transparency over the institution's activities, but also public access, even during 2024, the HIJ communication strategy uses classic communication methods, improving elements to increase work efficiency, in order to provide information on the role and functions of HIJ.

7.4.1 Official website

The official bilingual website, Albanian and English (www.ild.al; <https://ild.al/en/home/>) is the main official means of communication of the HIJ with the public, in function of a proactive and transparent relationship.

Information through the website is provided in real time with every activity of the institution, with dedicated columns on acts, decisions, work procedures and the activity of the Office of the High Inspector of Justice, or other data that directly relates to the citizen, such as the complaint form, surveys and other detailed information data. The website is improved from

time to time in order to facilitate the identification of the abundant information it contains, 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 received*” is updated with specific cases that provide guidance to complainants on the legal conditions for the admissibility of the complaint, its progress, archiving, complaint up to the investigation and disciplinary proceedings, with a graphic illustration of the entire journey that a complaint follows at the HIJ. This updated information complements the existing one, to facilitate the complaint process through a standard complaint form, with the relevant instructions for completing it, a standard completed orienting model and a total of 4 ways to send it to the High Inspector of Justice: via mobile phone or computer, by e-mail, by mail or physically at the institution. The complainant can choose the form he/she prefers for sending the complaint.

“*Frequently Asked Questions on the Complaints Process*” is the section created on the website to respond to uncertainties identified from communications with citizens/complainants, as an added element of transparency in public information on the complaints process at the HIJ, with answers on how and to whom you can complain to the HIJ, how the complaint is processed, its progress, etc.

Every Monday, the official website reflects in figures the work done during a week in the institution with the processing of complaints, from those filed, to the review, verification, investigation and disciplinary proceedings processes.

Even during 2024, the “*Survey on the HIJ activity*” continued to be used by citizens, as a tool that the institution uses to receive assessments of its work, based on concrete experiences and suggestions for improvements.

In the span of one year, 27 online surveys were completed by different users.

The newsletter, even during 2024, has continued to be a systematic way of public communication regarding the monthly activity of the institution, in Albanian and English, with detailed data on the monthly activity and regarding the complaints process.

7.4.2 *Communication with media*

Even during 2024, the Office of the High Inspector of Justice has continued its sustainable communication with the media, as a way to reach the public, trying to convey real-time information on the institution's activities, responding to interest in various aspects of the work of the HIJ, and monitoring them, with the aim of collecting information on various denunciations in cases of alleged disciplinary violations of magistrates.

7.4.3 *Social networks*

Communication through social networks has received increased attention during 2024, as they have become mass information platforms for users of all ages. In addition to Twitter and YouTube, the institution has a Facebook account, with the aim of informing users about the role and functions of the HIJ Office. Although the page has an informative character only, the Complaints and Public Relations Sector that administers it has responded to requests for assistance from various citizens, orienting them based on the relevant legislation.

7.5 Legal education as a direct way of communication

During 2024, the High Inspector of Justice has intensified the practice of communication with various social groups in the function of legal education on the role, competencies 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 complaints, a process that continues in 2025. In public communication, the High Inspector of Justice has highlighted the institutional obligation to make an accurate characterization of facts and actions related to public data or information, in relation to alleged disciplinary violations by magistrates, underlining that the interest of the public/media in the administration of justice must go hand in hand with respect for the 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 the HIJ's work methodology, in relation to the handling of complaints, which is done according to an order of priority based on criteria such as time, typology or urgency of the handling, respect for the principle of equality and objectivity, as well as the time necessary for the review and assessment of 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, through open conversations regarding the role, activity, but also the scope of the HIJ's work, but also the way the institution is seen by them.

VIII FINANCIAL PERFORMANCE

With Law No. 97/2023 “On the 2024 Budget”, a budget of 347.3 million lek was approved for the Office of the High Inspector of Justice, of which:

1. For Current Expenditures 274.3 million lekë.
2. For Capital Expenditures 73 million lekë.

This budget, being at low levels compared to the MTBP requirements, was revised during the year, specifically:

- In current expenses, for the full accommodation of the institution's needs in the item "Operating expenses", an additional fund of 11.5 million lek was made possible through the transfer from savings to the salary fund. Also, with Normative Act no. 3, dated 28.08.2024, the free funds in the item "Salary" were reduced by 20 million lek.
- In capital expenses, with Normative Act no. 3, dated 28.08.2024, an additional fund of 66 million lek was approved, for the full coverage of the cost of the building reconstruction works.

At the end of the year, the revised budget of the Office of the High Inspector of Justice is **393.6 million lek, with an implementation of 361.9 million lek, or 91.9%.**

This realization is as follows detailed according to budget indicators at the expenditure group level,:

	Plan		Realization
	(mln lek) (mln lek)		(% to the plan)
1. Current expenditures	254.6	223.7	87.9%
2. Capital expenditures	139	138.2	99.4 %
TOTAL BUDGET 2024	393.6	361.9	91.9%

In the current expenditure group, the main impact on the budget execution at 87.9% was the vacancies for 6 positions in the position of “Magistrate Inspector” and 5 positions for the position of “Non-magistrate Inspector”. For this reason, in the 2024 budget review, the salary fund was reduced to 20 million lek. On the other hand, this situation has created the opportunity, from the free funds in the personnel expenditure group, to provide the additional 11.5 million lek requested for operational expenses, thus accommodating the coverage of all needs within the limits of the MTBP 2024-2026 requirements in this item.

Regarding the capital expenditure group, the revised budget for 2024, realized at 99.4%, enabled the implementation of the following investment projects:

- Reconstruction of HIJ offices and premises. In the annual budget law for 2024, a fund of 63 million lek was planned. The approved addition of 66 million lek with Normative Act No. 3, dated 28.08.2024, bringing the budget for this project to 129 million lek, made it possible to complete the reconstruction works, within the deadline provided for in modification No. 1, dated 28.12.2023 of the implementation contract.
- Purchase of 2 vehicles, for inspection needs in the value of 6.5 million lek.
- Purchase of the most necessary equipment and furnishings for the reconstructed premises, such as archive shelves, etc., with a value of 2 million lek.

During 2024, The Albanian Supreme Audit Institution (ALSAI) conducted the financial audit of HIJ for the period 01.01.2021-31.12.2023. In the final audit report, the regularity and compliance with the legal framework is assessed in terms of the information in the financial statements, which, as expressed in the audit opinion, fairly present, in all material aspects, the financial position of the institution referred to the regulatory framework in force. In this report, the audit group has left only 3 recommendations, organizational, of which, recommendation no. 1, is related to taking measures to complete the organizational structure of HIJ, recommendation no. 2, for taking measures by the responsible structures during the process of forecasting, implementing and reviewing the annual budget, in order to avoid frequent changes to the budget plan items during the year, recommendation no. 3, for taking measures to fully carry out the process of physical inventory of assets in the institution, which refers to the finding of failure to carry out the inventory of assets for the year 2023; this, after the institution due to reconstruction was transferred to other premises and the postponement of the deadlines for reconstruction works resulted in the failure to fulfill this legal obligation for the year 2023.

For the implementation of the 3 recommendations left in the final report of ALSAI, the Office of the High Inspector of Justice has drafted a plan of measures and activities, which are being continuously followed by the structures in charge.

IX. SUMMARY OF ACHIEVEMENTS

The High Inspector of Justice in the fifth year of work, although with limited human inspection resources, lists several important achievements with a direct impact on the system.

Specifically:

1. Through the mechanisms of thematic inspections, reviewing citizens' complaints, verification on initiative, analyzing periodic information received from the courts, the High Inspector of Justice is active in the system of checking of the work of magistrates, in accordance with the balance that should exist according to the principle of separation of powers, by setting standards for a functional justice system that is accountable, responsible, impartial and with integrity.
2. Increase in the number of investigations undertaken on the initiative of the High Inspector of Justice. During 2024, it also conducted two investigations on its own initiative, the object of which was incompatibility and conflict of interest, which also led to the checking of the assets of these two entities by the competent bodies for property, taxes, property registers, registers of permits and licenses and other bodies, whose activity is related to the facts and object of the investigation.
3. Improving the process of drafting the inspection plan, by increasing the efficiency of human resources and strengthening cooperation with the bodies of the justice system on inspection topics.
4. Increased number of inspections with topics focused on the quality and efficiency of the judicial system and a high number of completed inspections.
5. Addressing the issues identified in thematic inspections, through recommendations and a mechanism for monitoring their follow-up. The response of the inspected bodies has been high, ensuring the follow-up of the recommendations that are under their responsibility and the transmission of relevant information.
6. The recommendations of the High Inspector of Justice have found support from the bodies of the justice system, the High Judicial Council and the School of Magistrates, who have reacted by taking internal measures to address the recommendations.
7. The High Inspector of Justice has assessed the professionalism of magistrates, by verifying the claims of the complaints, at the end of which he has reached the conclusion that the facts discovered do not justify the initiation of a disciplinary investigation against magistrates, but that they may be the subject of their ethical and professional evaluation, therefore they have been forwarded to the councils for evaluation.
8. Increasing cooperation with the High Prosecutorial Council by increasing the number of working meetings, in particular on inspection topics, but also addressing the challenges related to institutional communication to strengthen an efficient and more sustainable justice system.

9. Completing the ethical-professional assessment of non-magistrate inspectors, paving the way for the ethical-professional assessment of magistrate inspectors.
10. Increasing the number of trainings for inspectors and assistant inspectors, through the curricula of the School of Magistrates and collaborations with international actors.
11. The assessment of the activity of the High Prosecutorial Council, in the function of the accountability of magistrates, has also been evidenced by the Progress Report for Albania in 2024, emphasizing that the functioning of the High Prosecutorial Council and the continuous good progress in the implementation of justice reforms have strengthened accountability throughout the justice system¹¹ have highlighted the contribution of the HIJ in strengthening the accountability of magistrates, emphasizing that the satisfactory functioning of the HIJ and the continued good progress in implementing justice reforms have strengthened accountability throughout the justice system. The assessments also highlighted the completion of the review of the backlog of inherited complaints and the need to continue strengthening thematic inspections as a key priority for increasing the transparency and effectiveness of the system.

¹¹ https://enlargement.ec.europa.eu/document/download/a8eec3f9-b2ec-4cb1-8748-9058854dbc68_en?filename=Albania%20Report%202024.pdf page 29-30.

X LEVEL OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE RESOLUTION OF THE ASSEMBLY OF THE REPUBLIC OF ALBANIA ON THE OFFICE OF THE HIGH INSPECTOR OF JUSTICE FOR THE YEAR 2023

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

In the plenary session of July 25, 2024, the Assembly of Albania has adopted the resolution “On the assessment of the work of the High Inspector of Justice, for the year 2023”, through which 8 recommendations have been left for follow-up and implementation.

With the approval of the resolution, the High Inspector of Justice has drafted a calendar of measures for the implementation of the recommendations, the persons responsible for the follow-up and implementation of the measures for each recommendation and the respective deadlines for the fulfillment of the recommendations have been designated.

Of the recommendations made 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 inform you that all the recommendations made have been fully fulfilled.

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

- 1. To address, through the instruments provided by the law, issues sensitive to the public, as a guaranteeing institution of the justice system, with the aim of further strengthening public trust not only in the HIJ, but in all institutions of the justice system.*

This recommendation is fulfilled by including in the inspection plan the issues arising from the review of complaints. In order to implement this recommendation, the High Inspector of Justice has approved the annual inspection plan, the approval of which has come as a result of taking into account the issues identified from the review of complaints, the assessment of the most frequent allegations of various violations by magistrates, court administration or prosecutors' offices. Proposals received from institutions have also been taken into consideration, in accordance with the provisions made in Article 194, point 4 of Law No. 115/2016 “On the governance institutions of the justice system”, as amended, but also in support of the applicable provisions that provide for the undertaking of inspections.

The annual inspection plan was discussed at the General Meeting of Inspectors, where data from the claims submitted by the public, data submitted by various institutions during the year, commitments or obligations arising from the integration process were analyzed. During the drafting of the plan, the real and objective possibilities of the Office of the High Inspector of Justice to carry out the planned inspections were also assessed, given the limited number of inspectors, but also the delays in receiving and processing information, due to the volume of paper documentation and the impossibility due to the budget of an electronic system that would facilitate the process of processing information during an inspection. The inspection topics for the 2024 plan are topics related to the legal obligations of the High Inspector of Justice, which are as much as the issues raised by public complaints, such as the drawing of lots in the courts of the Republic of Albania, the assignment of cases to the prosecution office and the reasons for the replacement of prosecutors. On the other hand, the planning of some topics, such as that of documenting the implementation of the legal obligation by the court to notify the parties about mediation, not only as a commitment of the Albanian government to the EU, but also as a required tool within the framework of the integration process in order to support/promote and increase the use of alternative dispute resolution mechanisms, as dedicated measures related to efficiency in the judiciary, reducing the number of cases.

The inclusion of the request of the Minister of Justice to conduct a thematic inspection on the procedure for the announcement and reasoning of judicial decisions is another topic that coincides with the highest number of complaints received from the public. As recommended for this issue, the High Inspector of Justice, within the framework of a careful assessment of the topics, has addressed the sensitive issues for the public, during the approval of the annual inspection plan.

1. Special attention to fill vacancies in the positions of magistrate inspector and non-magistrate inspector.

The recommendation is considered fulfilled. The Office of the High Inspector of Justice has paid special attention to the process of filling vacancies in the positions of magistrate inspector and non-magistrate inspector. In addition to the need for legal changes to the criteria and other aspects that may increase interest in applications for the position of inspector, the High Inspector of Justice has drafted requests addressed to the councils for the command of magistrates in the position of magistrate inspector, specifically to the High Judicial Council and the High Prosecutorial Council.

Based on the request submitted to the HJC, the latter has proceeded with the announcement^[12] of the request for candidacy from among judges for command in the Office of the High

¹² By visiting the official HJC website, the announcement can be accessed at the following link: <https://klgj.al/media/av312nqz/njoftim-i-dat%C3%ABs-29-05-2024-p%C3%ABr-shpalljen-e-k%C3%ABrkes%C3%ABs->

Inspector of Justice, on 21.09.2023. HJC with decision no. 284, dated 29.05.2024 “On the opening of the procedure for command in the Office of the High Inspector of Justice and the announcement of the request for candidacy from among judges” has decided to open the procedure and announce the request for candidacy for command of judges in the Office of the High Inspector of Justice for 3 (three) vacant positions, determining the deadline for submitting requests in addition to the relevant documents. This decision also determines the duration, conditions, criteria and general conditions and special conditions of command.

Within the deadline set for submitting requests for command, only 1 (one) request was submitted to the High Judicial Council, for which the HJC continued with the assessment of the criteria and conditions set out in points 2 to 7 of Article 32 of Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended and with decision no. 700, dated 03.12.2024[] “On the qualification of the candidate Ms. {--} to be seconded to the position “Inspector” in the Office of the High Inspector of Justice, the submitted candidacy has been qualified. The opinion of the HJC regarding the secondment of the candidate, for whom the High Inspector of Justice for the reporting period has been in the evaluation process, has also been submitted to the High Inspector of Justice, in accordance with the provisions made in article 54, point 5 of law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended.

Ndërsa HPC ka proceduar me njoftimin^[13] për shpalljen e kërkesës për kandidatura nga radhët e prokurorëve për komandimin në Zyrën e Inspektorit të Lartë të Drejtësisë të një magjistrati me detyrë prokuror. Me vendimin nr. 274, datë 23.12.2024, Këshilli i Lartë i Prokurorisë^[14], ka iniciuar procedurën e verifikimit të përmbushjes së kushteve ligjore të kandidimit për komandimin e një prokurori në pozicionin e inspektorit magjistrat në Zyrën e Inspektorit të Lartë të Drejtësisë. Kjo procedurë rezulton të jetë në proces deri në momentin e konceptimit të këtij informacioni.

In relation to the recruitment of non-magistrate inspectors, the High Inspector of Justice, with order no. 74, dated 26.06.2024 “On the initiation of the procedure for the selection of non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice”, as amended, has initiated the procedure for the announcement of vacancies for 4 vacant positions in the position of “Non-magistrate Inspector”. Within the framework of this process, 19 candidacies have been submitted, for which verification of the fulfillment of the criteria and legal conditions for the verification of the candidates' profile and assets is being carried out, according to the requirements of article 209, point 6 of law no. 115/2016 “On the governance institutions of the justice system”, as amended and the procedures set out in

[p%C3%ABr-kandidatura-nga-radh%C3%ABt-e-gjyqtar%C3%ABve-p%C3%ABr-komandimin-n%C3%AB-zyr%C3%ABn-e-inspektorit-t%C3%AB-lart%C3%AB-t%C3%AB-drejt%C3%ABsis%C3%AB.pdf](https://klp.al/wp-content/uploads/2025/01/v.nr_.274.pdf)

¹³ Accessible at the following link: <https://klp.al/2024/10/28/njoftim-per-shprehje-interesi-per-komandimin-e-l-nje-prokurori-prane-inspektorit-te-larte-drejtësisë-permes-procedures-se-komandimit-te-prokuroreve/>

¹⁴ I https://klp.al/wp-content/uploads/2025/01/v.nr_.274.pdf

decision no. 536, dated 25.07.2019 of the Council of Ministers “On the creation of conditions for the High Inspector of Justice to verify the fulfillment of legal conditions and criteria, verify the integrity and assets of non-magistrate candidates for the position of inspector”.

2. Undertaking regular measures to check the integrity and assets/integrity in accordance with the high standards of the re-evaluation process, especially for non-magistrate inspectors.

The recommendation is considered fulfilled, as it is part of the activity of the Office of the High Inspector of Justice. This process, as in previous years, follows and implements the legal conditions and criteria and is supported by cooperation with other specialized institutions.

The background and asset/integrity verification process, which is carried out within the framework of the recruitment procedure for non-magistrate inspectors, consists of 3 pillars for which a complete and comprehensive verification is carried out for each candidate, regarding:

- full verification of the declaration of assets, private interests and financial obligations of the candidate and related persons;
- verification of the background;
- verification of the legal criteria for assessing the professionalism of the candidate.

The legal conditions and criteria are set out in Article 209, point 6 of Law No. 115/2016 “On the governance institutions of the justice system”, as amended, while the verification procedure is that set out in the provisions of Decision No. 536, dated 25.07.2019 of the Council of Ministers “On the creation of conditions for the High Inspector of Justice to verify the fulfillment of the legal conditions and criteria, the verification of the integrity and assets of non-magistrate candidates for the position of inspector”. As for the criteria for evaluating the professional side of the candidate, the criteria established for candidates of the Council for Appointments in Justice, according to Article 240 of Law No. 115/2016 “On the governance institutions of the justice system”, as amended, as well as the rules established in Order No. 7, dated 04.03.2020 “On the approval of the regulation “On the procedure and criteria for the evaluation, scoring and ranking of non-magistrate candidates for the position of inspector at the Office of the High Inspector of Justice” are applied.

In order to carry out the verifications, the HIJ cooperates with various institutions, such as the High Inspectorate for the Declaration and Checking of Assets and Conflict of Interest, the prosecution office, public financial bodies, the National Bureau of Investigation, state intelligence services, as well as any disciplinary body that has supervised discipline in the candidate's previous employment relationships. If deemed necessary, the High Inspector of Justice may request additional information from other institutions.

During the verification procedure, the Inspector reviews the documentation submitted by each non-magistrate candidate, the completed declaration forms, the acts sent by the bodies charged by law with the checking and verification of the declarations of non-magistrate candidates, as well as any other act, information and data sent by public and private entities, on their own initiative or at the request of the Inspector that he assesses is relevant to the judgment on whether or not the conditions and other legal criteria for candidacy are met.

Nëse në përfundim të këtyre procedurave administrative për verifikimin e kushteve dhe të kritereve të tjera ligjore të kandidimit, Inspektori vlerëson se nuk ka të dhëna që mund të sjellin ndalimin e kandidimit, procedon me shqyrtimin e çështjes. Nëse vlerëson që kandidati jomagjistrat nuk përmbush ndonjërin prej kushteve dhe kritereve të tjera ligjore të kandidimit, Inspektori procedon me përgatitjen e relacionit përkatës mbi gjendjen e faktit dhe të ligjit të zbatueshëm, pa qenë e nevojshme kryerja e procedurës së verifikimit për të gjitha kushtet dhe kriteret e tjera ligjore.

The Inspector decides to prohibit the candidacy if the non-magistrate candidate does not meet even one of the other legal conditions or criteria for candidacy, based on the data containing:

- a. declarations and documentation submitted by the non-magistrate candidate himself;
- b. findings and conclusions of the competent bodies for the checking of the candidate's assets and integrity, as well as information from other public and private entities sent in response to the Inspector's requests for information.

For the verification of assets, private interests and financial obligations, the High Inspector of Justice requests the performance of a full verification by HIDAACI. At the conclusion of the verification carried out by HIDAACI, the Inspector reviews the results of the checking, the findings and conclusions of the report, as well as data on the assets, private interests and financial obligations of the non-magistrate candidate and related persons, sent by public and private entities, at his request. Depending on the results of the checking and the needs for further verification of assets, the Inspector may request additional information from public and private entities and written explanations from the non-magistrate candidate.

In the event that the asset verification procedure requires special knowledge regarding the ascertainment and clarification of data resulting from the declarations of the non-magistrate candidate, the findings and conclusions of HIDAACI and those brought by public and private entities, the Inspector has the right to call experts in the relevant field. Experts in the relevant field of state institutions are called by the Inspector according to their field of knowledge. In cases where the expertise is not covered by state institutions, experts are selected from the updated lists of entities licensed for the relevant field.

HIJ has conducted 2 recruitment procedures in 2020 and 2021, for which there were candidates who were prohibited from running due to non-fulfillment of the asset criterion, after being identified by the HIDAACI report. In all cases, the respective prohibition

decisions were processed. Reports on other cases of acceptance or termination are published, along with the respective justification, on the official website of HIJ.

Of the candidacies submitted, there was no case of candidates resigning during the re-evaluation procedure or being dismissed due to the re-evaluation process.

This recommendation also coincides with the measures identified within the framework of the European Union Rule of Law Report, which requires the implementation of verification of compliance with legal criteria and conditions, in accordance with high vetting standards. In relation to this recommendation, the HIJ requested the provision of standards to be assessed and included in internal work practices.

2. Increase the number of institutional inspections with a clear and defined objective, focused on specific aspects of the activity of courts and prosecution offices for case management and judicial and investigative administration.

The recommendation is considered fulfilled. In order to implement this recommendation, the High Inspector of Justice conducts institutional and thematic inspections on every aspect of the work of courts, judicial administration, prosecution offices and prosecutor's administration, based on the request submitted in writing by the High Judicial Council, the High Prosecutor's Council, the Minister of Justice and the Prosecutor General. In order to achieve this goal, requests have been drafted to the institutions provided for in Article 194, point 4 of Law no. 115/2016 "On the governance institutions of the justice system", as amended, regarding the planning of inspections for 2024, requesting the submission of proposals for inspection topics.

With letter no. 3370/1, dated 13.12.2023, information was requested from the Prosecutor General on the follow-up of proposals for inspection topics. The Prosecutor General responded through letter no. 1854/1 prot., dated 26.12.2023, proposing thematic inspections with the following objectives:

1. Respecting for the rights of victims of human trafficking, victims of sexual crimes and domestic violence;
2. Implementation of the measure of avoidance of criminal prosecution; implementation of security measures and punishment for minors.

With letter no. 3370/2, dated 13.12.2023, information was requested from the High Judicial Council on the follow-up of proposals for inspection topics. The High Judicial Council has responded through letter no. 6395/1 prot., dated 14.12.2023, where in addition to the issues provided for in the Assembly Resolution on the activity of the HJC for 2023, regarding the protection of fundamental rights and freedoms, it will further forward concrete proposals on inspection topics. Following this letter during 2024, no other topics related to inspections.

With letter no. 3370/3, dated 13.12.2023, information was requested from the High Prosecutorial Council on the follow-up of proposals for inspection topics, but this council did not propose any topics.

With letter no. 3370/4, dated 13.12.2023, information was requested from the Ministry of Justice on the follow-up of proposals for inspection topics. The Ministry of Justice responded through letter no. 6925/1 prot., dated 27.12.2023, proposing a thematic inspection with the following objective:

1. Delays in court proceedings and failure to submit reasoned decisions on time together with the court file, a problem that extends to all courts in the country.

Following the request, the High Inspector of Justice, after analyzing the topics and capacities for their implementation, has approved the inspection plan for 2024, with the following topics:

1. “Allocation of cases by draw, as well as electronic checking of electronic system reports for the period 01.01.2023 – 31.12.2023”, with implementation period 15.05.2024 – 31.12.2024;
2. “On the practice and reasons for replacing prosecutors for the period 01.01.2023 – 31.12.2023”, with implementation period 15.05.2024 – 31.12.2024;
3. “On the assignment of cases to the prosecution office for the period 01.01.2023 – 31.12.2023”, with implementation period 15.05.2024 – 31.12.2024;
4. “On the duration of the trial of court cases for the period 01.03.2023 – 31.05.2023”, with implementation period 15.04.2024 – 02.12.2024;
5. “On the procedure for announcing and reasoning court decisions for the period 01.01.2023 – 01.06.2023”, with implementation period 01.04.2024 – 30.09.2024;
6. “Documentation by judges of informing the parties about the possibility of resolving the case through mediation for the period 01.06.2023 – 31.12.2023”, with implementation period 15.02.2024 – 29.03.2024.

Compared to the number of inspections planned for 2023, the 2024 plan contains 2 additional topics, as a result of cooperation between the Ministry of Justice, aimed at increasing the efficiency of the judicial system, which have been reflected in the inspection plan for 2024. Also, the undertaking of the thematic inspection “On the procedure for announcing and reasoning judicial decisions” has come as a result of cooperation with the Ministry of Justice.

Based on the data administered in the framework of the review of complaints, at the initiative of the High Inspector of Justice, the thematic inspection plan has been changed, adding a new topic, that of the duration of the trial of judicial cases, taking into account issues of increasing the quality and efficiency of the judicial system, as a priority to public claims.

On the other hand, in implementation of this recommendation, measures have been taken by including in the annual inspection plan for 2025, an institutional inspection, with the aim of checking specific aspects of the activity in the administration of documentation from the moment of registration in the secretariat until the completion of its treatment. This inspection will be carried out at the Prosecution office at the First Instance Court of General Jurisdiction in Dübör.

2. Completion of the ethical-professional assessment of inspectors in a reasonable time and the results of the assessment to be used to develop treatment programs in order to improve institutional performance.

The recommendation is considered fulfilled. On 05.01.2024, a meeting of the Commission for Appointment and Evaluation of Inspectors (CAEI) was held, within which the evaluation program was discussed and it was decided to continue the evaluation of two non-magistrate inspectors and a draw was held to select the rapporteur to carry out the evaluation procedure, continuing with the issuance of the following decisions:

1. No. 1, dated 05.01.2024 “On the initiation of the ethical-professional evaluation procedure of non-magistrate inspector A. T., for the period 05.02.2021 – 04.02.2023”;
2. No. 2, dated 05.01.2024 2024 “On the initiation of the ethical-professional evaluation procedure of non-magistrate inspector J. S., for the period 05.02.2021 – 04.02.2023”.

With decision no. 56, dated 10.12.2024 of the High Inspector of Justice “On some additions to decision no. 38, dated 08.06.2021 “On the approval of the procedures and rules for the evaluation of the ethics and professional activity of inspectors”, as amended”, the evaluation period has been reduced by setting a 1-year term for the inspector's work. The purpose of changing the period is to respond to the need to accelerate the evaluation process for the rest of the inspectors.

Following the evaluation process, the CAEI, at its meeting on 11.12.2024, held a draw to select the rapporteur responsible for carrying out the evaluation procedure for each of the inspectors who are subject to evaluation, continuing with the issuance of the following decisions:

1. No. 57, dated 11.12.2024 “On the initiation of the ethical-professional evaluation procedure of the non-magistrate inspector A. K., for the period 07.11.2022 – 06.11.2023 and 07.11.2023 – 06.11.2024;
2. No. 58, dated 11.12.2024 “On the initiation of the ethical-professional evaluation procedure of the non-magistrate inspector E. N., for the period 18.10.2022 – 17.10.2023 and 18.10.2023 – 17.10.2024;

3. No. 59, dated 11.12.2024 “On the initiation of the ethical-professional evaluation procedure of the non-magistrate inspector J. S., for the period 05.02.2023 – 04.02.2024.

Within the framework of these decisions, the CAEI has continued with the evaluation of inspectors, increasing the number of evaluations to 5 evaluated inspectors.

At the end of the evaluation process, it was not necessary to develop training programs in terms of improving institutional performance. However, this recommendation will be in the attention of the Appointment and Evaluation Commission during the development of subsequent evaluation procedures.

2. Commitment to increase cooperation with other institutions of the justice system and the Ministry of Justice in terms of information exchange, cooperation in thematic investigations and inspections, as well as coordination of actions to address common issues.

The recommendation is considered fulfilled. In order to implement this recommendation, by the High Inspector of Justice, increased cooperation is in the focus of the exercise of activity and consequently, the requests received from the Ministry of Justice, have also become the reason for the initiation of a disciplinary investigation against a magistrate judge. Also, as informed in recommendation no. 4, of the Resolution of the Assembly for the activity of 2023, within the framework of cooperation with the Ministry of Justice, two topics proposed by this institution have been included in the annual inspection plan, specifically:

- “Documentation by judges of informing the parties about the possibility of resolving the case through mediation for the period 01.06.2023 – 31.12.2023”.
- “On the procedure for announcing and reasoning judicial decisions for the period 01.01.2023 – 01.06.2023”.

Also in the framework of cooperation with other justice institutions, the High Inspector of Justice has continuously called for joint round tables between justice system bodies, not only at the national level, but also in round tables with the European Commission (EU-Albania Intergovernmental Conference, Brussels November 2022; 14th JFS Meeting March 2024), to hold annual working meetings to discuss issues arising from the activity of justice system institutions, emphasizing dialogue and strengthening cooperation. As a result, the following activities have been carried out:

- Holding a round table in June 2024 between representatives of the HJC, HPC and HJC to increase cooperation and coordination between justice institutions, with a particular focus on the continuous evaluation of judges and prosecutors.

- At the request of the High Inspector of Justice, a working meeting was held in December 2024 at the High Prosecutorial Council. The purpose of the meeting was to address the challenges related to institutional communication and further strengthen the synergy of cooperation between the two institutions for an efficient and more sustainable justice system. Thematic and institutional inspections, standardization of discipline in the work of magistrates, as well as the treatment of cases requiring emergency intervention were also part of the discussions. The meeting emphasized the need to standardize relations between heads of prosecutors' offices/courts and magistrates, overcoming issues that the law does not clarify, with professionalism and institutional cooperation. The members of the High Prosecutorial Council assessed the relationship between the two institutions as correct and based on respect for the law. They emphasized the importance of continuing this cooperation to maintain public trust and high ethical and professional standards.

2. Improving transparency indicators and public accessibility by publishing periodic information, reports and any other data that reflects institutional activity.

The recommendation is considered fulfilled. For 2023, the Commissioner for the Right to Information has published the “Index of Proactive Transparency of Central and Subordinate Institutions”, the Office of the High Inspector of Justice ranks first, as the institution that has all the positive indicators, accumulating 10 points out of 10 possible for “high proactive transparency”, followed by the Parliament of Albania and the Ministry of Education[]. Even in the “Index of Transparency of Central and Subordinate Institutions” for 2024[], although there is no numerical ranking like the previous year, the Office of the High Inspector of Justice has been evaluated with the maximum points, 12 points, in 12 areas of assessment, starting with the transparency of the institution.

Appreciating the expertise and methodology of this public institution, the Office of the High Inspector of Justice has continued during 2024 to pay attention to the relationship with the citizen, firstly as a complainant for alleged disciplinary violations against judges and prosecutors and secondly as an informed citizen, through legal education activities with various social groups, reflecting them as always on the official website of the institution.

Based on continuous public communication not only with citizens but also with social groups, the website has undergone improvements in the area of filing complaints and in the relocation of the sections on acts, strategies, thematic inspections and agreements of the HIJ to more visible parts, for a completely simplified access for every user of our website.

The website is bilingual, in Albanian and English and contains written and visual information, as appropriate, on every aspect of the activity of the Office of the High Inspector of Justice.

Considering the assessment made by the Commissioner for the Right to Information, we assess that the expertise and methodology used so far is accurate and should continue to be implemented further by exploiting any new space for improvement.

2. *Commitment to fully and effectively fulfilling all institutional obligations within the framework of reporting, by contributing in a timely manner to the reporting within the framework of the integration process in the European Union.*

The recommendation is considered fulfilled. In view of this recommendation, which constitutes a functional duty, the High Inspector of Justice has effectively fulfilled all obligations within the framework of reporting within the framework of the integration process by actively participating in the meetings:

- EU - Albania Subcommittee on Justice, Freedom and Security, in Brussels, 20 March 2024.
- Bilateral meetings on the rule of law, Brussels 21 March 2024.
- National Council for European Integration.
- Roundtables organized by the Minister of Justice within the framework of the EU Common Position.

Meanwhile, at a technical level, the High Inspector of Justice has designated two employees to attend and participate in all reporting and coordination meetings for Chapter 23 “Judiciary and Fundamental Rights”, who have attended all meetings in person and online within the framework of the commitments of Chapter 23, providing input regarding:

- Progress Report for Albania.
- EU Rule of Law Report.
- Interim benchmarks within the framework of the EU Common Position.
- Data updates for different reporting periods.

Given the important developments in the direction of European integration that the country has been going through in the last two years, but also from the advancement of the opening of negotiations for various chapters, among the most important, the opening of negotiations for Chapter 23 "Judiciary and Fundamental Rights", an internal analysis of the distribution of administrative functions has been carried out and it has been assessed that a resizing of work priorities and a redistribution of current human resources are needed in terms of concentrating human capacity in those work processes where the dynamics are high, variable and require good coordination, both at the internal level with coordinating bodies and institutions in the integration process, as well as with international actors.

Assessing the changes of the second half of 2024, the intensification of reporting processes towards the Ministry of Justice but also other bodies that have a role in the integration process, several work processes of the administrative organizational units have been analyzed to respond to the current needs of the Ministry of Justice to be more proactive at the tables and with full and timely contributions. Concrete proposals have been presented to the Assembly of the Republic of Albania in order to reorganize internal processes.