



MONITORING REPORT JANUARY – DECEMBER 2019

CROSS-SECTOR JUSTICE STRATEGY

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LIST OF ABBREVIATIONS

NAIS	National Agency of Information Society
SAJS	State Archive of Judicial System
LAD	Legal Aid Directorate
GDP	General Directorate of Prisons
GED	General Enforcement Directorate
NBC	National Bar Chamber
NCM	National Chamber of Mediators
NCN	National Chamber of Notaries
NCPJE	National Chamber of Private Judicial Enforcement
CC	Constitutional Court
HC	High Court
HIJ	High Inspector of Justice
IFM	Institute of Forensic Medicine
JAC	Justice Appointment Council
HJC	High Judicial Council
HPC	High Prosecutorial Council
CoM	Council of Ministers
AAC	Albanian Adoption Committee
MoJ	Ministry of Justice
MFE	Ministry of Finance and Economy
IMO	International Monitoring Operation
GP	General Prosecutor's Office
AP	Action Plan
COP	Centre of Official Publications
CJS	Cross-sector Justice Strategy
SPAK	Special Structure against Corruption and Organised Crime
SoM	School of Magistrates
ICSPS	Internal Control Service in the Penitentiary System
PS	Probation Service
DoCM	Decision of the Council of Ministers

I. EXECUTIVE SUMMARY ON MONITORING OF THE CROSS-SECTOR JUSTICE STRATEGY AND ITS 2019 – 2021 ACTION PLAN FOR THE PERIOD OF FROM JANUARY 2019 TO DECEMBER 2019

The justice reform has entered into a very important phase of its implementation. Some of the new institutions have already been set up and others are expected to be set up soon. As far as the institutions operating in the justice system are concerned, they are fully committed to having a justice system that is in line with the standards a country aspiring the opening of negotiations with EU member states should have and should implement.

The Council of Ministers, by virtue of its Decision No. 773, of 2 November 2016, has adopted the Cross-sector Justice Strategy and its Action Plan. **The mission** of this Strategy is to successfully implement the justice sector reform, to ensure an effective, efficient, independent and transparent judicial system in line with European best practice.

This document contains *eight strategic high-level objectives*, which are:

1. Strengthening the independence, efficiency, effectiveness and accountability of the justice system institutions.
2. Consolidation of legal education and training, as well as the specialization of magistrates and Court staff.
3. Improving the operation of the judicial system by strengthening its efficiency, transparency and accessibility in line with European standards.
4. Increasing the efficiency of the criminal justice system and anti-corruption measures by consolidating the mission, status and functions of the criminal justice institutions.
5. Improving the functioning of the justice system by providing modern electronic systems and facilities for the development of robust international cooperation.
6. Improving the protection of human rights in the penitentiary institutions' system.
7. Improving the operation of the Ministry of Justice and its subordinate institutions.
8. Improving the quality of service of the legal professions and establishing a legal framework for arbitration.

In the light of the above, in the context of deepening the commitment to the implementation of the Justice Reform and its reflection in the implementation of the Action Plan, the Ministry of Justice has revised the Action Plan of the Cross-sector Justice Strategy, for the period of 2019 - 2020. The Indicators Passport was drafted, in view of the objectives of the Strategy. In June, the Council of Ministers, by virtue of its Decision No. 409, of 19 June 2019 has adopted the Action Plan 2019-2021 of the Cross-sector Justice Strategy.

The methodology followed in the revision of the Action Plan was aimed to ensure participation of all responsible institutions, identified in the previous Action Plan, to receive their direct inputs and forecasts in drafting and implementing the measures. The envisaged measures are designed on the basis of concrete and measurable outcomes, and are costed. The **objective-indicator-measure** correlation was applied when predicting the measures. The objectives of the Strategy are organized and subdivided into sub-objectives to enable a closer and more direct organization of the envisaged and related measures. The milestone forecasting format has as well been applied.

The new measures of the 2019 - 2021 Action Plan in implementation of the Cross-sector Justice Strategy are aimed at intensifying the organization and functioning of the new justice bodies, such as the HJC, HPC, HIJ, JAC, SPAK and the Special Court against Corruption and Organised Crime, at deepening the technical-professional formation of the justice system through the continuous qualification of judges, prosecutors and the judicial administration, or even increased access to the justice system through the establishment and full operation of Free Legal Aid.

The 2019-2021 Action Plan gives a boost to the development of the judiciary through the introduction of IT management systems and other infrastructure improvements. The new justice bodies are expected to be better equipped with functional working conditions and tools.

The Ministry of Justice and its subordinate institutions, as part of the 2019-2021 Action Plan, come with concrete measures in terms of structural, organizational development and strengthening of human and professional capacities to enable implementation of the obligations deriving from the Strategy.

Freelance legal professions have become part of the 2019-2021 Action Plan, with measures envisaged to be fulfilled, coming as a result of the legal amendments of the laws on the relevant professions, as part of the Justice Reform package.

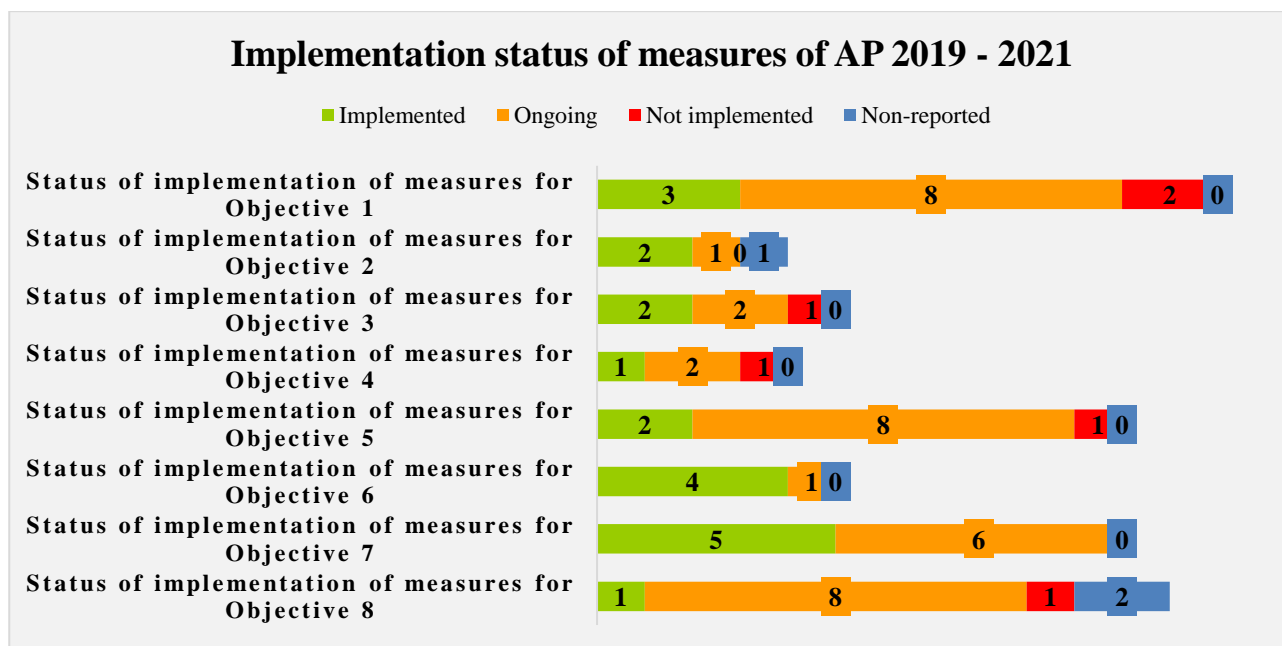
The 2019- 2021 Action Plan, in implementation of the Cross-sector Justice Strategy consists of:

- ✓ 8 strategic objectives;
- ✓ 11 indicators from the Indicators' Passport;
- ✓ 7 European Union tranche indicators;
- ✓ 65 measures.

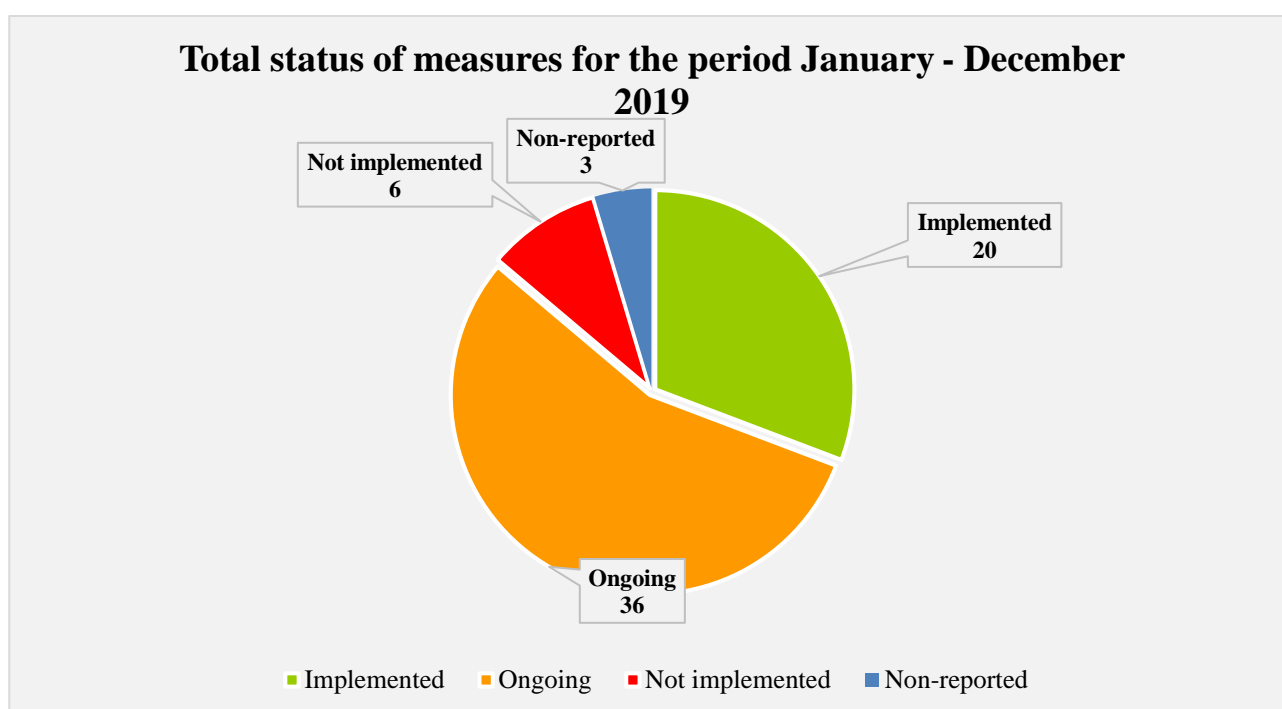
In order for us to monitor the achievements, progress and/or challenges towards meeting the objectives of the Strategy, reporting by contact points has provided information from each responsible institution regarding the implementation of the Strategy. This report is designed as part of the implementation of the 2019-2021 Action Plan and covers the progress during the period of from 1 January 2019 to 31 December 2019.

The Action Plan consists of the above 8 objectives and contains a total of 65 measures. The assessment of the level and status of the implementation of the Strategy measures is based on the information provided by each responsible institution/unit. The Ministry of Justice has conducted an assessment of the information during the month of January 2020. Based on an overall assessment of reporting for the period of from January to December 2019, the level of implementation of the Action Plan measures is as follows:

Status of implementation of measures as per the objectives



Total progress of measures of the 2019 – 2021 Action Plan



For the period of from January - December 2019, out of 65 measures foreseen in the 2019 – 2021 Action Plan, in implementation of the Cross-sector Justice Strategy, 20 of them have been implemented, 36 are still ongoing, 6 are not implemented and 3 are not reported by the responsible institutions. The total progress of implementation of the 2019 - 2021 Action Plan in percentage is as follows: 31% of measures are implemented, 55% of measures are ongoing, 9% of measures are to be implemented by the responsible institutions, and 5% of measures are not reported by the institutions (Constitutional Court, National Chamber of Private Enforcement, National Chamber of Mediators - partial reporting).

a. EXECUTIVE SUMMARY ON THE JUSTICE SYSTEM REFORM

o Progress achieved vis-à-vis legislation

Albania's justice system has recently undergone a number of profound reforms aimed at meeting European standards in this system. Through the adoption of Law No. 76/2016 *On Some Supplements and Amendments to Law No. 8417/1998 "The Constitution of the Republic of Albania, as amended*, Albania established the basis for the implementation of the Justice Reform. The Constitutional amendments and package of organic laws adopted in the context of the Justice Reform contain clearly defined provisions guaranteeing the independence, impartiality, professionalism, integrity of the judicial system, as well as improve the accountability and monitoring mechanisms of its functioning. *Moreover, a package of laws has been adopted, covering all aspects of judicial reform, with the Assembly having adopted 22 laws as well as a decision, thus concluding the package of reform laws in the Justice System*¹.

In December 2018, the Assembly adopted Law No. 110/2018 *On Notary*². The law lays down the rules for the exercise of the profession of the notary, as well as the manner of organization and functioning of the notary service in the Republic of Albania. In addition, the law also sets out the procedures for the admission exam in initial training, creation of the position of the assistant notary, criteria and procedures for the selection of assistant notaries, supervision and disciplinary responsibility, powers, rights, responsibilities and duties, financing of the notary activity, organization and the functioning of the National Chamber of Notaries, etc.

In April 2019, the Assembly adopted Decision No. 47/2019, of 18 April 2019 *On the approval of the 2019 – 2023 Public Legal Education Strategy*. The Public Legal Education Strategy sets out the vision, strategic and specific objectives of public legal education (PLE) over the period of 2019-2023. The PLE is the first strategic document adopted in Albania with a particular focus on legal education of citizens. PLE's vision for the coming years is: *to have citizens who are better aware of the importance of being informed on the law, their rights and obligations, based on specific needs and to promote civic activism to strengthen the rule of law*.

In April 2019, the Albanian Parliament adopted Law No. 25/2019 *On the Organization and Functioning of the Judicial Police*. This law defines general rules and principles regarding: a) the organization and functioning of the services and sections of the Judicial Police; b) their investigative activity; c) the status of Judicial Police officers; ç) relations with the Prosecution Office and the state institutions where they belong.

In May 2019, the Assembly of the Republic of Albania approved the Law No. 26/2019 *On the Private Enforcement Service*³. The purpose of this law is to define the manner of organization and operation of the private enforcement service, the conditions to be met by the individuals who are to exercise the

1 For more information on the package of Justice Reform laws refer to Annex 1, attached to this report.

2 Published in the Official Journal No. 16, of 13 February 2019. On 07 February 2019, by Decision No. 29/2019 Decree No. 10 540 of 14 January 2019, of the President of the Republic, *On the Return of Law No. 110/2018 On Notary* was repealed.

3 Published in the Official Journal No. 99, of 10 July 2019. On 04 July 2019, by Decision No. 74/2019, the Decree no. 11 195, of 31 May 2019, of the President of the Republic, *On the return of Law No. 26/2019 On Private Judicial Enforcement Service* was repealed.

task of the private judicial bailiff, the status, disciplinary measures, tasks and responsibilities, rules on tariff setting, as well as the relations with state institutions and the other public and private subjects.

○ Justice System Governing Bodies

The justice reform has brought significant changes to the institutional set-up of the Albanian judiciary. The new institutions are created by the Constitutional amendments and the above-mentioned specific organic laws.

The Ministry of Justice, upon entry into force of Law No. 96/2016, of 06 October 2016 *On the Status of Judges and Prosecutors* no longer exercises the competence of controlling the activity of Prosecution Offices and Courts of First Instance and Appeals, in investigating disciplinary violations and making recommendations for disciplinary proceedings in the case of prosecutors, and disciplinary proceedings in the case of judges. Since the entry into force of this Law, any complaint or information from preliminary verification, when it turns out that there is credible indication of disciplinary breach by the magistrate, is forwarded to the HIJ for further verification and follow-up.

The newly established institutions are as follows:

- The Justice Appointments Council (JAC) – the Constitution and Law No. 115/2016⁴.
- The High Judicial Council (HJC) – the Constitution and Law No. 115/2016.
- The High Prosecutorial Council (HPC) – the Constitution and Law No. 115/2016.
- The High Inspector of Justice (HIJ) – the Constitution and Law No. 115/2016.
- Special Prosecution Office against Corruption and Organised Crime – the Constitution and Law No. 95/2016⁵.
- The Court against Corruption and Organised Crime – the Constitution and Law No. 98/2016.
- The Court Councils – Law No. 98/2016⁶.
- The Re-evaluation Institutions – Law No. 84/2016⁷.

Another institution expected to be established is:

- The Special Investigative Unit/National Investigation Bureau – the Constitution and Law No. 95/2016.

Furthermore, in July 2019, Law No. 47/2019 *On some Supplements and Amendments to Law no. 115/2016 On the Governing Bodies of the Justice System*⁸, as well as Law No. 48/2019 *On some Supplements and Amendments to Law No. 96/2016 On the Status of Judges and Prosecutors in the Republic of Albania*⁹ were adopted. The revision of these two laws, among the most important of the

⁴ http://www.gjykataelarte.gov.al/web/ligj_nr_115_2016_per_organet_e_qeverisjes_se_sistemit_te_drejtisesise_1726.pdf

⁵ http://www.gjykataelarte.gov.al/web/ligj_nr_95_2016_per_organizimin_dhe_funksionimin_e_institucioneve_per_te_luftuar_korrupsionin_dhe_krimin_e_organizuar_s_1728.pdf

⁶ <https://qbz.gov.al/eli/ligj/2016/10/06/98-2016/77ec6921-a0fb-4149-81cb-7078bacf2c49>

⁷ <http://www.avokatipopullit.gov.al/sites/default/files/VETINGU/ligj-nr-84-dt-30-8-2016.pdf>

⁸ <https://qbz.gov.al/eli/fz/2019/113/837b2b34-2833-4add-8635-994462b57cc5>

⁹ <https://qbz.gov.al/eli/fz/2019/116/cefba541-edd9-4c6a-9832-ca386de2677b>

Justice Reform, came due to the Constitutional Court's 2017 rulings that overruled certain provisions in these laws.

The legal vacuum created by the decisions of the Constitutional Court (No. 41/2017, No. 78/2017 and No. 34/2017¹⁰) created problems regarding the rigorous implementation of reform laws, especially regarding the disciplinary function or proceedings against judges and prosecutors. The above two laws fill the vacuum created, enabling implementation of the legal framework of the justice system reform package.

With regard to the newly established institutions, **a decisive step in the implementation of the justice reform was the establishment of the High Judicial Council and the establishment of the High Prosecutorial Council, which are the two pillars for an independent and quality judicial system.**

In support of the new institutions set up in the framework of the justice reform, the **Pole of Justice** building was inaugurated **on July 22, 2019**, pursuant to the Council of Ministers' Decision No. 234, of 17 April 2019¹¹. The Pole of Justice groups and accommodates several justice institutions, such as the High Prosecutorial Council, the High Judicial Council and the School of Magistrates, in a single area.

Regarding the candidacy for the position of the Prosecutor General, on 05 December 2019, the Assembly by Decision No. 138/2019¹² voted Mr. Olsian Çela as the Prosecutor General of the Republic of Albania (from the list of candidates for Prosecutor General ranked by the HPC).

Another important milestone for the implementation of the Justice Reform is the establishment of the Special Courts on Corruption and Organized Crime and the Special Prosecution Office against Corruption and Organized Crime. In December 2019, pursuant to Decision No. 286, of 18 December 2019¹³, the High Judicial Council decided to launch the functioning of the Special Courts for Corruption and Organized Crime (The decision became effective on 19 December 2019). More specifically, the Court of First Instance for Serious Crimes is named the *Special Court of First Instance for Corruption and Organized Crime*, and the Court of Appeal for Serious Crimes is named the *Special Court of Appeal for Corruption and Organized Crime*.

Moreover, on 19 December 2019, the solemn oath ceremony was taken before the President of the Republic, by the eight members of the *Special Prosecutor's Office against Corruption and Organized Crime* (SPAK)¹⁴, which is a structure aimed at combating corruption at the highest levels and organized crime in the country. On the same day, the High Prosecutorial Council voted for the Special Prosecutor against Corruption and Organized Crime. The HPC ranked three candidates for the SPAK leadership, with Mr. Arben Kraja being appointed its head by virtue of Decision No. 281, of 19 December 2019, with 6 votes in favour out of 11 votes in total.

¹⁰ http://www.gjk.gov.al/web/Vendime_perfundimtare_100_1.php

¹¹ <https://qbz.gov.al/eli/fz/2019/55/ff19db48-0410-43a6-b795-9a68345718fe;q=55>

¹² http://www.parlament.al/Files/Projekte/20191206092654vendim%20nr%20%20138%20dt%20%205%2012%202019._pdf

¹³ <http://www.kld.al/vendime/vendim-nr-286-dat%C3%AB-18-12-2019>

¹⁴ <https://klp.al/2019/12/19/betohen-ne-presidence-8-prokuroret-e-prokurorise-se-posacme/>

The High Judicial Council

The High Judicial Council was established pursuant to the Constitution of the Republic of Albania and the provisions of Article 277, paragraph 3, of Law No. 115/2016 *On the Justice System Governing Bodies*, with the full trust and commitment that it shall ensure a fair judicial system, which is based on the principles of independence, accountability, transparency and efficiency at its meeting of 20 Decision 2018, by Decision No. 4.

From its establishment up until 31 December 2019, the HJC has taken **325 decisions**, focusing on:

- i. the activity of the HJC;
- ii. proper administration of Courts;
- iii. transitional re-evaluation process;
- iv. status of judges.

Following the election of the governing bodies, the chairperson and the deputy chairperson, as well as the members who will serve for a term of 3/5 years, the HJC approved the establishment and composition of the Standing Committees, in accordance with the legal provisions, as well as the ad-hoc committees, as *a necessity to address specific issues*.

The HJC structure and the administrative organigramme were approved by Decision No. 80, dated 30 May 2019. Drafting of job descriptions has been completed, as well as the evaluation of all employees (civil servants and administrative staff of the HJC and OAJB). Filling of vacancies of the organigramme is underway regarding civil servants and other administration employees.

The HJC, by virtue of Decision No. 69, of 03 May 2019, has adopted the **2018 Annual Report**, which at the same time provides a detailed analysis of the state of the judicial system and its immediate needs.

The Council, by its Decision No. 126 of 19 July 2019, has approved the *Strategic Plan* of the High Judicial Council for the judicial system in the Republic of Albania, for 2019-2020. This plan, widely consulted with the Ministry of Justice, Court Presidents, civil society organizations and international partners, in full harmony with the Cross-sector Justice Strategy, sets out the purpose, objectives, priorities and resources needed to achieve them. In this context, the Council also organized a meeting with donors to coordinate efforts to achieve the objectives of the justice reform. The Council has also set up a special Working Group that monitors the progress of the implementation of the Strategic Plan.

With a focus on **increasing transparency** in decision-making and improving relations with the media and the public, the Council has taken particular care in the full and timely publication of its materials. Also, a member of the Council is appointed as responsible for media relations. The HJC, by Order No. 19, of 09 April 2019 of the Secretary General, has approved the *Transparency Program for the High Judicial Council*. In addition, the Council, by Decision No. 280, of 10 December 2019, has appointed the **media judges** at the Courts of appeal jurisdiction. This decision aims to increase the

transparency of the work of the judicial system and improve the trust of the public. The Decision also stipulates that the media judge receives an additional 5% increase of his or her salary on top of his or initial gross salary.

○ *Proper administration of Courts*

The Council has adopted and put into operation a number of regulatory acts aimed at improving the efficiency and independence of the Courts, such as: the delegation scheme, temporary transfer of judges, appointment of judges to adjudicate special cases in other courts, election of Deputy Presidents of Courts etc. This is also *in response to the problems identified with regards to the lack of judges, the number of pending cases and the usual proceedings of the Courts in need.*

The process of putting in operation of the ***Special Courts for the Trial of Corruption and Organized Crime*** is now complete and their functioning has been announced by Decision No. 288, of 18 December 2019. The Council, by Decisions No. 287-304, of 18 December 2019 has permanently appointed 5 judges and temporarily 13 judges (pending completion of their transitional evaluation process).

Recruitment and appointment of High Court judges remains one of the main priorities of the HJC. The rules on the criteria and procedure for the promotion of magistrates to the High Court have been finalized, as well as the rules on the criteria and procedure for the appointment of non-judge members to the High Court. The promulgation of the appointment procedure in the High Court from the ranks of prominent lawyers was published on 10 July 2019, by opening the call for the quota of 1/5, or 4 seats, in the High Court. By Decision No. 209, of 11 October 2019, the HJC has approved the methodology for the evaluation and scoring of non-judge candidates and is currently completing the verification of the integrity of candidates, professional skills and their assets, and it is soon expected to have at least 4 judges coming from prominent (non-judges) lawyer ranks be appointed and form a functioning trial panel at the High Court. More specifically, 23 candidates have applied for the quota of 4 vacancies, out of who 4 withdrew and 11 candidates were disqualified for failing to meet the formal legal criteria. With regard to the remaining 8 candidacies, the process of property and integrity verification is underway for two candidates, the criteria have been positively evaluated for three candidates and three other candidates have been disqualified. According to the HJC 2019-2020¹⁵, Strategic Plan for the Judicial System, the Action Plan foresees hiring of 5 judges by 31 December 2019 and hiring of 7 other judges by 31 December 2020¹⁶.

With regard to ***reducing the backlog*** and increasing efficiency of the High Court, the Council, by Decision No. 317, of 19 December 2019, has approved the establishment of an ad hoc committee to draft an action plan.

The HJC is in the process of determining ***the territorial jurisdiction and size of the Courts***. The inter-institutional working group (consisting of representatives from domestic courts, HJC, Ministry of Justice and international partners, such as Council of Europe, EURALIUS and the Justice for All Project - JUST/USAID), based on international methodologies and standards, after a preliminary analysis, is finalizing three first drafts options of the new judicial map, which are expected to be

¹⁵ <http://www.kld.al/media/k2/galleries/njoftime/Plani%20Strategjik%20i%20KLGJ-se%20per%20sistem%20Gjyqesor%202019-2020%20.pdf>

¹⁶ <http://www.kld.al/procesverbale/2016/Planiveprimi.xlsx>

discussed by the end of January 2020.

Verification of legal criteria for incumbent chancellors: In fulfilment of this obligation, the HJC has begun the preliminary verification process of all incumbent chancellors, 37 chancellors in total. In the meantime, the HJC, in cooperation with the School of Magistrates and the support of the Justice for All Project (USAID), organised in June - July 2019 a training program for all Court Chancellors on international standards and best practices of judicial administration.

- *The transitional re-evaluation process (vetting process)*

Law No. 84/2016 *On the Provisional Re-evaluation of Judges and Prosecutors in the Republic of Albania*, and Article 171, paragraph 2 of Law No. 96/2016 *On the Status of Judges and Prosecutors in the Republic of Albania*, assigns the High Judicial Council, with certain specific tasks, at the role of auxiliary institution to the re-evaluation bodies - the Independent Qualification Commission and the Appeal Chambers.

Regarding the above, according to the data in the special register administered by the HJC, in the period of from 21 October 2016 to 31 March 2017, 466 re-evaluation subjects have filed the forms and other accompanying documentation for their professional evaluation.

Under the guidance and with the assistance of the Independent Qualification Commission, 104 lots were drawn for the reporting period for 104 transitional re-evaluation subjects and 99 detailed and reasoned reports have been submitted to the IQC and IMO, accompanied by 495 Court files for 99 re-evaluation subjects.

In total, considering the work carried out prior to the establishment of the HJC, as of 31 December 2019, 210 evaluation reports have been submitted to the IQC and IMO.

- *Status of Judges*

The HJC has finalised the necessary by-law basis for the new **Evaluation Scheme for Judges**: namely the HJC Decisions No. 263, of 21 November 2019 *Additional Rules for the Ethical and Professional Evaluation of Judges* and No. 264, of 21 November 2019, *Scoring Methodology for the Purpose of Determining the Level of Evaluation of the Judge*. Likewise, the HJC, by Decision No. 316, of 19 December 2019, has adopted the standard tables with the statistical data necessary for the purpose of the ethical and professional evaluation of judges. The Judicial Ethical and Professional Evaluation Program for 2020 was approved by Decision No. 276, of 10 December 2019.

The High Judicial Council, as the body responsible for adopting and monitoring the **Rules and Code of Ethics**, specifically its Ethics and Professional Activities Committee, is considering with priority drafting of the first draft of the standards of judicial ethics and rules of conduct of judges, according to Law No. 115/2016. By decision No. 208, of 11 December 2019, the HJC has appointed a judge as its Adviser for Ethics.

Creation and administration of personal files and the register of magistrates: establishment of the system, in cooperation with JFA and EURALIUS, was implemented with Decision No.114, of 9 July 2019 *On the Establishment and Administration at the High Judicial Council of Personal Files and the Register of Judges*. The system is now operational and is constantly being updated.

*The Council has also adopted the necessary rules (Decision Nos. 22 and 23, of 7 February 2019) on the criteria and procedure for the selection of magistrates and the period of service under the **mobility scheme**; rules on notifications and methods for filling **temporary vacancies** (created by assignments, transfers, promotions, etc.); on organization and **transferring** of magistrates; rules on criteria and procedure on the **promotion** of magistrates to higher levels, etc.*

Regarding the process of **appointment and nomination of magistrates** who have finished the School of Magistrates in 2018 and 2019, this process has been implemented and ten magistrates have been appointed (graduated in 2018 - Decisions No. 145-154, of 30 July 2019), while the verification phase for 15 magistrate candidates, graduated in 2019, is underway. *Determination and publication of the number of **magistrate candidates to be admitted to the initial training** for the 2019-2020 Academic Year has been completed by Decision No. 17, of 29 January 2019, and the HJC has expressed itself through the comments given to the School of Magistrates, after a preliminary evaluation of applications for admission to the initial training by the School of Magistrates, with the report dated 28 March 2019 **Remarks and Objections on the School of Magistrates Report regarding the Results of the Preliminary Evaluation of the Candidates who have Applied for Admission to the Initial Education for the 2019-2020 Academic Year, the Judge Profile**. By virtue of Decisions 183 - 202, of 02 October 2019, the HJC has approved the report on fulfilment of the legal and professional admission criteria at the School of Magistrates.*

The High Prosecutorial Council

The HPC is one of the new governance institutions of the justice system, which was established in the framework of the judicial reform, following the amendments to the Constitution of the Republic of Albania, as well as the adoption of special laws regulating the organization and functioning of the constituent bodies of the justice system.

Article 149 of the Constitution provides that the HPC is a collegial body consisting of 11 members, of which 6 members are elected from among the ranks of prosecutors of all levels and 5 members are elected by the Assembly from among lawyers. Accordingly, on 11 December 2018, the General Meeting of Prosecutors was held for the election of six members of the HPC, while the first HPC meeting was held on 19 December 2018, during which the Chairman and Deputy Chairman of the Council were elected.

The HPC guarantees the independence, accountability, discipline, status and career of prosecutors of the Republic of Albania. In this context, this strategy will report on some of the most important issues, both national and international, such as the establishment of the Special Prosecutor's Office (hereinafter, the SPAK), the procedure for the selection of candidates for General Prosecutor, or even other aspects, such as: drafting of bylaws, the election of the SPAK head and the future of the National Bureau of Investigation (hereinafter, the NBI).

○ *On the procedure of SPAK establishment*

The High Prosecutorial Council is the competent authority for the appointment of prosecutors of the Special Prosecution Office against Corruption and Organized Crime, pursuant to Article 179/8 of the Constitution, Article 4/2 of the Law *On the Status of Organization and Functioning of the Institutions*

for Combating Corruption and Organised Crime (hereinafter, the Law on SPAK) and Article 48/2 and 3 of the *Law On the Status of Judges and Prosecutors in the Republic of Albania, as amended*.

The HPC, on 7 January 2019, announced the commencement of procedures for filling 15 positions in the Special Prosecution Office against Corruption and Organized Crime. At the end of the deadline, namely 21 February 2019, 28 candidates had applied, with only 25 of them meeting the legal requirements to continue the competition for special prosecutors.

Work begun simultaneously with the announcement of vacancies for the drafting of the Regulation *On the Criteria and Procedure for the Promotion of Prosecutors at the Special Prosecution Office against Corruption and Organized Crime* (hereinafter, the Regulation). The process of drafting the Regulation has been supported by OPDAT and EURALIUS experts. The Regulation was adopted by Decision No. 51, of 19 March 2019, of the HPC, which is published in the Official Journal No. 44, of 29 March 2019. The regulation entered into force on the same date.

The number of candidates for Special Prosecutor reached 24, as a result of resignation from the competition and the election as a member of the HPC of Prosecutor Vatë Staka.

Also, Mr. Shkëlzen Cena, filed a request for resignation from the evaluation process for prosecutor at the Special Prosecution Office on 27 May 2019, registered under Prot. No. 462, and the Council by Decision no. 57/1, of 12 June 2019, decided to terminate his candidacy.

Whereas Mr. Eugen Beçi was dismissed from his position by the Independent Qualification Commission (hereinafter, IQC) on 26 June 2019. Up until the conclusion of the evaluation for this subject, he is considered suspended from office and does not continue to serve as a prosecutor. For this reason, the HPC, by virtue of Decision No.118, of 28 June 2019, has decided to suspend the candidacy of this candidate.

The HPC set up a Special Committee, which established an official communication with the candidates.

After submitting the documentation requested by the candidates, the Special Committee started working on their evaluation. The working methodology of this Special Committee was approved by an order of its Chairman.

In the period of from May to June 2019, the Committee has conducted an intensive activity for the evaluation of candidates for prosecutors in the Special Prosecution Office. Representatives of OPDAT and EURALIUS were present at these meetings, too.

Following intensive work and long discussions, the Committee has made the evaluation regarding the qualification of candidates according to the criteria set out in the Regulation.

Out of the 22 candidates running for prosecutors, following the interview process conducted in 15 July 2019, **15 candidates for SPAK prosecutors** were selected. The HPC, by its Decision No. 137, of 16 July 2019, approved the list of candidates for prosecutors at the Special Prosecution Office against Corruption and Organized Crime¹⁷.

By Decision No. 234, of 12 November 2019, *On an Amendment to Decision No. 137, of 16 July 2019, On the approval of the List Ranking the Candidates for Prosecutors in the Special Prosecution Office*, the HPC made the relevant changes in the rankings of candidates, barring the candidacy of two

¹⁷ <http://klp.al/wp-content/uploads/2019/07/Nr.137-Dat%C3%AB-16.07.2019.pdf>

prosecutors, Mr. Besnik Muçi, who was decreed by the President of the Republic as a member of the Constitutional Court, and Mr. Ndini Tavani, who formally withdrew from the race.

On 25 November 2019, the HPC decided that the eight candidates for SPAK prosecutors, who have undergone the re-evaluation process and received confirmation in office by final decision, be appointed as SPAK prosecutors. Meanwhile, the HCP invited them to express their interest and apply for promotion to the position of the SPAK leader. The application deadline was set to be 10 December 2019.

At the same time, by Decision No. 237, of 25 November 2019, *On the Approval of the Methodology for the Evaluation of Candidates for the Head of the Special Prosecution Office*, the HPC adopted an internal working document, which aimed at guiding the members in the evaluation of the candidates for leadership at the Special Prosecution Office.

Three candidates out of eight SPAK prosecutors expressed interest for this position, namely: Mr. Altin Dumani, Mr. Arben Kraja, and Mr. Edvin Kondili.

On 12 December 2019, the HPC appointed the eight candidates as SPAK prosecutors, with a transitional period from the moment of decision making until the commencement of their work.

On 18 December 2019, the three candidates for the SPAK leader were interviewed by Council members, the international partners OPDAT and EURALIUS, at the presence of the media.

On 19 December 2019, the eight SPAK prosecutors took an oath before the President of the Republic at a public ceremony.

On the same day, the HPC listed three candidates for the SPAK leader, with Mr. Arben Kraja being appointed its leader by virtue of Decision No. 281, of 19 December 2019, with 6 votes in favour out of 11 votes in total.

Three candidates from eight SPAK prosecutors expressed interest in this position, namely: Mr. Altin Dumani, Mr. Arben Kraja, and Mr. Edvin Kondili. Regarding the other candidates for SPAK Prosecutor, the HPC has confirmed two candidates in office, with Decisions of 05 December 2019 and 10 December 2019, respectively Ms. Anita Jella and Ms. Doloreza Musabelliu. As provided for under Law No. 84/2016, *On the Provisional Re-evaluation of Judges and Prosecutors in the Republic of Albania*, the re-evaluation subjects and the Public Commissioner have the right to appeal the HPC Decision within 15 days from the date of notification of the Decision. We still have to see whether the HPC Decision shall become final or not.

Also, as for the other candidates for SPAK prosecutor:

1. Prosecutor Manjola Kajana has been confirmed by the HPC, but this Decision has been appealed by the Public Commissioner. There is no final decision for her as of yet. The date of the review by the Special Appeals Chambers (hereinafter, the SAC) has not yet been announced, but the panel that will evaluate the case has been set up.
2. For prosecutors:
 - Mr. Anton Martini (the decision was to be taken on 12 December 2019, but it was not taken due to reasonable causes. The date for the notification of the decision shall be notified again in the IAC's website).
 - Znj. Elisabeta Imeraj (there is no foreseen date).

○ *On the procedure of election of the Prosecutor General*

Regarding the seat of the Prosecutor General, the HPC is the body responsible for selecting the candidates for this position. In this context, by Decision No. 50, of 19 March 2019, the Council approved its Regulation *On the Criteria and Procedure for the Selection of Candidates for General Prosecutor*. The Regulation's drafting process has been supported by OPDAT and EURALIUS mission experts. Further, the HPC issued an invitation for expression of interest for the position of the Prosecutor General.

In light of the above, by the deadline set by the HPC (of 29 April 2019) 4 candidates (Ms. Arta Marku, Ms. Fatjona Memçaj, Mr. Lulzim Alushaj and Mr. Olsian Çela) expressed their interest for the position of the Prosecutor General.

Within 45 days of the deadline for the submission of the expression of interest by the candidates, the HPC completed the verification of fulfilment of legal requirements by the candidates for General Prosecutor, according to the legislation in force. In the meantime, in compliance with the legal provisions, the HPC also awaited for the completion of re-evaluation procedures for the candidates undergoing this process until their confirmation in office. The HPC did officially address the IQC to give priority to the re-evaluation of the candidate, Mr. Olsian Çela, so that the process could be completed within the legal deadline.

The HPC, with its Decision No. 109, of 17 June 2019, decided to postpone the 45-day deadline for verifying fulfilment of legal requirements by the candidates for the Prosecutor General, until the completion of this process for the candidate Mr. Olsian Çela.

At the meeting of the HPC, on 25 September 2019, upon the final decision of confirmation in office of the candidate Mr. Olsian Çela from the vetting institutions, the final list with the names of the candidates meeting the requirements to continue the race for General Prosecutor was approved. The list was composed of:

- Ms. Arta Marku;
- Mr. Olsian Çela;
- Ms. Fatjona Memçaj.

All these three candidates appear to meet the requirements for further competition, while one candidate was barred (Mr. Lulzim Alushaj) from the competition failing to meet the requirement of 15 years of experience as a prominent lawyer, and on grounds of lacking documentation (two self-declarations). By virtue of Decision No. 169, of 25 September 2019, the HPC decided to discontinue his candidacy as a candidate for General Prosecutor¹⁸.

Further on, the HPC by virtue of Decision No. 228, of 29 October 2019, decided to approve the list with the names of the candidates for Prosecutor General who met the legal requirements for this position, after their preliminary evaluation, and by Decision No. 229, of 12 November 2019, the HPC adopted the *Methodology for the Evaluation and Ranking of the Candidates for General Prosecutor*.

On 13 November 2019, the HPC organized the hearing with all three candidates. The interviews were conducted at the presence of Council members, international partners, EURALIUS, OPDAT and the media. Each of the candidates answered their respective questions and presented their own platform, which was then to be considered by the Council.

¹⁸ <https://klp.al/wp-content/uploads/2019/09/vendim-nr-169-25.09.2019-1.pdf>

On 14 November 2019, the Council approved the rankings of three candidates, based on the points allocated to them:

- Olsian Çela (459 points);
- Arta Marku (406 points);
- Fatjona Memçaj (362 points).

Following this process, the candidates had the right to appeal the HPC Decision within three days of its notification, but none of the candidates exhausted this right.

Further on, the HPC submitted to the Parliament of Albania the proposal to nominate as the Prosecutor General one of the three candidates in the list, according to the above points. The proposal included the Council's reasoned Decision.

The Prosecutor General is appointed under Article 148/a of the Constitution, which stipulates that he shall be elected by three-fifths of the Members of Parliament, among the three candidates proposed by the HPC, for a term of seven years and without the right to reappointment. If the Assembly does not elect the Prosecutor General within 30 days of the submission of the proposals, the candidate ranked first by the HPC shall be declared appointed.

On 05 December 2019, by Decision No. 138/2019, the Assembly of the Republic of Albania elected Mr. Olsian Çela as the Prosecutor General of the Republic of Albania.

- o *Acts approved during the reporting period*

During January – December 2019, the HPC has approved the following acts:

- ✓ *Regulation On the Criteria and Procedure for the Promotion of Prosecutors at the Special Prosecution Office against Corruption and Organized Crime.*
- ✓ *Regulation On the Criteria and Procedure for the Selection of Candidates for the Prosecutor General of the Republic of Albania.*
- ✓ *Working Methodology of the Special Committee for the Evaluation of Candidates for the Special Prosecution Office against Corruption and Organized Crime.*
- ✓ *Regulation On Activities beyond the Function of Prosecutors.*
- ✓ *Regulation On the Provisional Appointment of Prosecutors.*
- ✓ *Regulation On Payments of Prosecutors for Overtime Work.*
- ✓ *Regulation On the Procedure of Verification of Conditions and Legal Criteria for the Recruitment, Appointment as Magistrates and Appointment of Candidates for Prosecutors, as well as the Career Development of Prosecutors.*
- ✓ *Regulation On the Ethical and Professional Assessment of Subjects in the Re-evaluation Process.*
- ✓ *Methodology On the Evaluation and Assignment of Points for the Ranking of Candidates for General Prosecutor.*
- ✓ *Guiding Methodology On the Evaluation of Candidates for the Head of the Special Prosecution Office.*
- ✓ *Regulation On the Rules for Guaranteeing Compulsory Defence and Assignment on the Basis of the Principle of Rotation of the Defence Counsel, from the List of Lawyers providing Secondary Legal Aid Services in Criminal Proceedings.*

Furthermore, some other acts are underway, which are expected to be approved in the near future:

- Regulation *On the Criteria and Procedures for Promotion to Higher Ranks and at the Position of the Head of Prosecution Office*.
 - Regulation *On the Rules for the Evaluation, Scoring and Ranking of Candidates in the Parallel Movement Procedure for Prosecutors*.
 - HPC Internal Rules of Procedure.
- *Latest changes in the composition of the Council membership*

In August 2019, the HPC, by virtue of Decision No. 161, of 02 August 2019, declared the termination of the mandate for the HPC member, Mr. Gentian Osmani, on grounds of incompatibility in the exercise of his duty, as a result of the decision of the Special Appeal Chambers No. 20, of 31 July 2019, which ruled on the final dismissal of Mr. Gentian Osmani as a prosecutor. As a follow-up to this occurrence, on 02 September 2019, the General Prosecutor's Office opened the competition for the vacancy created by Mr. Gentian Osmani, inviting the first instance prosecutors to submit a request for expression of interest for filling the vacancy as a member of the HPC.

Of the candidates who expressed an interest in running for a member of the HPC, the General Prosecutor's Office decided:

- ✓ **Mr. Vladimir Mara**, Prosecutor at the Prosecution Office of the Court of First Instance for Serious Crimes, meets the legal requirements to run as a member of the HPC
- ✓ **Ms. Esmeralda Keshi (Cami)**, Prosecutor at the Prosecutor's Office at the Dibër First Instance Court, meets the legal requirements to run as a member of the HPC.

At the conclusion of the voting process of the General Meeting of Prosecutors for the election of 1 (one) prosecutor as a member of the HPC, where 253 (two hundred and fifty-three) prosecutors participated in the voting, the winner was Ms. Esmeralda Keshi (Cami) with 133 votes in favour. Mr. Vladimir Mara came in second with 109 votes.

- *Procedure after the establishment of SPAK*

Following the establishment of the Special Structure Against Corruption and Organized Crime (SPAK) and the appointment of its Chair, the process of appointing the head of the National Bureau of Investigation (NBI) has also been launched. Applicants for the position of the NBI Director must meet the criteria set out in Article 34 of Law No. 95/2016 *On the Organization and Functioning of Institutions for Fighting Corruption and Organized Crime*¹⁹, which includes work experience, education and past behaviour.

The National Bureau of Investigation will consist of 60 investigators. The selection process is set out in Articles 6 and 38 of Law No. 95/2016, which lays down the criteria for the appointment of a NIB investigator. The evaluation will be carried out based on the professional skills, integrity, and mental

¹⁹ http://www.gjykataelarte.gov.al/web/lligj_nr_95_2016_per_organizimin_dhe_funkcionimin_e_institucioneve_per_te_luftuar_korru_psonin_dhe_krimin_e_organizuar_s_1728.pdf

and physical skills of the applicants. Furthermore, a preliminary notice has been published on the official website of the High Prosecutorial Council for all concerned²⁰.

The Justice Appointment Council

The Justice Appointment Council (JAC), pursuant to Article 149/d of the Constitution, carries out the verification of the legal conditions and the evaluation of the professional and moral criteria of the candidates for High Inspector of Justice, as well as the candidates for members of the Constitutional Court. The Justice Appointments Council is made up of 9 members selected by lot, from among the ranks of judges and prosecutors. They exercise their mandate for one year. On **7 December 2018**, the Speaker of the Assembly, pursuant to paragraph 3 of Article 149/d of the Constitution, Article 284 of Law No. 115/2016 *On the Governing Bodies of the Justice System*, and Order No. 2, of 3 December 2018, of the Speaker of the Assembly *On the Procedure and Rules for Lot Drawing for the Election of Members of the Council of Justice Appointments*, conducted the lot drawing procedure for the election of members of the Council of Justice Appointments (temporary).

At the conclusion of the lot drawing process, 8 members of the Justice Appointment Council were appointed, as well as three alternate members. One of the members of the JAC, namely the President of the Constitutional Court, was dismissed by a final decision of the Special Appeal Chambers, while one substitute member was dismissed by the Independent Qualification Commission. Consequently, for 2019 the JAC had only 7 members and two substitute members. The **Justice Appointments Council**, designated under this lot, exercises its function for one calendar year beginning from **1 January, 2019**.

During 2019, the Justice Appointments Council (interim 2019) held a total of **39 meetings**. The JAC, in the process of adopting of bylaws, as well as in the process of verifying the candidacies and evaluating, scoring and ranking the candidates allowed for all vacancies in the process has reviewed the relevant draft acts and issued a total of **154 decisions**.

For the period January - July 2019, a total of 25 meetings were held by the Justice Appointments Council (interim 2019). By July 2019, the Justice Appointments Council has approved and published on the official website of the Supreme Court the following acts:

- a) Decision No. 1, of 08 February 2019 *Internal Rules of Procedure on the Functioning of the JAC*;
- b) Decision No. 2, of 15 February 2019 *On the Procedure for the Designation of Rapporteurs for Vacant Positions in any Institution*;
- c) Decision No. 4, of 11 March 2019 *On the Procedure of Verification of Candidates for Vacant Positions in the Constitutional Court and the High Inspector of Justice*;
- d) Decision No. 5, of 02 April 2019 *On the Criteria and Procedure for Evaluation, Scoring and Ranking of Candidates for Vacant Positions in the Constitutional Court and the High Inspector of Justice*;
- e) Decision No. 51, of 21 June 2019 *Methodology for Evaluation and Assignment of Points for Ranking of Candidates for Judges in the Constitutional Court*;

²⁰ <https://kjp.al/bkh/>

- f) Decision No. 52, of 21 June 2019 *Methodology for Evaluation and Assignment of Points for Ranking of Candidates for High Inspector of Justice.*
- g) On 01 March 2019, the JAC (interim 2019) has placed the *Announcement for the Opening of the Application Procedure for the Position of High Inspector of Justice.* 12 candidates have expressed interest as a follow-up to this announcement.

Further more, during August – December 2019, the Justice Appointment Council (interim 2019) has held 19 meetings, dealing with:

- evaluation of the candidates for the vacant positions of the Constitutional Court Judge;
- interviewing of candidates (platform, vision, foreign language level, etc.);
- one candidate was reconsidered, who was returned for reconsideration by the Administrative Court of Appeal and subsequently a ban was imposed again leaving 6 candidates in the race;
- the final evaluation of the candidates has been done and the relevant draft report has been approved;
- the vacancy for High Inspector of Justice has been re-announced and 4 other candidates have expressed their interest;
- continued with the verification and evaluation procedure for the vacant position of High Inspector of Justice, at the end with only 5 candidates;
- the lottery for the appointment of the rapporteur and the advisers for the vacancy announced by the Parliament of the Republic of Albania on 28 August 2018 and re-announced on 21 August 2019, where 6 candidates have applied and for whom it has proceeded with the verification of the legal criteria;
- the lottery for the appointment of the rapporteur and advisers for the vacancy announced by the President of the Republic of Albania on 07 February 2018 and re-announced on 27 September 2019, where 6 candidates applied and for whom the legal criteria were verified ;
- the verification, evaluation and scoring procedures for the vacancy of the High Justice Inspectorate have been completed, and a final list with the names of 5 candidates has been sent to the Assembly, etc.

o *Vacancies at the Constitutional Court*

The Judicial Appointments Council, during 2019, carried out the procedures of verification and/or evaluation, scoring and ranking candidates for vacancies in the Constitutional Court announced by the President of the Republic and the Assembly. This is because according to the Constitution and the law, the procedures for the election and appointment of judges to the Constitutional Court had to be implemented.

1. During 2019, after the completion of verification and evaluation, scoring and ranking of the candidates, the JAC sent to the President of the Republic, on 08 October 2019, the final ranking lists for 2 vacancies, for which, the President has appointed 2 judges of the Constitutional Court:

- a) For the vacancy at the Constitutional Court, full vacancy, announced by the President on 07 February 2018;

Following his appointment as a judge of the Constitutional Court by the President, the ICC, after reviewing the case, held that the candidate should not have been confirmed in office as a prosecutor for lack of property integrity in the exercise of his duty. As a result, this judge also lost the mandate given by the President as a judge of the Constitutional Court. In such circumstances, the President of the Republic announced the procedure of calling for candidacies for the newly created vacancy at the Constitutional Court. On 27 December 2019, the list of candidates was forwarded to the JAC.

- a) For the vacancy at the Constitutional Court, a full vacancy, proclaimed by the President on 4 April 2019;

The President of the Republic appointed as a judge to the Constitutional Court, the candidate who was ranked the fourth in the final list. The candidate, being subject to provisional vetting as a magistrate and former Chief Inspector of the High Council of Justice, after reviewing the case, the Independent Qualification Commission had decided to terminate the process without verifying her property, moral and professional integrity, with the motive of losing the status of a magistrate. This decision was not affected by the Special Appeal Chamber after the complainant withdrew the appeal and, consequently, the case was dismissed.

1. During 2019, after the completion of the verification and evaluation, scoring and ranking of the candidates, the JAC sent to the Assembly of the Republic of Albania, on 14 October 2019, the final ranking lists for 2 vacancies, for which, the Assembly has appointed 2 judges of the Constitutional Court:

- a) For the vacancy at the Constitutional Court, full vacancy, announced by the Assembly on 12 February 2018;

The Assembly appointed as a judge to the Constitutional Court, the candidate who was second on the final list. The decision of the Assembly on the nomination of the candidate was issued on 11 November 2019.

- b) For the vacancy at the Constitutional Court, full vacancy, proclaimed by the Assembly on 04 March 2019;

The Assembly appointed as a judge to the Constitutional Court, the candidate who was second on the final list. The decision of the Assembly on the nomination of the candidate was issued on 11 November 2019.

1. Due to the lack of the minimum number of 3 (three) candidates who have expressed an interest in running for the vacancies/because during the candidacy verification procedures the number of candidates remained to be valuated/ranked by the JAC turned out to be lower than 3, in respect of some of the vacancies in the Constitutional Court, the JAC, because of the absence of the legal conditions, during the exercise of its activity in 2019, could not send to each of the appointment bodies, namely the President of the Republic and the Assembly, the respective final lists of candidates

listed, so that these designated bodies could exercise their powers to appoint/elect judges to other vacancies in the Constitutional Court.

i. The vacancy, early vacancy, at the Constitutional Court, announced on 28 August 2018 and re-announced by the Assembly on 21 August 2019, due to the expiry of the mandate of Judge Mr. F. Lulo.

During 2019, the Justice Appointment Council has conducted the verification procedures of the candidacies running for the vacant position, early vacancy, for a judge at the Constitutional Court announced by the Assembly on 28 August 2018. But, when, after performing these procedures and withdrawal or prohibition from running, there were no longer eligible candidates to perform the evaluation, scoring and ranking procedures of eligible candidates to be sent for consideration and election to the Assembly, the JAC decided to notify the appointment body -- the Assembly, to re-announce the call for expression of interest in running for that vacancy.

At the end of the 30-day deadline of the procedure for the announcement of the call for applications dated 21 August 2019, the Assembly forwarded to the Council the list of 6 candidates running for this vacancy.

Immediately after receiving the nomination documentation from the appointing body, on 21 September 2019, the Council initiated and carried out most of the procedures for verifying the fulfilment of legal requirements for these candidates.

i. Vacancy, early vacancy, at the Constitutional Court, notified on 07 February 2018 and re-notified on 27 September 2019 from the President of the Republic, because of early termination of the mandate of Judge B. Imeraj.

The Justice Appointment Council, during 2019, has carried out procedures for the verification of candidacies putting themselves forward for the vacancy, early vacancy, for a judge at the Constitutional Court announced by the President of the Republic on 07 February 2018. But, in the conditions when only two candidates were left to run after completion of the relevant procedures and the withdrawal or prohibition of the candidacy for some candidates, while the Constitution required a minimum of 3 candidates to be selected by the appointing body, the Council decided to notify the President of the Republic to re-announce again the call for filling of this vacancy.

At the end of the procedure for announcing the call for applications, on 27 September 2019, the President of the Republic forwarded to the Council the list of 6 candidates running for this vacancy.

Immediately after receiving the documentation from the appointing body, on 22 October 2019, the Council initiated and carried out most of the procedures for verifying the fulfilment of legal requirements for these candidates.

ii. Vacancy, early vacancy, in the Constitutional Court, announced on 22 November 2019 by the President of the Republic due to expiry of the term of office of Judge Mr. Besnik Muçi.

Due to the dismissal of Mr. B. Muçi by decision of the Special Appeal Chambers, the President of the Republic by Decree No. 1364, of 22 November 2019 has announced the call for expression of interest for the vacancy, early vacancy, created in the Constitutional Court because of the aforementioned SAC decision.

At the end of the deadline, on 24 December 2019, the list of 10 candidates running for this vacancy has been announced. On 27 December 2019, the relevant documentation for these candidates was administered by the Justice Appointment Council.

This moment of the 2019 JAC's investment in the respective procedures of verifying, evaluating and ranking the candidates for this vacancy coincided with the last days of the Constitutional mandate of the JAC of last year. Consequently, the procedure of convening a meeting regarding this vacancy and the lot drawing for appointing the case rapporteur, were not held and it was decided that these procedures be taken care of by the 2020 JAC.

○ *Vacancies for High Inspector of Justice*

During 2019, after the implementation of two public announcements for expression of interest by the candidacies (in March and September 2019), at the end of the procedures for the verification, evaluation, scoring and ranking of candidates, the JAC sent to the Assembly of the Republic of Albania, in December 2019, the final list of rankings of the candidates for the vacancy of the High Inspector of Justice.

The Assembly, from the final list of all candidates sent by the JAC, according to its interpretation of the Constitution and the law, appointed Mr. Artur Metani as the High Inspector of Justice, who was first on the final list of 5 candidates²¹. On 20 January 2020, the Assembly by Decision No. 2/2020 elected Mr. Arthur Metani as the High Inspector of Justice²².

○ *Vetting process and progress of the re-evaluation institutions*

The Independent Qualification Commission is a new Constitutional body, with a five-year mandate, created as a result of the new Constitutional amendments, as part of the Justice Reform package, to create an independent and professional judiciary, free from corruption. The Assembly of Albania by Decision No. 82/2017, of 17 June 2017, approved *en-block* the list with 12 commissioners. The activity of the Commission is based on the Constitution of the Republic of Albania and Law No. 84/2016 *On the Provisional Re-evaluation of Judges and Prosecutors in the Republic of Albania*. The purpose of the law is the transitional re-evaluation of judges and prosecutors (vetting subjects) in the Republic of Albania.

²¹ http://www.gjykataelarte.gov.al/web/Mbledhja_e_K_E_D_e_dates_23_12_2019_6322_1.php

²² <http://parlament.al/Files/Akte/20200124111759vendim%20nr%20%202%20dt%20%2020%201%202020.pdf>

The Commission assesses the issues of the vetting subjects in 4 panels of 3 members each, based on three criteria:

- a) Asset evaluation;
- b) Integrity;
- c) Professional skills evaluation.

Since its establishment until the end of December 2019, the **Independent Qualification Commission** has issued a total of **221 decisions**, of which:

- ✓ 94 decisions on confirmation in office of 39 judges, 46 prosecutors and 9 legal assistants/candidates for magistrates;
- ✓ 83 decisions on dismissal from office of 50 judges and 31 prosecutors and 2 legal assistants in the Administrative Court of First Instance/candidates for magistrate;
- ✓ 19 decisions on termination of the proceedings for 13 judges, 5 prosecutors and 1 legal adviser in the Constitutional Court; (Article G of the Annex to the Constitution);
- ✓ 8 decisions on termination of the proceedings for 3 judges, 1 prosecutor and 4 legal assistants of the High Court (Article 56 of Law No. 84/2016);
- ✓ 16 decisions on termination of the proceedings for 10 judges, 5 prosecutors and 1 (Chief Inspector) of the High Inspectorate of Justice. (Article 95 of the Code of Administrative Procedures and Article 64 of Law No. 96/2016);
- ✓ 1 decision on suspension of a prosecutor from office.

More specifically, for the period of *January – December 2019*, the Independent Qualification Commission has issued **129 decisions**, of which:

- ✓ 52 decisions of confirmation in office of 19 judges, 28 prosecutors and 5 legal assistants;
- ✓ 48 decisions of dismissals from office of 28 judges, 19 prosecutors and 1 legal advisor;
- ✓ 12 decisions of termination of the re-evaluation process of 9 judges and 3 prosecutors;
- ✓ 16 decisions of completion of the re-evaluation process for the High Inspector of Justice, 10 judges and 5 prosecutors;
- ✓ 1 decision of dismissal of the vetting subject.

The Special Appeal Chamber continues to exercise its function in the re-evaluation process of judges and prosecutors, following an appeal by the vetting subjects or the Public Commissioner against the decisions of the Independent Qualification Commission. The Special Appeal Chamber is the only judicial body to hear appeals filed by the re-evaluation subjects or the Public Commissioner against decisions of the Independent Qualification Commission.

In total, as of **31 December, 2019**, 102 cases were registered with the Special Appeal Chamber and 46 decisions of the re-evaluation jurisdiction were announced. Of the 46 cases that have been completed, the Special Appeal Chamber has decided to:

- i. Uphold the decision of the Independent Qualification Commission - in **31 decisions**;

- ii. Overrule the decision of the Independent Qualification Commission regarding the decision of dismissal of the re-evaluation subjects from being judges or prosecutors of any level, a member of the HJC or HPC, High Inspector of Justice or Prosecutor General for a period of 15- years - in **3 decisions**;
- iii. Overrule the decision of the Independent Qualification Commission, by ruling the dismissal of the re-evaluation subject - in **9 decisions**;
- iv. Quash the decision of the Independent Qualification Commission and dismissal from office - **1 decision**;
- v. Suspend the case examination due to the withdrawal of the complaint by the appellant - in **2 decisions**.

Public participation in denouncing facts is provided for under Article 53 of Law No. 84/2016. In this context, from January 2018 up until 31 December 2019, 476 denouncements have been recorded and treated.

More specifically, for the period of *January - December 2019*, 62 cases were registered with the Special Appeal Chamber and 34 decisions were announced by it. Of the 34 cases that have been examined, the Special Appeal Chamber has decided to:

- i. Uphold the decision of the Independent Qualification Commission - in **23 decisions**;
- ii. Overrule the decision of the Independent Qualification Commission regarding the decision of dismissal of the re-evaluation subjects from being judges or prosecutors of any level, a member of the HJC or HPC, High Inspector of Justice or Prosecutor General for a period of 15- years - in **1 decisions**;
- iii. Overrule the decision of the Independent Qualification Commission, by ruling the dismissal of the re-evaluation subject - in **8 decisions**;
- iv. Quash the decision of the Independent Qualification Commission and dismissal from office - **1 decision**;
- v. Suspend the case examination due to the withdrawal of the complaint by the appellant - in **1 decisions**.

Regarding public participation in the denunciation of facts, for the period January-December 2019, 340 denunciations were registered and dealt with at the Special Appeal Chamber.

The Public Commissioners, as representatives of the public interest in the process of the Justice Reform, exercise the following powers:

- a. File an appeal to the Special Appeal Chamber at the Constitutional Court the decisions of the Independent Qualification Commission, 15 days after being notified of them (Article 63 of Law No. 84/2016).
- b. Draft a written report with reasons for refusing to comply with the recommendations of the International Monitoring Operation (IMO) to file a complaint with the Special Appeal Chamber (Annex to the Constitutional, Article B, *International Monitoring Operation*).
- c. Adopt rules on the activity of the institution (Article 69/3 of Law No. 84/2016).

The Public Commissioners, for the period February 2018 - December 2019, have in total been notified by the Independent Qualification Commission (IQC) for **204 decisions**. 29 of them have appealed and 172 no-appeal decisions have been taken by them. Three IQC decisions are under review.

There are **432 denunciations** recorded in the Public Disclosure Register for the period of February 2018 - December 2019.

More specifically, the **Public Commissioners**, for the period of *January - December 2019*, have been notified by the Independent Qualification Commission (IQC) for **127 decisions**. 13 of them have appealed and 115 no-appeal²³ decision have been taken by them. Three IQC decisions are under review.

There are **361 denunciations** registered in the Public Disclosure Register for the period of January - December 2019.

Bylaws and normative acts adopted by the Meeting of Public Commissioners

- Regulation *On the activity of the Institution of Public Commissioners*.
- Internal Administrative Rules of Procedure of the Institution of Public Commissioners.
- Regulation *On the Prevention of Conflicts of Interest, and Disclosure of Assets in the Exercise of Public Functions at the Institution of Public Commissioners, as amended by the Decision of the Meeting of Public Commissioners No. 7, of 16 December 2019*.
- Regulation *On the protection, processing, storage and security of personal data in the Institution of Public Commissioners, as amended by the decision of the Meeting of Public Commissioners No. 2, of 15 February 2019*.
- Regulation *On the media*.

The Ministry of Justice has facilitated the re-evaluation process in three major directions:

- providing the necessary infrastructure for the re-evaluation bodies;
- providing financial means for the re-evaluation bodies;
- collaborating with the vetting bodies on the requests for information submitted as part of the professional vetting process of the re-evaluation subjects being conducted by these bodies

In light of the above, for the period of January - December 2019, the Ministry of Justice has administered the documents received from the Independent Qualification Commission, the External Evaluation Commission, and the Special Appeals Chamber, requesting information from the Electronic Register of Notaries (ERN) for the notarial deeds carried out at the notary offices of the Republic of Albania by the vetting subjects and in particular:

- The Independent Qualification Commission has submitted a total of **142 applications**;
- The External Evaluation Commission has submitted a total of **75 applications**;
- The Special Appeals Chamber has submitted **1 request**.

Following the searches in the ERN, for each application, the Ministry of Justice has made available the list of notaries where the subject has performed notarial acts, pursuant to Law No. 110/2018 *On the Notary*.

²³ The non-appeal section includes 4 IQC Decisions, announced at the end of 2018, for which decisions were taken in January 2019.

Regarding the re-evaluation of judges for 2019, the Ministry of Justice has handled a total of 15 applications, which have been submitted by the Independent Qualification Commission.

II. MONITORING METHODOLOGY

Pursuant to the Order of the Prime Minister No. 166, of 5 October 2017 *On the Approval of Structure and Organization of the Ministry of Justice*, the Sector of Monitoring, Priorities Delivery and Statistics has been set up at the Ministry of Justice at the Directorate of Justice Policy and Strategies, which is the responsible structure for monitoring the process and for drafting Strategic Monitoring Reports.

The Monitoring, Priority Delivery and Statistics Sector coordinates with all responsible institutions, and then proceeds with the drafting of the monitoring report. This report covers the period from *1 January 2019 to 31 December 2019* and is drawn up on the basis of the input from all institutions included in the CJS Action Plan. The goal is to have overarching information on the progress and the challenges towards meeting the objectives of the Strategy.

Each institution has reported on the level of implementation of each objective and activity, the budget allocated, the problems encountered and the evaluation of the progress of the Strategy as a whole. In order to monitor the implementation of the undertaken commitments regarding implementation of the measures, the monitoring process has been carried out at the objective level. Verification of reported data has partially been carried out online, for those measures for which the contact points had reported upon, in order to ensure their accuracy. Statistical processing was performed by coding responses based on the reports collected.

Following drafting of the draft report, the Ministry of Justice, in support of the monitoring process, sends the consultation document to the reporting institutions, civil society, and publishes the draft report at the official website of the Ministry of Justice, which includes an e-mail address for receiving comments. At the end of the consultation process, the Ministry of Justice reflects relevant comments/suggestions on the draft monitoring report before having it approved by the Institutional Monitoring Mechanism/Steering Committee on Justice Reform.

Pursuant to DoCM No. 773, of 2 November 2016, on the adoption of the Cross-sector Justice Strategy and its Action Plan, the Ministry of Justice has managed the institutional mechanism for monitoring the Cross-sector Justice Strategy. The institutional mechanism for monitoring this Strategy is realized through a special structure, which consists of:

- The Deputy Minister of Justice;
- 5 representatives from the Ministry of Justice;
- 1 representative from the Ministry of Finance and Economy;
- 1 representative from the Council of Ministers covering issues of coordination of strategic documents;
- 1 representative from the High Judicial Council;
- 1 representative from the High Prosecutorial Council;
- 1 representative from the High Inspectorate;
- 1 representative from the Constitutional Court;

- 1 representative from the Office of the General Prosecutor;
- 1 representative from the School of Magistrates
- 1 representative from the National Bar Chamber;
- 1 representative from the National Notary Chamber;
- 1 representative from the National Chamber of the Private Bailiff Service;
- 1 representative from the National Chamber of Mediators.

During February 2018, all of the above institutions have designated their representatives in the monitoring mechanism. This mechanism evaluates and approves the periodic Monitoring Reports, in implementation of the Cross-sector Justice Strategy.

Furthermore, pursuant to the Prime Minister's Order No. 157, of 22 October 2018 *On Adoption of Measures to Implement the Sector-wide/Cross-sector Approach, as well as Establishment and Operation of the Integrated Sector/Cross-sector Mechanism*, five Sector Steering Committees have been established. More specifically, establishment of the Sector Steering Committee (SCC) for Justice Reform is foreseen for the Ministry of Justice.

The Sector Steering Committee on Justice Reform is chaired by the Minister of Justice and its membership is composed of the:

- Minister of Justice;
- Minister of Interior;
- Minister for Europe and Foreign Affairs;
- Minister of Finance and Economy;
- Secretary General of the Council of Ministers;
- The Cabinet of the Prime Minister (ZOS, Advisers);
- Department of Development and Good Governance, at the Prime Minister's Office;
- Department of Resources, Transparency and Administration, at the Prime Minister's Office.

Invitees are: Representatives from the Assembly, HPC, HJC, JAC, GPO, SoM, HIDAACI, Ombudsman, National Chambers (of Advocates, Notaries, Mediators, Bailiffs), Donor/Focal Point for the relevant field etc., as well as others, according to decision-making by the head of SCC.

The SCC will provide a high-level management structure related to:

- High-level political and managerial decision-making in planning and monitoring of sectoral reforms, policies and strategic framework;
- Coordination of planning, programming and monitoring for the sectors involved, by organizing regular dialogue with development partners;
- Provision of support in the context of the European Union accession process;
- Government policy dialogue with development partners, local government, civil society and the private sector, implementation of measures within the relevant field and sectors, and promotion and support of coordinated initiatives.

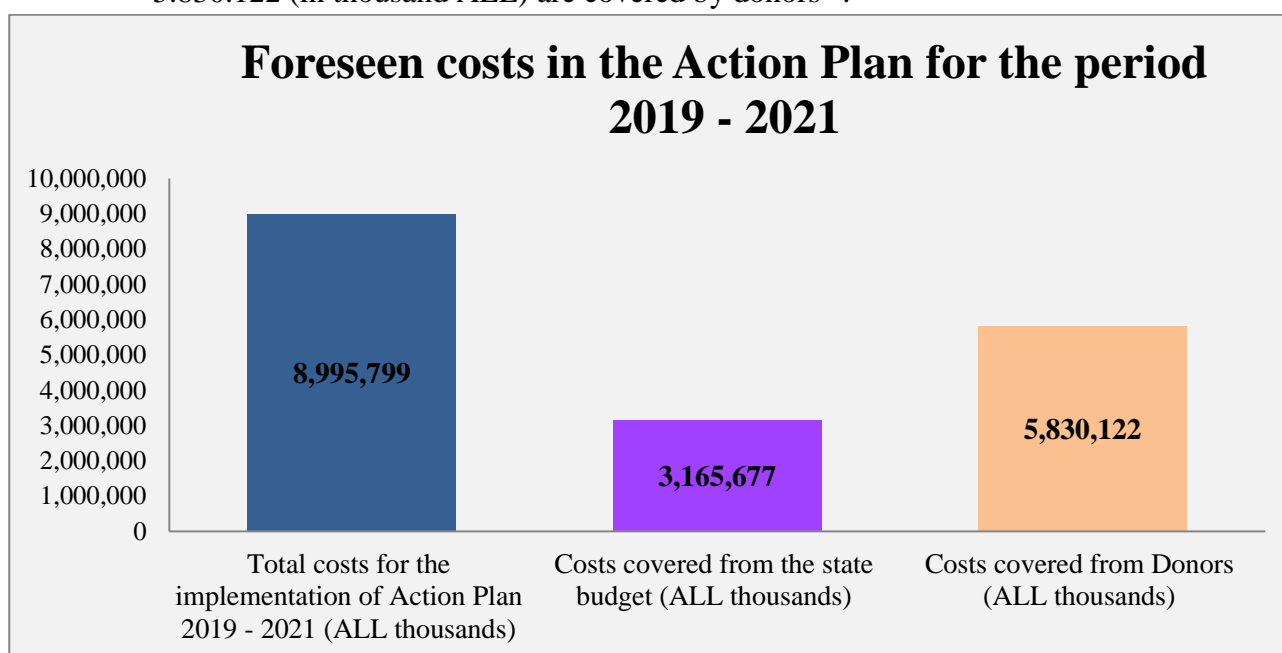
In the context of European integration, these structures will play the role of the Sectoral Monitoring Committee for IPA projects, ensuring reporting of IPA funds monitoring, by sectors.

III. FINANCIAL ALLOCATION

The overall cost of implementing the Action Plan for the years 2017 - 2021 for the Justice Sector Reform was estimated at EUR 98,385,653. In the context of deepening the commitment to the implementation of the Justice Reform and its reflection in the implementation of the Action Plan, the Ministry of Justice has revised the Action Plan of the Cross-sector Justice Strategy for the period 2019-2020. Further on, by virtue of its Decision No. 409, of 19 June 2019, the Council of Ministers has adopted the 2019-2021 Action Plan of the Cross-sector Justice Strategy.

Regarding the costs foreseen in the 2019-2021 Action Plan:

- 3.165.677 (in thousand ALL) are covered by the State Budget;
- 5.830.122 (in thousand ALL) are covered by donors²⁴.



In the context of monitoring of implementation of the measures of the 2019 – 2021 Action Plan, the responsible institutions were required to report on the expenditures on the basis of the activity they have performed. *The analysis of the reported measures shows that for the period January - December 2019, a total of ALL 384,795 (thousand) were spent from the State Budget and ALL 6,218 (thousand) from donor funds.*

²⁴ Budgeting of measures of free legal professions shall be covered by the revenues of the Chambers, as self-financing private entities.

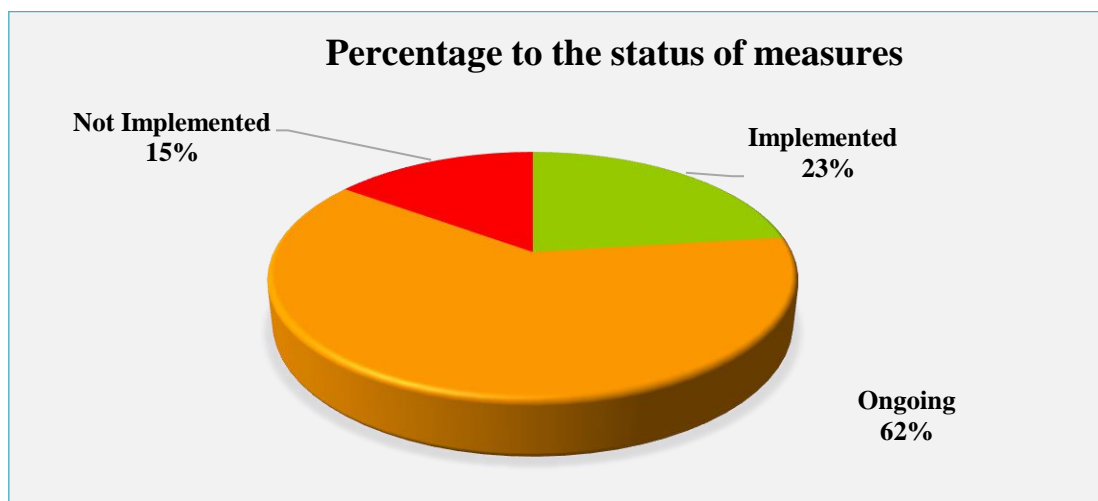
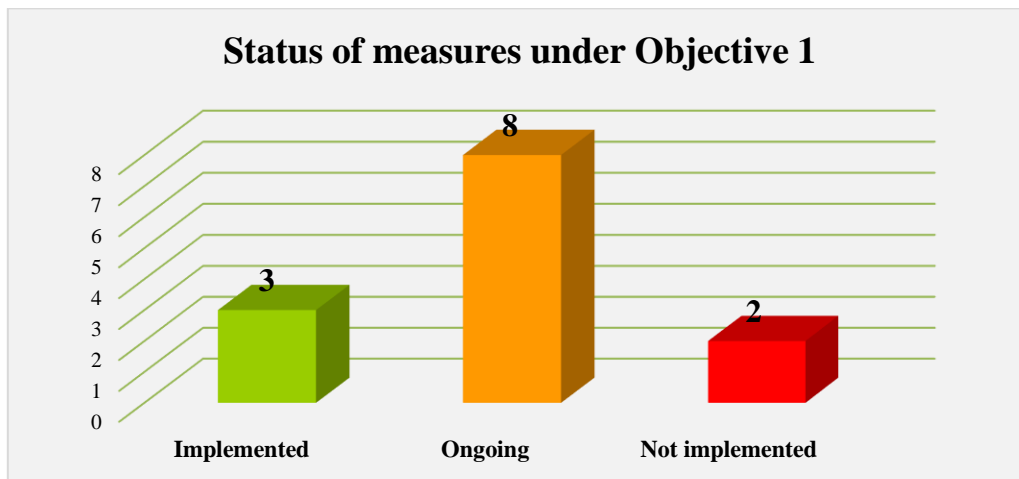
IV. PROGRESS OF IMPLEMENTATION ACCORDING TO OBJECTIVES

This chapter describes the progress achieved in meeting each of the objectives of the Strategy and graphically illustrates the implementation status of the Strategy for the period of January - December 2019²⁵.

Objective 1: Strengthen the independence, efficiency, effectiveness and accountability of justice system institutions.

Number of measures in implementation under Objective 1

Janar – Dhjetor 2019		
Status of implementation of measures under Objective 1	Number of measures	Percentage against the total of Objective 1
Implemented	3	23%
Ongoing	8	62%
Not implemented	2	15%
Total	13	100%



It turns out that out of the 13 measures foreseen in the Strategy Action Plan for Objective 1, 3 measures are implemented, 8 are still ongoing and 2 are not implemented by the responsible institutions (HJC and HPC). The percentage against the total progress of implementation of the

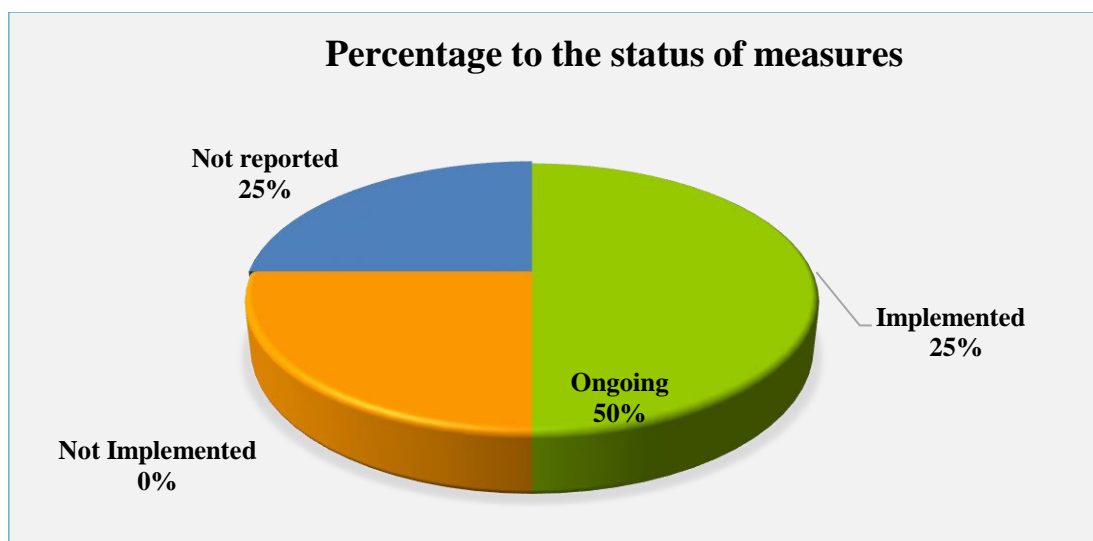
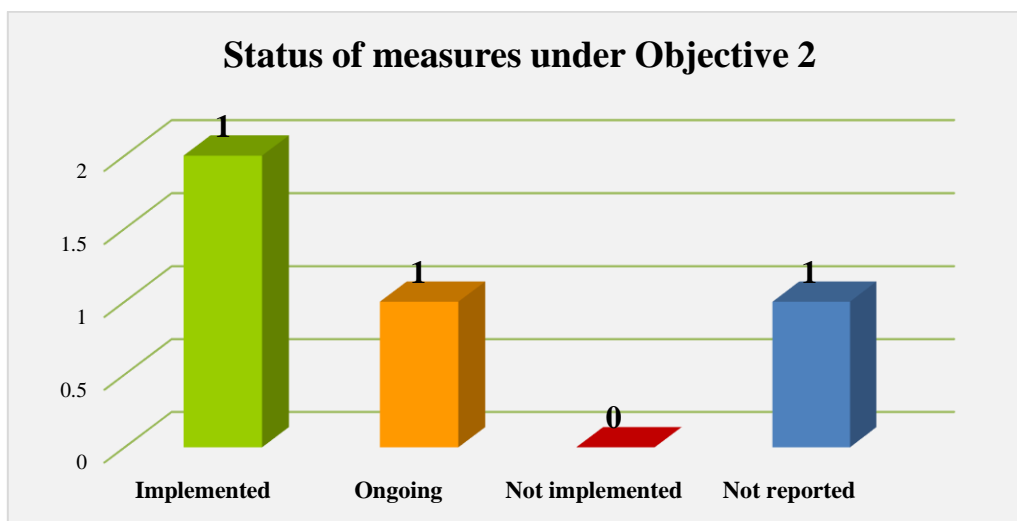
²⁵ The Action Plan and its progress as per each objective is reflected in Annex 2 of the Monitoring Report.

Action Plan 2019 - 2021 for this objective is at 23% for measures that are implemented, 62% for measures that are ongoing, and 15% for measures that will be implemented by the responsible institutions in the future.

Objective 2: Consolidate legal education and training, as well as the specialization of magistrates and Court staff.

Number of measures in implementation under objective 2

January – December 2019		
Status of implementation of measures under Objective 2	Number of measures	Percentage against the total of Objective 2
Implemented	2	50%
Ongoing	1	25%
Not implemented	0	0%
Not reported	1	25%
Total	4	100%



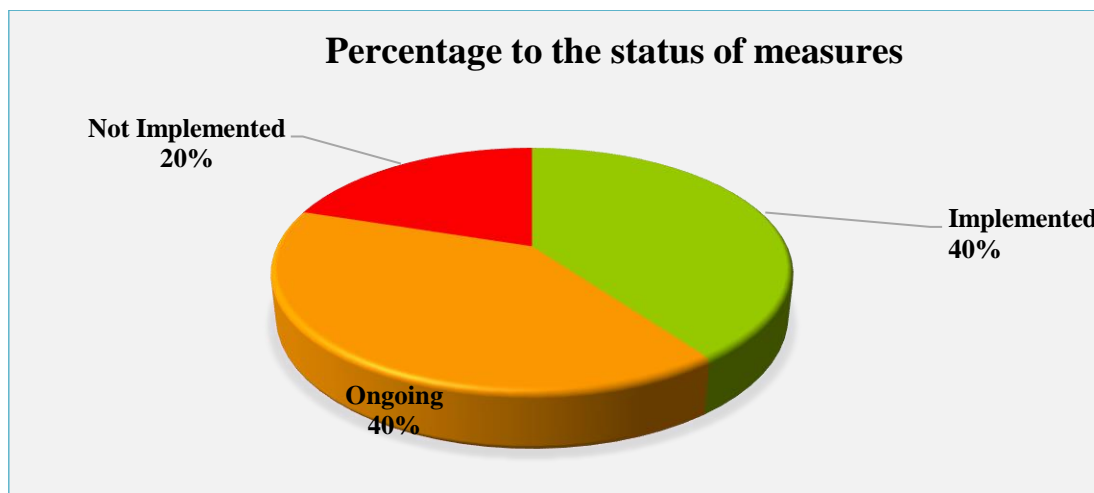
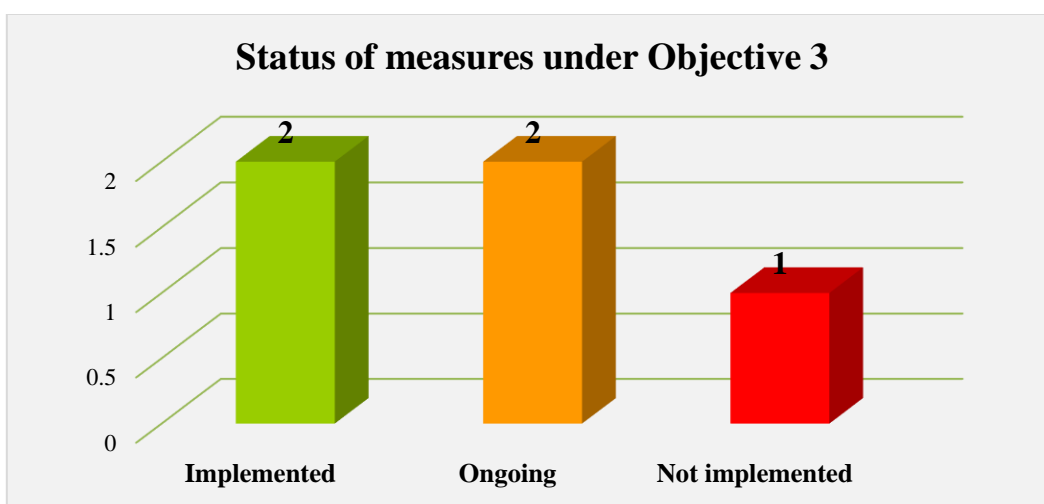
It turns out that out of the 4 measures foreseen in the Strategy Action Plan for Objective 2, 2 measures are implemented, 1 is still ongoing and 2 are not implemented by the responsible institutions (CC). The percentage against the total progress of implementation of the Action Plan

2019 - 2021 for this objective is at 50% for measures that are implemented, 25% for measures that are ongoing, and 25% for measures not reported by the responsible institution.

Objective 3: Improve the operation of the judicial system by strengthening its efficiency, transparency and accessibility in line with European standards.

Number of measures in implementation under Objective 3

January – December 2019		
Status of implementation of measures under Objective 3	Number of measures	Percentage against the total of Objective 3
Implemented	2	40%
Ongoing	2	40%
Not implemented	1	20%
Total	5	100%

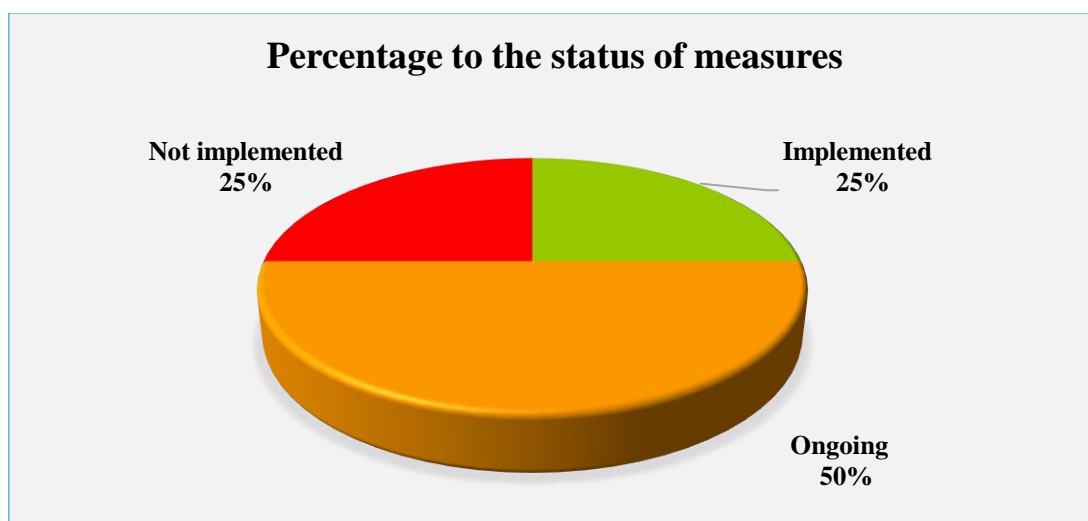
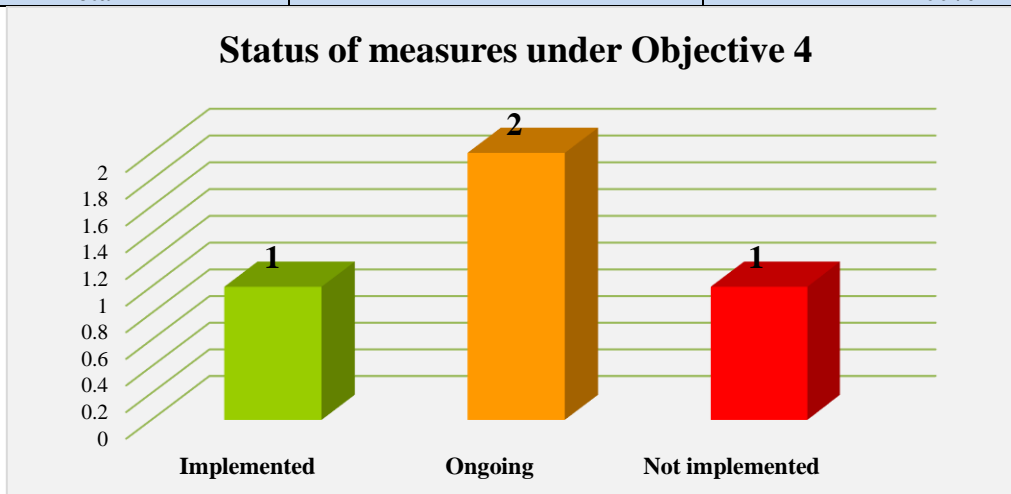


It turns out that out of the 5 measures foreseen in the Strategy Action Plan for Objective 3, 2 measures are implemented, 2 are still ongoing and 1 is not implemented by the responsible institutions (HJC). The percentage against the total progress of implementation of the Action Plan 2019 - 2021 for this objective is at 40% for measures that are implemented, 25% for measures that are ongoing, and 25% for measures that will be implemented by the responsible institution in the future.

Objective 4: Increase the efficiency of the criminal justice system and anti-corruption measures by consolidating the mission, status and functions of criminal justice institutions.

Number of measures in implementation under Objective 4

January – December 2019		
Status of Implementation of measures under Objective 4	Number of measures	Percentage against the total of Objective 4
Implemented	1	25%
Ongoing	2	50%
Not implemented	1	25%
Total	4	100%

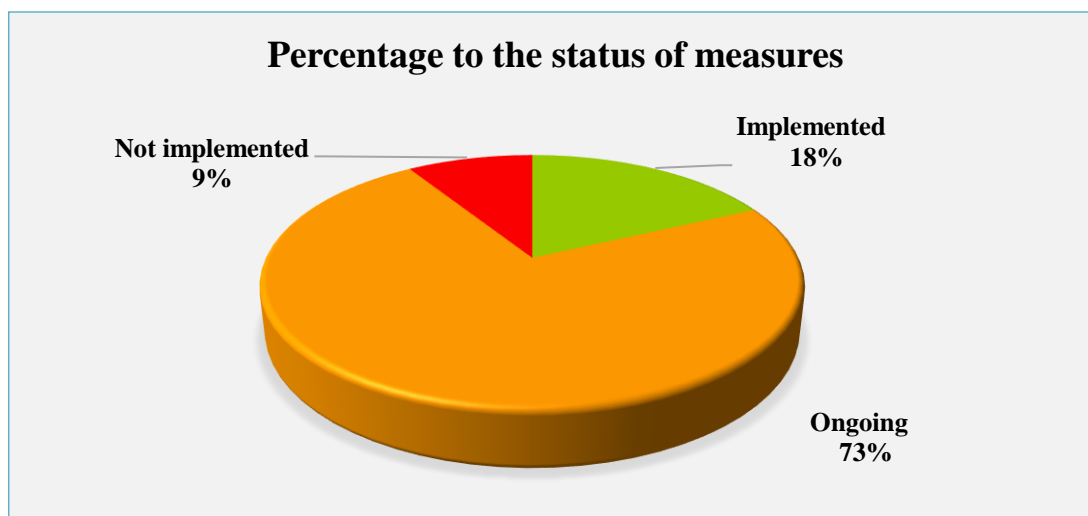
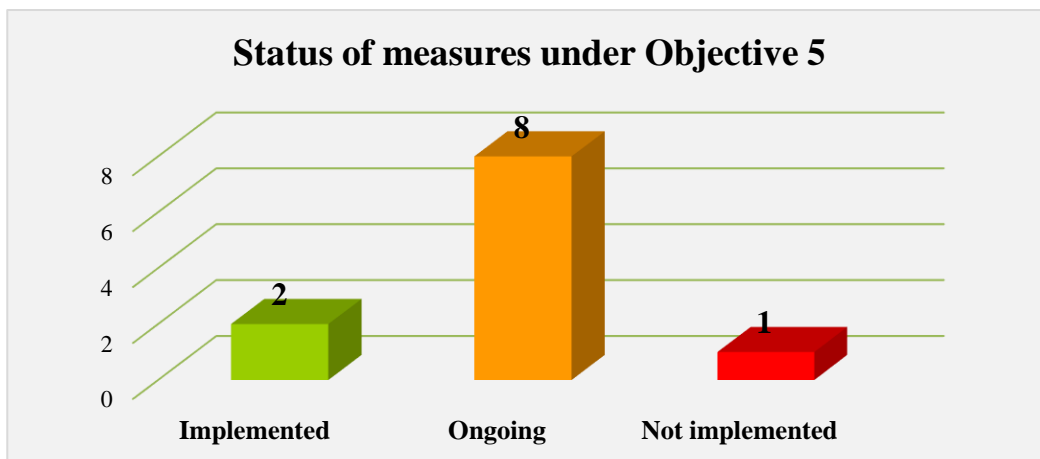


It turns out that out of the 4 measures foreseen in the Strategy Action Plan for Objective 4, 1 measure is implemented, 2 are still ongoing and 1 is not implemented by the responsible institutions (HJC). The percentage against the total progress of implementation of the Action Plan 2019 - 2021 for this objective is at 25% for measures that are implemented, 50% for measures that are ongoing, and 25% for measures that will be implemented by the responsible institution in the future.

Objective 5: Improve the functioning of the system by providing modern electronic systems, procedures and facilities for the development of strong international cooperation.

Number of measures in implementation under Objective 5

January – December 2019		
Status of implementation of measures under Objective 5	Number of measures	Percentage against the total of Objective 5
Implemented	2	18%
Ongoing	8	73%
Not implemented	1	9%
Total	11	100%

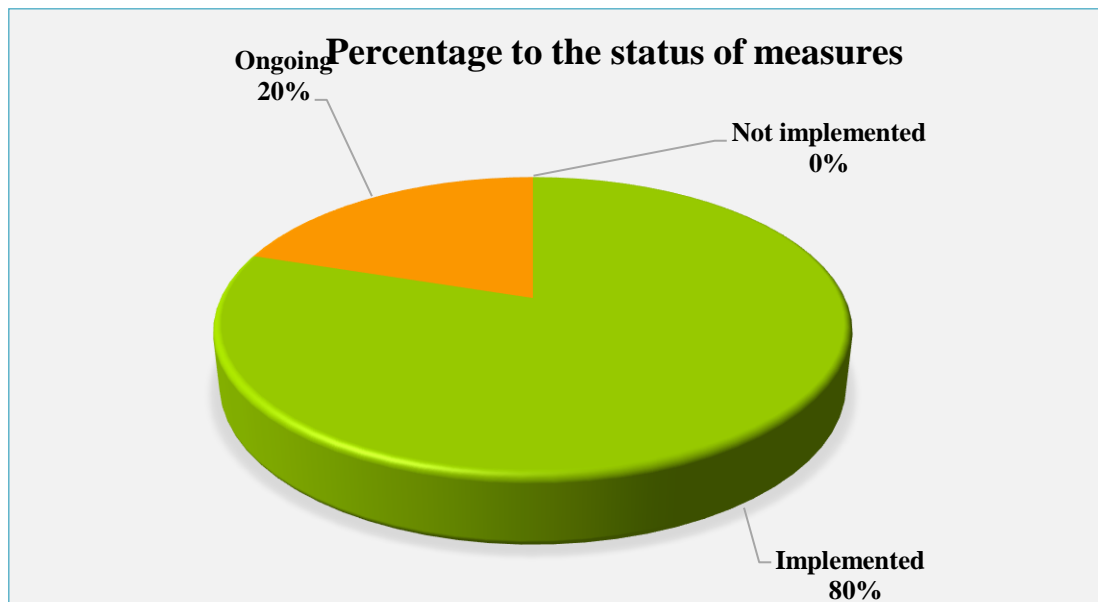
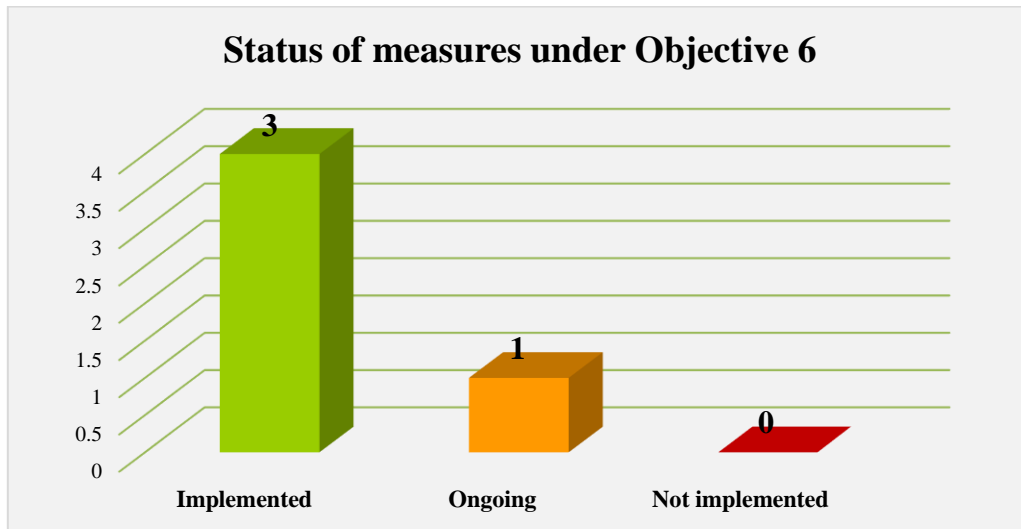


It turns out that out of the 11 measures foreseen in the Strategy Action Plan for Objective 5, 2 measures are implemented, 8 are still ongoing and 1 is not implemented by the responsible institutions (ASHSGJ). The percentage against the total progress of implementation of the Action Plan 2019 - 2021 for this objective is at 18% for measures that are implemented, 73% for measures that are ongoing, and 9% for measures that will be implemented by the responsible institution in the future.

Objective 6: Increase protection of human rights in the penitentiary institutions.

Number of measures in implementation under Objective 6

January – December 2019		
Status of implementation of measures under Objective 6	Number of measures	Percentage against the total of Objective 6
Implemented	4	80%
Ongoing	1	20%
Not implemented	0	0%
Total	5	100%

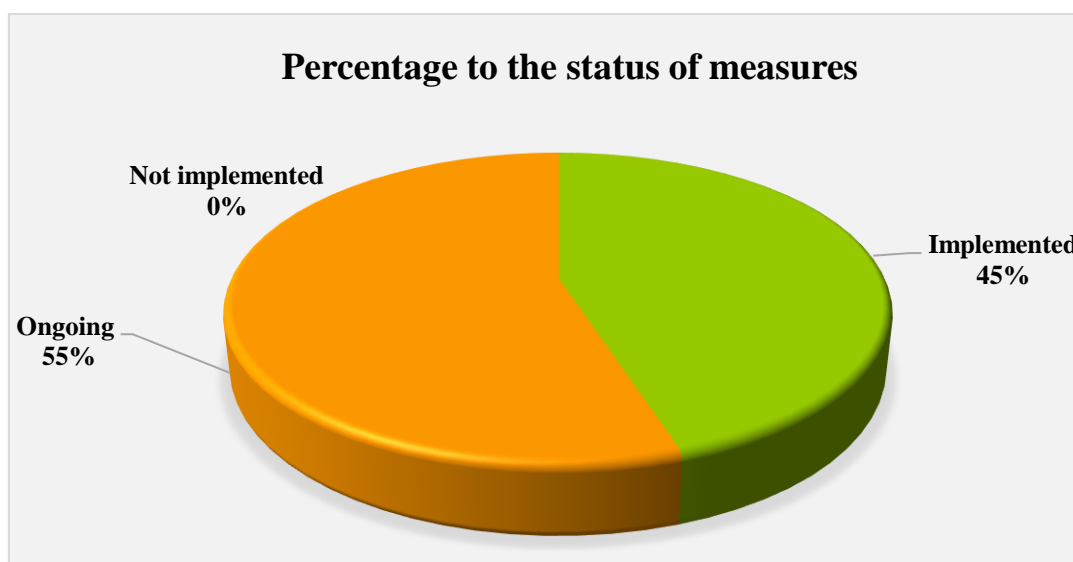
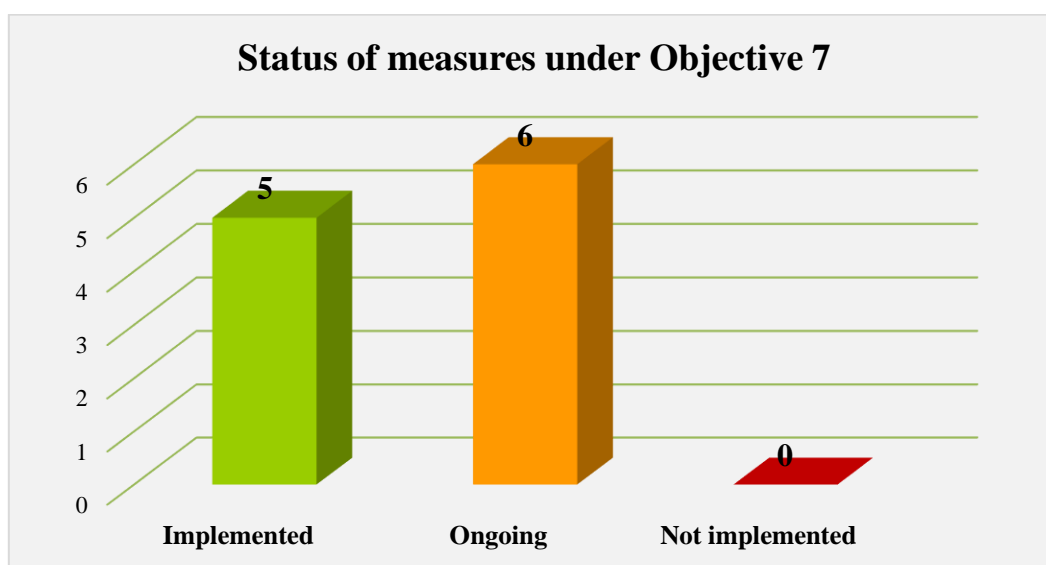


It turns out that out of the 5 measures foreseen in the Strategy Action Plan for Objective 6, 4 measures are implemented, and 1 is still ongoing. The percentage against the total progress of implementation of the Action Plan 2019 - 2021 for this objective is at 80% for measures that are implemented, 20% for measures that are ongoing.

Objective 7: Improve functioning of the Ministry of Justice and its entirely new or substantially changed dependency institutions.

Number of measures in implementation under Objective 7

January – December 2019		
Status of implementation of measures under Objective 7	Number of measures	Percentage against the total of Objective 7
Implemented	5	45%
Ongoing	6	55%
Not implemented	0	0%
Total	11	100%

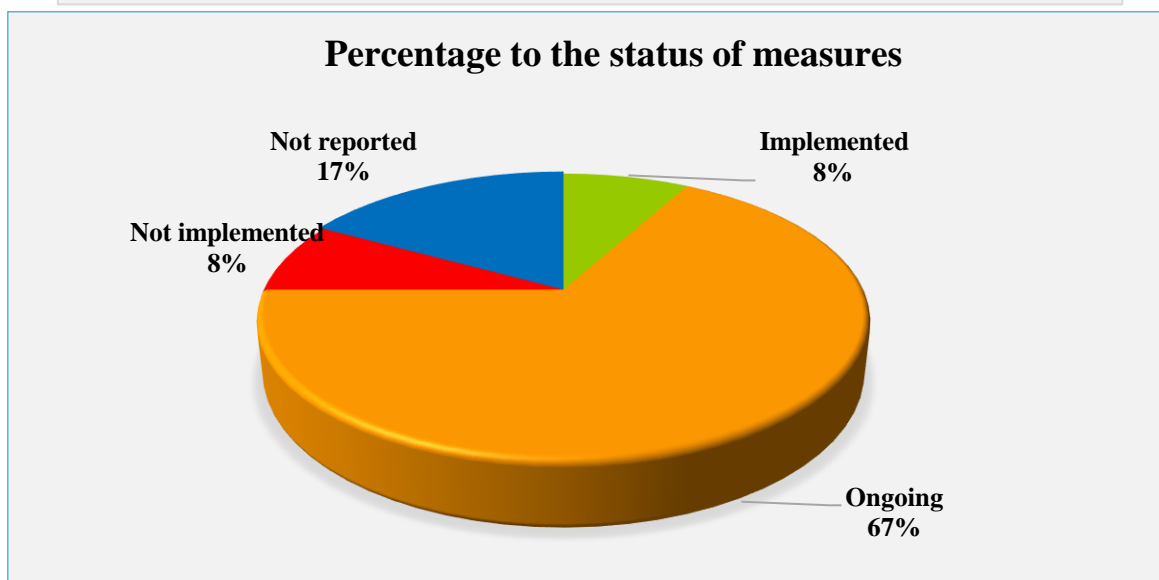
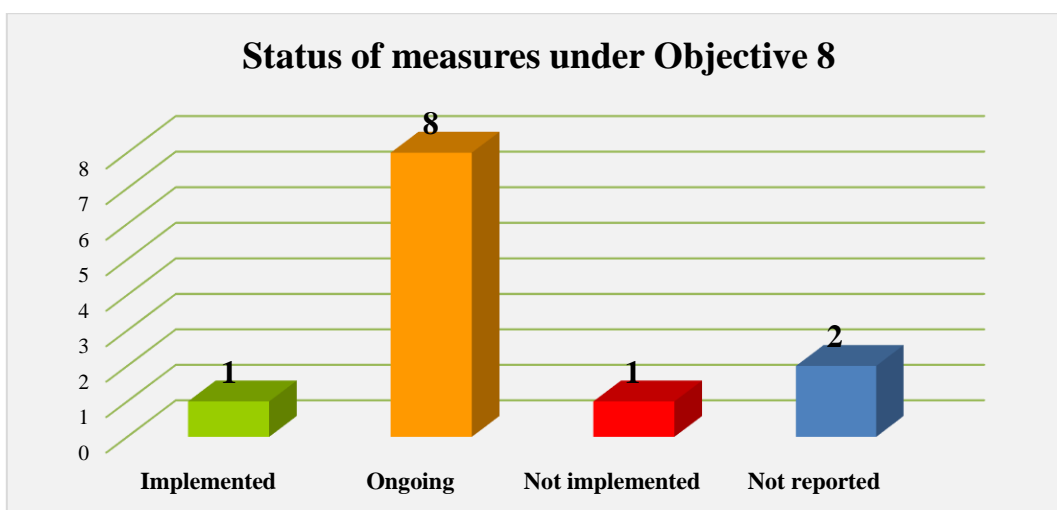


It turns out that out of the 11 measures foreseen in the Strategy Action Plan for Objective 7, 5 measures are implemented, and 6 are still ongoing. The percentage against the total progress of implementation of the Action Plan 2019 - 2021 for this objective is at 45% for measures that are implemented, 55% for measures that are ongoing.

Objective 8: Improve the quality of service for the legal professions and establishing the legal framework for arbitration.

Number of measures in implementation under Objective 8

Janar – Dhjetor 2019		
Status of implementation of measures under Objective 8	Number of measures	Percentage against total of Objective 8
Implemented	1	8%
Ongoing	8	67%
Not implemented	1	8%
Not reported	2	17%
Total	12	100%



It turns out that out of the 12 measures foreseen in the Strategy Action Plan for Objective 8, 1 measure is implemented, 8 are still ongoing, 1 is not implemented and 2 are not reported by the responsible institutions (NCPLE and NCM – partial reporting). The percentage against the total progress of implementation of the Action Plan 2019 - 2021 for this objective is at 8% for measures that are implemented, 67% for measures that are ongoing, 8% for measures that will be implemented by the responsible institution in the future and 17% for measures not reported by the responsible institutions.

V. MAIN PROGRESS DURING JANUARY – DECEMBER 2019

The most important achievements for 2019 regarding the implementation of the 2019-2021 Action Plan of the Cross-sector Justice Strategy are as follows:

- A decisive step in the implementation of justice reform was the establishment of the High Judicial Council and the establishment of the High Prosecutorial Council during December 2018, which compose the two pillars for an independent and quality judicial system. Moreover, during the reporting period, the HJC and the HPC have taken a number of initiatives and, in this context, different regulations have been adopted according to the area of responsibility of each institution.
- Another important milestone for the implementation of the justice reform is the establishment of the Special Courts for Corruption and Organized Crime and the Special Prosecution Office against Corruption and Organized Crime. In December 2019, the High Judicial Council decided to launch the operation of the Special Courts for Corruption and Organized Crime.
- On 19 December 2019, *the eight members of the Special Prosecution Office against Corruption and Organized Crime (SPAK)*, which is a structure aimed at combating high-level corruption and organized crime in the country, took the solemn oath before the President of the Republic.
- In December 2019, the HPC ranked the three candidates for the SPAK leadership, where Mr. Arben Kraja was appointed as SPAK head (by Decision No. 281, of 19 December 2019).
- In December 2019, the Assembly, by Decision No. 138/2019 elected Mr. Olsian Çela as the Prosecutor General of the Republic of Albania (from the list of candidates for Prosecutor General ranked by HPC).
- In support of the new institutions set up in the framework of the justice reform, on 22 July 2019, ***Pole of Justice*** building was inaugurated, which groups together and accommodates several justice institutions, such as the High Prosecutorial Council, the High Judicial Council and the School of Magistrates in a single area.
- HJC has intensively continued its work for drafting of the bylaws, in accordance with the provisions of Laws 96/2016 and 98/2016, but also of the 2019-2020HJC Strategic Plan.
- As regards increased transparency of the HJC, as of 30 December 2019, 325 decisions have been adopted and published. They are accessible on the HJC official website at www.klgj.al/vendime.

- HJC continues to be intensively engaged in supporting the re-evaluation process, inter alia with the drafting of detailed and reasoned reports on the analysis of the professional skills of the re-evaluation subjects.
 - Regarding the above, according to the data in the special register administered by the HJC, in the period of from 21 October 2016 to 31 March 2017, 466 re-evaluation subjects have filed the forms and other accompanying documentation for their professional evaluation.
 - Under the guidance and with the assistance of the Independent Qualification Commission, 104 lots were drawn for the reporting period for 104 transitional re-evaluation subjects and 99 detailed and reasoned reports have been submitted to the IQC and IMO, accompanied by 495 Court files for 99 re-evaluation subjects.

In total, considering the work carried out prior to the establishment of the HJC, as of 31 December 2019, 210 evaluation reports have been submitted to the IQC and IMO.

- The HPC is the responsible body for evaluating the work of prosecutors, including assistance for the transitional re-evaluation. By Decision No. 6, of 26 December 2018 it established the *Ethical and Professional Activity Evaluation Committee*.
 - By Decision No. 32, of 22 February 2019, the HPC decided to appoint 6 magistrates, prosecutors, for drafting professional evaluation reports in the context of re-evaluation.
 - The High Prosecutorial Council has approved and submitted to the IQC 44 reports on the evaluation of the professional skills of prosecutors for 2019.
 - For 2019, the High Prosecutorial Council, in cooperation with the Independent Qualifications Commission, has organized 79 lots for the selection of acts pertaining to the 5 files that served to prepare the report on the evaluation of professional skills of prosecutors.
 - For 2019, reports of all candidates who have expressed their interest to be part of the Special Prosecution Office against Corruption and Organized Crime, a total of 18 candidates, have been prepared and approved.
 - The professional evaluation of a candidate for General Prosecutor, Mr. Olsian Çela, has been completed and submitted during this period.
 - During 2019, the HPC has approved 20 reports on the verification of assets and integrity of the candidates admitted to the initial training programme at the School of Magistrates.

- The Justice Appointment Council has officially started its work on 15 January 2019 and during 2019 has carried out a voluminous, delicate and productive work, reaching the following outcomes:
 - It has adopted the Rules of Procedure and the normative acts which govern the functioning of the Council of Justice Appointments. More details follow below:
 - a. Decision No. 1, of 08 February 2019 *Internal Rules of Procedure on the JAC Functioning*;
 - b. Decision No. 2, of 15 February 2019 *On the Lot Drawing Procedure for Assignment of Rapporteurs for Vacancies in Any Institution*;

- c. Decision No. 4, of 11 March 2019 *On the Procedure of Verification of Candidates for Vacancies in the Constitutional Court and the High Inspector of Justice*;
 - d. Decision no. 5, of 02 April 2019 *On the Criteria and Procedure for Evaluation, Scoring and Ranking of Candidates for Vacancies in the Constitutional Court and the High Inspector of Justice*;
 - e. Decision No. 51, of 21 June 2019 *Methodology for Evaluation and Assignment of Points for the Ranking of Candidates for Judges in the Constitutional Court*;
 - f. Decision No. 52, of 21 June 2019 *Methodology for Evaluation and Assignment of Points for the Ranking of Candidates for High Inspector of Justice*.
- It has completed the verification, evaluation and scoring procedures for 4 vacancies of the Constitutional Court (2 vacancies for the President and 2 vacancies for the Assembly), out of which the relevant members of the Constitutional Court were selected.
 - It has completed the verification, evaluation and scoring procedures for the vacancy of the High Justice Inspector, who was elected by the Parliament of the Republic of Albania.
 - It is working on the relevant verification procedures for other Constitutional Court vacancies.
 - On 30 December 2019, the JAC held its last meeting for 2019, which adopted the final report on the progress and achievements of this body during 2019.
- Referring to Law 96/2016, the salaries of magistrates have changed for 2019. Implementation of the new system of salaries and other benefits for magistrates entered into force on 1 January, 2019, according to the provisions of the Law *On the Status of Judges and Prosecutors in the Republic of Albania*.
 - The Pedagogical Council of the School of Magistrates, in cooperation with the EURALIUS V Mission, is committed to improving the admission examination programme for candidates for magistrates and candidates for legal advisers and legal aid staff. The changes have consisted of the structural side of testing questions and the update of the entrance exam program with the amended laws.
 - In cooperation with USAID's Justice for All Project, the curricula of the Initial Training Programme for Chancellors has been finalised, in accordance with international management standards. The curricula comprises 14 modules that provide comprehensive guidance in the areas of functional responsibility related to Court administration, as well as the technical, interpersonal and conceptual skills needed to guide the judicial reform. The entire project was financially covered by EWMI, Justice For All Programme.
 - E-Commentary is a platform created and developed by the EURALIUS Mission, where 247 provisions of the Justice Reform Law have already been commented upon by the Mission. The platform is physically hosted on the School of Magistrates server and is accessible free of charge. The e-commentary aims to accompany the full implementation of justice reform, while introducing at the same time a new academic culture similar to that of European countries, which involves a deep and thorough analysis of legal provisions.

- The School of Magistrates has published 3 issues of *The Legal Life Journal*, namely Journal No. 3 of 2018, No. 1 of 2019 and No. 2 of 2019, with 300 copies each. Two scientific titles have been published under the auspices of the School, one in the field of criminal procedural law and the other in civil law.
 - Moreover, the fund of the library of the School of Magistrates has been enriched with new titles. More specifically, the School of Magistrates Library fund for 2019 has increased by 89 library units, of which 54 units are monographs in the field of jurisprudence, 15 theses work of second year magistrate candidates and 10 serials.
- An integrated system for publication of consolidated laws and bylaws as per the relevant fields of legislation (the OJC Electronic Archive) has been completed. The archive is operational since 29 March 2019. The project has achieved the overall objective: the establishment of the System of the Electronic Archives of Acts, which serves for the registration, editing, publishing, updating, storing, administering and accessing of all publishable acts in full compliance with Albanian legislation, national policies and best international practices in this regard.
- In implementation of Law 111/2017 *On State Aid*, the following acts of the Council of Ministers have been drafted and adopted:
- Decision No. 110, of 06 March 2019 *On Defining the Procedures and Rules for the Selection of Non-profit Organizations Authorized to Provide State Guaranteed Primary Legal Aid that Benefit Funds from the State Budget and the Manner of their Financing*;
 - Decision No. 55, of 6 February 2019 *On the Determination of Procedures and Documentation for the Authorization of Non-profit Organizations providing State Guaranteed Primary Legal Aid*;
 - Instruction No. 1, of 6 March 2019 *On Some Amendments and Supplements to Instruction No. 4, of 12 December 2012, of the Council of Ministers, On the Determination of the Amount of Expenses and Payments of Experts and Witnesses in the Litigation*.
- The Minister of Justice has approved the bylaws in implementation of Law No. 111/2017:
- Instruction No.1 of 08 March 2019 *On the Approval of Rules and Procedures for the Collection, Completion and Administration of Registry Data*;
 - Instruction No. 2 of 25 March 2019 *On the Procedures, Periodicity and Rules for Verifying the Circumstances for the Return of Benefits*;
 - Order No. 225 of 25 March 2019 *On the Approval of State Guaranteed Legal Aid Forms*;
 - Order No. 266, of 25 March 2019 *On the Approval of Contracts of Legal Aid Guaranteed by the State*;
 - Instruction No. 6 of 20 August 2019 *On the Rules and Procedures for Court Fees and Expenses on Grounds of Exemption because of Legal Aid*;

- Order No. 531, of 25 November 2019 *On Approval of the Criteria and Methodology for Evaluating the Quality of Legal Aid services and Supervision Procedures of Legal Aid Services by the Free Legal Aid Directorate.*

Furthermore, the FLAD has taken measures for raising the awareness of citizens through notes addressed to Courts, Municipalities, care-giving institutions for posting informative posters in their premises. Citizen's awareness raising with regards to Law No. 111/2017 *On State Guaranteed Free Legal Aid*, is also done through interviews given to TV outlets and radio stations in the country.

- Regarding establishment and operation of the Free Legal Aid Directorate (FLAD), during March 2019, upon the Prime Minister's Order No. 59, of 25 March 2019, the organizational structure and organigramme of this Directorate is approved, which vacancies are not being fulfilled by DoPA.
 - For the period of January – December 2019 secondary legal aid in the amount of ALL 8 152 200 has been granted, of which ALL 596 200 are paid for Court expenses, such as Forensic Acts, ADN analysis, psychologists, real estate evaluation, and ALL 7 556 000 are used to cover the contractual obligations of the previous entity (NCLA) with defence councils as providers of legal aid.
- The General Prosecutor has, in the context of increasing the efficiency of the institution, issued the following normative acts:
 - Order No. 101, of 12 June 2019 on the approval of the *Regulation on Appointment of the Deputy Heads of Prosecution Offices of General Jurisdiction*;
 - Order No. 140 of 03 September 2019 *On the Approval of the Regulation on Personal Data Protection in Exchanging Information EUROJUST*;
 - General Instruction No. 2, of 24 May 2019 *On Implementation of the Law regarding the Special Regime in the High Security Prison.*
 - General Instruction No. 3, of 21 June 2019 *On the Administrative and Procedural Measures in Prosecution Offices of General Jurisdiction in the Period Before and After Elections*;
 - General Instruction No. 5, of 30 July 2019 *On Public Relations in Prosecution Offices of General Jurisdiction*;
 - General Instruction No. 08, of 04 December 2019 *On Guaranteeing the Independence of the Prosecutor, Relations between the Prosecutor, the Prosecution Head and the Information in Prosecution Offices of General Jurisdiction*;
 - General Instruction No. 09, of 10 December 2019 *On Administrative and Procedural Measures in Serious Crimes Prosecution Offices and in First Instance Prosecution Offices of General Jurisdiction with the Start of Operation of the Special Prosecution Office*;
- In the context of investments in infrastructure, the General Prosecutor's Office has realised a partial reconstruction at the Vlora Appeal Prosecution Office and in the Permet Prosecution Office.

- Regarding the General Prisons Directorate, the issue of overpopulation has been resolved at the general level in the penitentiary system. The total capacity of the penitentiary system is 6106 beds, while during 2019 about 5150 persons are on average treated, of whom 258 citizens with the medical measure of compulsory medication.
 - The prison population level for 2019 has on average been -12% (-716). Hence, the prisons system has been in the conditions of under-population.
 - Elimination of overpopulation in prisons has come as a result of concrete measures, be them in investments, such as opening of the new prison of Shkodra, a joint European Union and Albanian Government investment, as well as the construction of two new buildings of *Jordan Misja Prison*, Tiranë, an investment of the Albanian Government, as well as performance on a case-by-case basis of a careful study of the distribution and accommodation of the prisoners in prisons.
 - For 2019, the prison system has on average employed 631 prisoners, of who 144 detainees. Prisoners are involved in employment activities, as per the possibilities of the institution, mainly engaging them in maintenance, assistant cooks, gardeners, etc.
 - During 2019, the Social Care Sectors in prisons have on average covered 189 social topics per month and conducted 32 book reviews. Also, 497 re-integration activities have been organised.

VI. CONCLUSIONS

Implementation of the justice reform is an ongoing cross-sector process, where the determination and measurement of the ultimate success indicators is complex, especially at the on-going legal and institutional framework.

Successful implementation of reforms in the justice sector to ensure an effective, efficient, independent and transparent judicial system in line with European best practice remains the underlying mission of this Strategy.

During the monitoring process, some problems were identified estimated to have affected the level of implementation of the Action Plan. Among the most important elements that have influenced the implementation of the measures foreseen in the Action Plan are the following:

- ❖ Failure to establish the new institutions of the justice system such as: High Inspector of Justice, SPAK and Court against Corruption and Organized Crime in due time.
- ❖ With the entry into force of the new 2019 - 2021 Action Plan (adopted by DoCM No. 409, of 19 June 2019), the responsible institutions have had a relatively short time to take the necessary measures for the implementation of their activities, as provided in the Action Plan.

During this implementation and monitoring period, as two inter-twinning processes that have oriented the Ministry of Justice towards reflection and conclusions, we can mention the followings as the most important ones:

- ✚ The responsibility of institutions to report in a timely and qualitative fashion on the information on Action Plan measures remains problematic. Greater cooperation is needed

between the National Chamber of Private Bailiffs, the National Chamber of Mediators, the National Chamber of Notaries, and the Constitutional Court to contribute and report on the implementation of the 2019-2021 Action Plan in implementation of the Cross-sector Justice Strategy.

- ✚ Failure to submit information on financial disbursement for the activities foreseen in the Action Plan, affects the unrealistic reflection of costs for implementation of the Strategy.
 - The institutions have reported that they face difficulties in reporting in relation to:
 - the budget spent on the implementation of donor-covered activities (information not available from all contact points at reporting institutions);
 - budget spent on implementation of activities covered by the State Budget (lack of a methodology for costing activities impedes reporting of actual costs on their implementation);

VII. Challenges

With the aim of improving the implementation and increase of impact of the 2019-2020 Action Plan, important challenges for the upcoming monitoring periods are:

- ✚ Ensuring of a comprehensive and transparent consultation process during the reporting, and monitoring phases with responsible institutions and stakeholders.
- ✚ The Passport of the Cross-sector Justice Strategy Indicators still remains a challenge, as institutions have to report on the 11 indicators of the Strategy.
- ✚ Increase the level of accountability and responsibility by the internal structures of the responsible institutions also through strengthening of inter-institutional coordination.
- ✚ Implementation of the periodic monitoring process, discussing findings and approving the respective reports according to deadlines.
- ✚ Reconciliation of the information obtained from the contact points of the respective Finance Directorates with the relevant institutions before reporting to the Ministry of Justice.
- ✚ Awareness raising of the responsible institutions included in the Action Plan on the importance of ongoing work for proper and timely implementation of the AP, as well as on the importance of the reporting process.

ANNEX 1

The laws approved in the context of the justice reform package of laws follow below:

1. Law No. 35/2017 *“On Some Additions and Amendments to Law No. 7905, of 21 March 1995 “Criminal Procedure Code of the Republic of Albania”, as amended;*
2. Law No. 36/2017 *“On Some Amendments and Additions to Law No. 7895, of 27 January 1995 “Criminal Code of the Republic of Albania”, as amended”;*
3. Law No. 37/2017 *“The Juvenile Justice Code”;*
4. Law No. 32/2017 *“On Some Amendments and Additions to Law No. 10173, of 22 October 2009 “On Protection of witnesses and collaborators of justice”, as amended;*
5. Law No. 69/2017 *“On Some Amendments and Additions to Law No. 9157, of 04 December 2003 “On interception of electronic communications”, as amended”;*
6. Law No. 70/2017 *“On Some Additions and Amendments to Law No. 10192, of 3 December 2009 “On Prevention and Fight Against Organized Crime, Trafficking and Corruption through Preventive Measures Against Property”;*
7. Law No. 43/2017 *“On Some Amendments and Additions to Law No. 157/2013 “On Measures against Funding of Terrorism”;*
8. Law No. 44/2017 *“On Some Amendments and Additions to Law No. 9917, of 19 May 2008 “On Prevention of Money Laundering and Financing of Terrorism”, as amended;*
9. Law No. 42/2017 *“On Some Amendments and Additions to Law “On Declaration and Control of Assets, Financial Liabilities of Elected Officials and Some Public Servants”, as amended”;*
10. Law No. 38/2017 *“On Some Additions and Amendments to Law No. 8116, of 29 March 1996, “Code of Civil Procedure of the Republic of Albania”, as amended;*
11. Law No. 40/2017 *“On Some Amendments to Law No. 8678, of 14 May 2001, “On the Organization and Functioning of the Ministry of Justice”, as amended;*
12. Law No. 39/2017 *“On Some Amendments and Additions to Law No. 49/2012, “On the Organization and Functioning of Administrative Courts and the adjudication of administrative disputes”, as amended ”;*
13. Law No. 41/2017 *“On an Amendment to Law No. 152/2013, “On the Civil Servant”, as amended ”;*
14. Law no. 111/2017 *“On State-guaranteed Legal Aid”;*
15. Law No. 98/2017 *“On Court Fees in the Republic of Albania”;*
16. Law No. 26/2018 *“On Some Additions and Changes to Law No. 10385, of 24 February 2011 “On Mediation in the Settlement of Disputes”;*
17. Law No. 55/2018 *“On the Lawyers Profession in the Republic of Albania”;*
18. Law no. 80/2018 *“On Some Amendments and Additions to Law No. 8331, of 21 April 1998 “On Enforcement of Criminal Decisions”, as amended;*

19. Law No. 86/2018 *“On Some Additions and Amendments to Law No. 10 018, of 13 November 2008, “On State Advocacy”*;
20. Law No. 110/2018 *“On Notary”*;
21. Law No. 25/2019 *“On the organization and functioning of the Judicial Police”*;
22. Law no. 26/2019 *“On the Private Judicial Bailiff Service”*;
23. The decision of the Assembly No. 47/2019, of 18 April 2019 *“On the Approval of the 2019 – 2023 Public Legal Education Strategy”*.

2019 – 2021 Cross-sector Justice Strategy Action Plan

(January - December 2019)

Objective 1: Strengthen the independence, efficiency and accountability of the justice system institutions Sub-objective 1 / a: Independence of the justice system institutions, judges and prosecutors according to European standards								
Indicator: % of judges believing that judges are not appointed/elected/promoted on the bases of their skills and experience in the last two years.								
Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January- December 2019
			MBP	Donors	MTBP	Donors		
1. Drafting of the by-law basis for establishing the criteria and standards of meritocracy and transparency in the appointment and promotion of judges, prosecutors and judicial administration.	HJC< HPC	Conduct the necessary study and prepare the draft. Discussion and approval by the HJC and HPC. Implementation of standards		7 400			Ongoing	The HJC: The HJC has been intensively pursuing its work to draft the bylaws, in accordance with the provisions of Law Nos. 96/2016 and 98/2016, but also of the HJC 2019-2020 Strategic Plan. It is worth mentioning: - HJC Decision No. 75, of 23 May 2019 “On the procedure of verification of the legal conditions and criteria for the recruitment of candidates for judges, career development of judges and appointment of judges to the High Court”. - HJC Decision No. 102, of 5 July 2019 “On the Criteria for Evaluating, Scoring and Ranking Non-Judicial Candidates and the Selection Procedure for Appointment to the High Court”.

							<p>Another important element is the ethical and professional evaluation of judges, on the basis of which the promotion of judges will be conducted. In this context, the scheme of ethical and professional evaluation of judges has been adopted (see <i>Sub-objective 1/c, paragraph 5</i>).</p> <p>The HPC: For the period of from January to December, the HPC has approved:</p> <ul style="list-style-type: none"> - Regulation “On the Criteria and Procedure for the Promotion of Prosecutors at the Special Prosecution Office against Corruption and Organized Crime”; - Regulation “On the Criteria and Procedure for the Selection of Candidates for the Prosecutor General of the Republic of Albania”; - Working methodology of the Special Commission “On the Evaluation of the Candidates for the Special Prosecution Office against Corruption and Organized Crime”; - Regulation “On Activities beyond the Function of Prosecutors”; - Regulation “On the Ethical and Professional Assessment of the Subjects undergoing the Re-evaluation Process”; - Regulation “On the Provisional Appointment of Prosecutors”; - Regulation “On the Payments of Prosecutors for Work beyond Working Hours”. - Regulation “On the Procedure for Verification of Legal Conditions and Criteria for Recruitment, Appointment as Magistrate and Appointment of
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								<p>Candidates for Prosecutors, as well as for Career Development of Prosecutors”.</p> <ul style="list-style-type: none"> - Methodology “On the Evaluation and Scoring for the Ranking of Candidates for General Prosecutor”; - Methodology “On the Evaluation and Scoring for the Ranking of Candidates for General Prosecutor”. - Guidance Methodology "On the Evaluation of Candidates for Leading Positions at the Special Prosecution Office". - Regulation “On the Rules of Guarantee of Mandatory Defence and Assignment on the Basis of the Principle of Rotation of the Defence Counsel, from the List of Lawyers Providing Secondary Legal Aid Services in the Criminal Proceedings”. <p>Pending approval are the followings:</p> <ul style="list-style-type: none"> - Regulation “On the Criteria and Procedures for Promotion to Higher Ranks and at the Position of the Head of the Prosecution Office”, - Regulation “On the Rules for the Evaluation, Scoring and Ranking of Candidates in the Parallel Movement Procedure of Prosecutors”. - Internal Rules of Procedure of the HPC.
2. Designing and operation of a platform/ methodology/ practice (questionnaire, online survey, etc.) for periodically monitoring the magistrates' perceptions of the	HJC, HPC	Development of methodology and implementation of the monitoring system. Implementation of survey No. 1		700			Not implemented	<p>The HJC: Such a measure was planned to be implemented in the framework of HJC-ENCJ cooperation. The HJC completed the 2019 questionnaire on the independence and quality of the judiciary and submitted it to the ENCJ in January 2020. The process will be continued with a survey with judges in line with the ENCJ agenda.</p>

internal independence of the judiciary.								The HPC: There are no developments for the period of January-December 2019.
3. Increasing the transparency of decision-making in appointment/promotion of judges.	HJC	Publication of criteria, candidates, evaluation methodology and decision making	10 000		2 500 (in thousand LEK)		Implemented	<p>All HJC decisions, according to Law No. 115/2016, are published on the HJC official website and, as appropriate, in the Official Journal.</p> <p>The evaluation criteria and methodology are normative decisions and so is the evaluation methodology. The list of candidates is announced in the announcements section while decision-making, in respect of personal data, is reflected in the meeting minutes.</p> <p>As of 30 December 2019, 325 decisions have been adopted and published. They are accessible on the HJC official website at: www.klgj.al/vendime</p>
4. Supporting the Independent Qualification Commission through the preparation of detailed and reasoned reports on the professional skills analysis of the vetting subjects.	HCJ/HJC/HP C	1/4 of subjects (collecting statistics, drawing lots, gathering necessary information, analysing information, designing a report and inventorying the practice.)	232 000		34 000 (thousand Lek HJC)		Implemented	<p>HJC: Law No. 84/2016 “On the Provisional Re-Evaluation of Judges and Prosecutors in the Republic of Albania”, Article 171, paragraph 2 of Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”, assigns the High Judicial Council, with certain specific tasks, the role of auxiliary body to the vetting bodies - the Independent Qualification Commission and the Appeals Chamber.</p> <p>Regarding the above, according to the data in the special register administered by the HJC, in the period of from 21 October 2016 to 31 March 2017, 466 re-evaluation subjects have filed the forms and other accompanying documentation for their professional evaluation.</p> <p>Under the guidance and with the assistance of the Independent Qualification Commission, 104 lots were drawn for the reporting period for 104 transitional re-evaluation subjects and 99 detailed and</p>

							<p>reasoned reports have been submitted to the IQC and IMO, accompanied by 495 Court files for 99 re-evaluation subjects.</p> <p>In total, considering the work carried out prior to the establishment of the HJC, as of 31 December 2019, 210 evaluation reports have been submitted to the IQC and IMO.</p> <p>In total, taking into account the work carried out prior to the establishment of the HJC, as of 31 December 2019, 210 evaluation reports have been submitted to the IQC and the IMO.</p> <p>HPC: The HPC is the body charged with evaluating the work of prosecutors including transitional re-evaluation assistance.</p> <p>By Decision No. 6, of 26.12.2018, it has established the “Ethical and Professional Activity Evaluation Committee”.</p> <p>This Committee evaluates the work and prepares reports on the professional skills of prosecutors in the context of the transitional re-evaluation of prosecutors in the Republic of Albania.</p> <p>By Decision No. 32, of 22.02.2019, the HPC decided to appoint 6 magistrates, prosecutors, for drafting professional evaluation reports in the context of re-evaluation.</p> <p>The High Prosecutorial Council has approved and submitted to the IQC for the period January - December 2019, a total of 44 reports on the evaluation of the professional skills of prosecutors, together with the materials used to prepare them.</p> <p>For 2019, the High Prosecutorial Council, in cooperation with the Independent</p>
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							<p>Qualifications Commission has organized 79 lots for the selection of acts pertaining to the 5 files that served to prepare the report on the evaluation of the professional skills of prosecutors.</p> <p>During January - December 2019 reports of all candidates who have expressed their interest to be part of the Special Prosecution Office against Corruption and Organized Crime have been drafted and approved, a total of 18 candidates.</p> <p>The professional evaluation of a candidate for General Prosecutor, Mr. Olsian Cela, has been completed and submitted during this period.</p> <p>During 2019, the High Prosecutorial Council has approved 20 reports on the verification of assets and integrity of candidates admitted to the initial training programme at the School of Magistrates.</p>
5. Establishment and implementation of the Justice Appointment Council, with the purpose of reviewing the CVs of members of justice institutions.	JAC	<p>Establishment of the JAC;</p> <p>Development of criteria, evaluation methodology and implementation of the system. Publication of detailed criteria, candidates, evaluation methodology and decision making.</p>		13 000	10 531 (thousand Lek)	Implemented	<p>MoJ: In order to make the JAC fully operational, the Minister of Justice proposed a decision, which was approved by the Council of Ministers, Decision No. 298, of 10.05.2019, "On an Additional Fund, from the State Budget Reserve Fund for the Justice System, approved for 2019".</p> <p>JAC: By Decision of the Council of Ministers No. 298, of 10.5.2019, the fund of ALL 13 229 904 was approved for "Personnel Expenses" and "Operating Expenses", in support of the Justice Appointment Council.</p>

		<p>Making the JAC fully operational;</p>					<p>The funds spent for the period of from January to December 2019 are calculated in the amount of ALL 10 531 255.</p> <p>The Justice Appointment Council adopted on 21.06.2019, respectively, with decisions No. 51 and No. 52 "Methodology for Evaluation and Scoring for Ranking of Candidates for Judges in the Constitutional Court and for the High Inspector of Justice", published on the official website of the High Court, in the special section dedicated to the JAC, under Legislation, category "JAC Normative Acts".</p> <p>The JAC, on the basis of its organigramme, assigned by the High Court, has continued its normal operation and is fully operational.</p> <p>The JAC has completed the verification and evaluation procedures for the vacancy of the High Inspector of Justice and has sent the list of 5 candidates to the Assembly of the Republic of Albania.</p> <p>The JAC is currently in the process of verifying the candidates for two other vacancies at the Constitutional Court (1 of the Assembly where 6 candidates have applied and 1 of the President where 6 candidates have applied), to meet the legal requirements and other legal criteria.</p> <p>Also, candidacies for the vacancy announced on 22.11.2019 by the President of the Republic, due to the dismissal of Mr. Besnik Muci from the Special Appeal Chamber, have also been submitted to the JAC. There are 10 candidates for this vacancy, which will be subject to the verification and evaluation procedure.</p>
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								On 30.12.2019, the JAC held its last meeting for 2019, where the final report on the progress and achievements of this body during 2019 was adopted.
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Sub-objective 1/ b: Improve the efficiency of the justice system

Indicator:

1. % of reduction of the average length of a criminal case (separate values for first instance and for appeal, ordinary jurisdiction only).
2. % of reduction in the average length of a civil case in the first instance and in the appeal (separate values for each judicial instance).
3. % of civil cases settled in no more than three Court hearings (first instance only).

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	PTBP	Donors		
1. Full functioning of the HJC and HPC with the regulatory framework, needed capacities and infrastructure to fulfil the function.	HJC HPC	Medium-term planning of necessary infrastructure improvements. Internal procedures and evaluation manuals for judges and prosecutors have been completed. Organigramme completed, HJC staff and HPC completed.	30 000	1 470 000	29 525 (thousand Lek; HJC)		Ongoing	The HJC: Improvement of HJC infrastructure will be implemented in the framework of the implementation of the "Pole of Justice" Project (DoCM No. 234, of 17.4.2019 "On the integrated "Pole of Justice" development program". The HJC has adopted a number of normative acts concerning the ethical and professional evaluation of judges (see Sub-objective 1/c, paragraph 5); The HJC has prepared draft decisions on the classification and description of Court positions, the filling of vacancies in the civil service, the transfer of judicial civil servants, the code of ethics of the civil servant, the definition of disciplinary procedures and the rules for establishing, composition and decision-making of the disciplinary commission in the civil service, the main procedural and

		<p>Implementation of 40% of necessary infrastructure improvements.</p> <p>Analysis and action plan for increasing the case clearance rate and reduce the average length of criminal and civil cases in Tirana and Durres Courts (at the District and Appeal level)</p> <p>At least 4 High Court judges have been appointed by the HJC.</p>						<p>material elements of the progress and review of disciplinary violations, etc.</p> <p>The HJC organigramme has been approved (Decision No. 44 of 12.03.2019, as amended by Decision No. 80 of 30.05.2019) with a staff of 125 employees immediately after the promulgation of the normative budget act (June 2019) and it is currently in the process of recruiting staff.</p> <p>The HJC, by Decision No. 318, of 19.12.2019, has decided to establish an Interim Committee for the drafting of the Rules of Procedure of the High Judicial Council, based on the institutional need to have a more detailed regulation regarding the proper functioning, enhancing the efficiency and quality of the activity of the High Judicial Council.</p> <p>An analysis on the clearance rate of cases is done at the national level in the context of the HJC annual report. Concerning concrete actions to increase the clearance rate of cases, the HJC has taken a number of measures in relation to the delegation of judges and their temporary transfer (the Council has considered a total of 608 requests for assignment of judges, in response to which 895 judges for adjudication of special Court cases in Courts different from where they exercise their permanent function, for a better allocation of resources). Decision No. 78, of 30.05.2019 “On the calendar of cases before the Court of Appeal” serves this purpose as well.</p> <p>The rules on the criteria and procedure for the promotion of magistrates in the High Court have been finalized (Decision No. 75, of</p>
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							<p>23.05.2019); The approval of the rules on the criteria and procedure for the appointment of non-judge members to the High Court have been finalised as well (Decision No. 102 of 5.07.2019); The promulgation of the appointment procedure to the High Court from among prominent lawyers was published on 10.07.2019 (Decision No. 108 of 9.07.2019) and by Decision No. 179 dated 11/09/2019. In conclusion, the HJC has already opened the call for a quota of 1/5 or 4 seats in the High Court and, after completing the first round of applications, it is finalising the necessary procedures for verifying the integrity, professional skills and property of the qualified candidates. By decision No. 209, of 11.10.2019, the HJC also adopted the methodology for the evaluation and scoring of the non-judge candidates.</p> <p>More specifically, 23 candidates have applied for the quota of 4 vacancies, out of which 4 withdrew and 11 candidates were disqualified for failing to meet the formal legal criteria. With regard to the remaining 8 candidacies, the process of verifying the assets and integrity for two candidates continues, the criteria for 3 candidates have been positively evaluated and 3 more candidates have been disqualified.</p> <p>The HPC: Improvement of the HPC infrastructure is conditioned by finalization of the implementation of the “Pole of Justice” project.</p> <p>The organigramme approved by the Council of Ministers has a staff of 65 people.</p>
					53,121 (thousand Lek; HPC)		

								<p>The annual budget allocated is ALL 108 million for the 7-month period, beginning on 1 June 2019.</p> <p>By decision No. 149, of 02.09.2019, the procedure of reviewing the 2020-2022 mid-term draft budget has been carried out.</p> <p>The HPC is in the process of recruiting its staff. By Decision No. 150, of 22.07.2019, it has approved the duties of the HPC administration and application of recruitment procedures, according to the law on civil servant, have been launched.</p>
<p>2. Reorganization of the judicial and prosecutorial map, as well as the judicial police and the distribution of Courts in accordance with the new territorial division, population and number of pending Court cases in order to strengthen the role and functioning of the Courts and to ensure access to justice.</p>	HJC	<p>Conduct the necessary study and draft the report.</p> <p>Approval and implementation of the judicial map.</p>		762 500			Ongoing	<p>The HJC: The determination of the territorial jurisdiction and size of the Courts is under way. The inter-institutional working group (consisting of representatives from the domestic Courts, the HJC, the Ministry of Justice and international partners, such as the Council of Europe, EURALIUS and the Justice for All Project - JUST/USAID), based on international methodologies and standards, after a preliminary analysis, have finalised the first three draft-options of the new judicial map, which are expected to be submitted for discussion within March 2020.</p> <p>MoD: The Legislative Drafting Department has proposed for review and approval to the Council of Ministers the draft decision "On the Reorganization of Judicial Districts and the Territorial Jurisdiction of the Courts".</p> <p>This initiative will be proposed in the framework of joint work with the HJC. The initiative is planned for the third quarter of 2020.</p>

3. Establishment of a Working Group for reducing the backlog.	HJC/HC	Analysis of the Action Plan; Approval of the Action Plan.	2 332				Ongoing	The HJC, in order to take emergency measures to reduce the high number of the backlog in the High Court, by Decision No. 317 of 19.12.2019, has decided to establish an Interim Committee for drafting an Action Plan regarding the reduction of backlog and increasing of efficiency in the High Court.
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Sub-objective 1/c: Improve the accountability of the justice system institutions and of judges and prosecutors according to European standards

Indicator:

% of disciplinary proceedings initiated against judges and prosecutors resulting in sanctions (including decisions by agreement).
Reduce the delayed annual appraisals of judges.

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Establishment of the High Justice Inspectorate, charged with the responsibility to verify complaints, investigate disciplinary violations of judges and prosecutors of all levels, members of the HJC and HPC, the General Prosecutor and to develop other inspection services in Courts and Prosecution Offices in accordance with European standards.	Assembly of the Republic of Albania, the HIJ	Establishment of HIJ; Adoption of internal procedures for its operation; Adoption of inspection manuals; Recruitment of staff / inspectors.	74 211				Ongoing	The Assembly: Pursuant to Article 201 of Law no. 115/2016 “On the Governing Bodies of the Justice System”, the appointment of the High Inspector of Justice by the Parliament of Albania depends on the completion of the vetting process, selection and short listing of candidacies by the Justice Appointment Council. Currently, the JAC has completed the procedure of verification of assets, integrity and legal requirements for the 8 candidates for High Inspector of Justice. At the end of this process, the JAC has decided to allow 4 candidates to continue with the procedure and stop 4 other candidates to do so. Given that the number of candidates allowed to run for the High Justice Inspectorate was less than 5 candidates, as provided for under the Constitution and the law, the JAC, in its meeting of 9.09.2019 decided to suspend the procedure of verification of candidacies for

							<p>filling the vacancy of the High Inspector of Justice, and the re-launch the call for applications for the vacancy of the High Inspector of Justice. At the end of the deadline for submission of applications (20.09.2019) for the vacancy of the High Inspector of Justice, 4 candidates have expressed their interest.</p> <p>The Judicial Appointment Council, at the end of all the procedures provided for in the Constitution and in the law for verifying the fulfilment of the legal requirements for the , as well candidates, as we as the procedures for the evaluation, scoring and ranking of eligible candidates, pursuant to paragraph 4 of Article 147/d, paragraph 1 of Article 149/d of the Constitution and letter "ë" of paragraph 2 of Article 201 of Law No. 115/2016, together with the final list of ranked candidates for the vacancy of High Justice Inspector and acts issued in this proceeding, <u>on 27.12.2019 has submitted to the Assembly a Reasoned Report on the procedures followed, the reasons for deciding whether or not to stand for candidacy, as well as the actions and justifications pursued for coming up with the ranking of candidates allowed to run for this vacancy.</u></p> <p>MoJ: With regard to internal operational procedures, the Ministry of Justice has prepared the draft decision 'On the creation of conditions for the High Inspector to verify the fulfilment of legal requirements and criteria, the verification of integrity and property of non-magistrate candidates', which was approved by Decision No. 536, of 25.07.2019 of the Council of Ministers, published in the Official Journal no. 110, of 29.07.2019.</p>
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<p>2. Drafting and publishing of ethics standards and rules of conduct for magistrates and monitoring of their implementation.</p>	<p>HCJ/HJC/HPC</p>	<p>Conduct the necessary study and prepare the draft report.</p> <p>Discussion, approval and publication by the HJC and HPC;</p> <p>Appointment of a magistrate at the capacity of the Ethics Advisor.</p>	<p>17 250</p>	<p>17 250</p>			<p>Ongoing</p>	<p>The HJC: The High Judicial Council, as the body responsible for adopting the Rules and the Code of Ethics, and for monitoring them, and more specifically the Ethics and Professional Activity Review Committee, is considering with priority the drafting of the first draft of Judicial Ethics Standards and of the Rules of Conduct of Judges under Law no. 115/2016.</p> <p>By Decision No. 208, of 11.10.2019, the HJC has appointed a judge as the Ethics Adviser.</p> <p>The HPC: There are no developments for the reporting period yet.</p>
<p>3. Drafting the by-law bases on the procedures and criteria for reviewing and evaluating proposed disciplinary measures against judges and prosecutors.</p>	<p>KLGJ KLP</p>	<p>Conduct the necessary study and prepare the draft report.</p> <p>Discussion and approval by the HJC and HPC;</p> <p>Implementation of procedures.</p>		<p>7 500</p>			<p>Ongoing</p>	<p>The HJC: Law 48/2019, of 18/07/2019 filled the legal gap on the definition of disciplinary violations.</p> <p>With the establishment of the Ad-hoc Committee for drafting the internal rules of procedure of the High Judicial Council (Decision No. 318, of 19.12.2019), work will begin on the drafting of the regulation on the review and evaluation of the proposed disciplinary measures.</p> <p>The HPC: With the adoption of Law No. 47/2019, “<i>On some Additions and Amendments to Law No. 115/2016, “On the Governing Bodies of the Justice System”</i>”, 3 provisions were added regarding the disciplinary violations of the members of the HPC, as a division of disciplinary violations was made, by their nature in:</p> <ul style="list-style-type: none"> a) Disciplinary violation regarding the exercise of duty; b) Disciplinary violation beyond the exercise of duty;

								c) Disciplinary violation due to commission of a criminal offence. By-laws on the procedures and criteria for reviewing and evaluating disciplinary measures against prosecutors have not yet begun.
4. Improvement of transparency in the evaluation process of disciplinary measures.	HJC	Draft an internal regulation on the transparency of the evaluation of disciplinary measures. Anonymization and publication on the official website of the meeting minutes	8 000	3 750			Not implemented	The implementation of this measure depends on the implementation of measure No. 3 above, and can be finalised only once the HJI institution is established.
5. Reduction of the backlog in the annual periodic evaluation of magistrates.	HJC	5-year backlog (the time period between the year when the periodic evaluation is actually carried out and the year for which the evaluation is carried out)	57 150		1 500 (in thousand Lek)		Ongoing	The HJC has completed the appropriate by-law basis for the new Judicial Evaluation Scheme: HJC Decisions No. 263, of 21.11.2019 “Additional Rules for the Ethical and Professional Evaluation of Judges” and No. 264, of 21.11.2019, "Scoring methodology for the purpose of determining the level of evaluation of a judge". Likewise, the HJC, by Decision No. 316, of 19.12.2019, has adopted the standard tables with the statistical data necessary for the purpose of the ethical and professional evaluation of judges. The 2020 Judicial Ethical and Professional Evaluation Program was approved by Decision No. 276 of 10.12.2019. Reduction of the backlog shall be the result of the process already progressing in the right direction.

Objective 2: Consolidate legal education and training as well as the specialization of magistrates and Court staff
Sub-objective 2/a: Continuous education of judges, prosecutors and Court staff according to European standards/requirements

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Deepening and expanding the activity of the School of Magistrates in the recruitment and delivery of training programs for judges and prosecutors, as well as other categories of Court and Prosecution staff through the improvement of the recruitment program and curricula for magistrate candidates, as well as the establishment of new curricula and training modules for other categories.	SoM	<p>Establishment of the Chancellor Curricula.</p> <p>Improvement of the recruitment program and curriculum for the first year of the initial training programme for magistrate candidates and creation of training modules for the chancellor continuing education program.</p> <p>Approval of the methodology for the three components (quality of curricula, staff and continuous training)</p>		2 681			Implemented	<p>The Pedagogical Council of the School of Magistrates, in co-operation with the Euralius V Mission, has been engaged in improving the admission test program for magistrates and candidates for legal advisors and assistants. The changes consisted of the structural side of the test questions and the update of the entrance exam program with the amended laws. At the end of September, the School of Magistrates Steering Board approved the new curriculum for the first year subjects of the initial training program for magistrate candidates and candidates for legal advisor and legal assistants.</p> <p>In conjunction with USAID's Justice for All Project, the Initial Professional Training of Chancellors, trained according to international management standards, has been realised. The curriculum comprises 14 modules that provide comprehensive guidance in the areas of functional responsibility related to Court administration, as well as the technical, interpersonal and conceptual skills needed to guide the judicial reform. The project was financially fully covered by EWMI, Justice For All Project.</p>

<p>2. Gradual transformation of the School of Magistrates into a resource centre and meeting point for European Union law and European Law on Human Rights, as well as the provision of optimal training conditions for magistrates and Court staff. Increase and improvement of infrastructure capacities for the School of Magistrates.</p>	<p>HJC, SoM</p>	<p>Adaptation of the School premises in case of relocation.</p> <p>Procurement procedure for construction of new building (with at least 10 classrooms) and commencement of construction works.</p>	<p>798 345</p> <p>306 345 ('19)</p> <p>246 000 ('20)</p> <p>246 000 ('20)</p>				<p>Ongoing</p>	<p>The School of Magistrates has been temporarily relocated to new premises, which are expected to meet the requirements for the normal development of the initial training program for magistrates and candidates for legal assistants, chancellors, state advocates, as well as of the needs of continuous training of in-service magistrates. These facilities will also provide a temporary solution to the needs for more suitable workspaces for the academic and administrative staff of the School. By virtue of DoCM No. 234, of 17.04.2019, the School of Magistrates will operate in the same building as the HJC and the HPC. There is no cost on the part of the School for the period of from January to December 2019.</p> <p>Following the procedures for the construction of the new building of the School of Magistrates, in compliance with the deadlines set in the contract for the design studio, the Implementation Project for its construction was submitted to the National Territorial Planning Agency in December of 2019. The estimated value of construction and furnishing is about ALL 529,923,000.</p> <p>The HJC: With regard to co-operation between the HJC and the SoM, it is worth noting that the HJC has given its opinion at the 2 July plenary meeting on the 2019-2020 draft thematic program of the SoM, as well as the 8-week training curricula for Court Chancellors.</p>
<p>3. Increasing and improving research work by enriching the library fund and</p>	<p>SHM</p>	<p>Scientific publications</p> <p><i>E-commentary.</i></p>	<p>6 048;</p> <p>2 170 ('19);</p>		<p>635 (in thousand Lek)</p> <p>36</p>		<p>Implemented</p>	<p>The School of Magistrates has published 3 issues of the "Legal Life" Journal, namely Journal No. 3 of 2018, No. 1 of 2019 and No. 2 of 2019, with 300 copies each. Two scientific titles have been published under the</p>

providing access to digital libraries.		100 titles of domestic and international books	1 939 ('20); 1 939 ('21)		(in thousand Lek)			<p>auspices of the School of Magistrates, one in the field of Criminal Procedural Law and the other in Civil Law. The costs for these two publications are covered by the authors themselves.</p> <p><i>e-Commentary</i> is a platform created and developed by the Euralius Mission, which contains comments on 247 provisions of the Justice Reform Laws by the Mission. Currently, the platform is physically hosted on the SoM server and is accessible free of charge. The <i>e-Commentary</i> aims to accompany the full implementation of justice reform, while introducing at the same time a new academic culture similar to that of European countries, which involves a deep and thorough analysis of legal provisions. The initiative is financially and technically supported by the IRZ Foundation. The platform has been taken over by the SoM and work is being carried out on placing comments on certain laws.</p> <p>So far, a lot has been done in terms of enriching the School's library. More specifically, the Library of the School of Magistrates fund, for the period January-December 2019, has increased by 89 library units, of which 54 units are monographs in the field of jurisprudence, 15 theses works of second year magistrates and 10 serial publications.</p>
4. Trainings and qualifications for capacity building of advisory decision-makers and civil servants regarding the	CC	Training sessions for judges; Staff training sessions.	23 700				Not reported	

extension of the jurisdiction of the CC, adopted in the framework of the Justice Reform.		Training Needs Analysis for Current and New Counselors; Training Session on: New Aspects of the CC Jurisdiction (for Judges and Staff)						
Objective 3: Improve the functioning of the judicial system by strengthening efficiency, transparency and access to justice in line with European standards Sub-objective 3/a: Improve transparency in the functioning of the judicial system (Note: efficiency measures are included under Objective 1b)								
Indicator: <i>% of Court cases for which basic information is accessible online and up to date</i>								
Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Enhance Court relations with the media and ensure public access to information on cases of public interest.	KLJG	Establishment of magistrate structures that will be responsible for Media Relations.	500	4 000	200 (in thousand Lek)		Implemented	<p>The HJC, by Decision No. 68 of 24.04.2019, has designated the member to perform public relations duties. Also, the HJC, by Order No. 19, of 09.04.2019 of the Secretary General, has approved the “Transparency Program for the High Judicial Council”.</p> <p>The HJC, by Decision No. 280, of 10.12.2019, has appointed the Media Judges at the appeal jurisdiction. This Decision does also stipulates an additional 5% on the initial gross salary for the Media Judge.</p>

2. Timely publication of Court Decisions as well as of Annual Court Analysis/ efficiency reports and regular updating of the gjykata.gov.al website.	KLGJ	Implementation depending on the improvement and consolidation of the IT management system and the website. Providing the necessary maintenance for the IT system infrastructure responsible for the "uplink" of gjykata.gov.al	18 000				Not implemented	<p>Currently all the Court Decisions are published, although anonymization is done manually in most of them.</p> <p>The gjykata.gov.al site is administered by NAIS and not by the HJC.</p> <p>The HJC, in cooperation with the Justice for All Project, is working on the establishment of a unified electronic portal of the judicial system where the HJC and all Courts will have their own dedicated website. This portal will enable better transparency of the judicial activity of the Courts.</p>
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Sub-objective 3/b: Improve access to the justice system

Indicator:

% of applicants who meet the legal requirements who receive free secondary legal aid.

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. The Legal Aid Directorate (LAD) has been established and is fully operational.	MoJ	Regulations completed; Main staff appointed; Legal Aid Department is complete with staff;	86 500				Ongoing	<p>The following decisions and instructions are approved by the Council of Ministers:</p> <p>i. Decision No. 110, of 06.03.2019 “On Defining the Procedures and Rules for the Selection of Non-profit Organizations authorized for the Provision of State Guaranteed Primary Legal Aid, benefiting from State Budget Financing and the Manner of their Financing”;</p>

		<p>Completion of the national mapping process and agreeing on the service provider structure.</p> <p>Calendar of awareness campaigns complete.</p>						<p>ii. Decision No. 55, of 6.2.2019 “On Determining the Procedures and Documentation for the Authorization of Non-profit Organizations to Provide State-guaranteed Primary Legal Aid”;</p> <p>iii. Instruction No. 1, of 6.3.2019 “On some Changes and Additions to Instruction no. 4, of 12.12.2012, of the Council of Ministers, "On the Determination of the Expenses and Payments of Experts and Witnesses in a Litigation Process".</p> <p>The Minister of Justice has approved the by-laws in implementation of Law No. 111/2017:</p> <p>(i) Instruction No. 1, of 08.03.2019 “On the Approval of the Rules and Procedures for the Collection, Completion and Administration of Registry Data”;</p> <p>(ii) Instruction No. 2 of 25.03.2019 “On the Procedures, Periodicity and Rules for Verifying the Circumstances of Return of Benefits”;</p> <p>(iii) Order No. 225 of 25.3.2019 "On Approval of State-Guaranteed Legal Aid Forms";</p> <p>(iv) Order No. 266 dated 25.3.2019 "On the Approval of State-Guaranteed Legal Aid Contracts";</p> <p>(v) Instruction No. 6, of 20.08.2019 "On the Rules and Procedures of Court Payments and Fees for which Exemption due to Legal Aid".</p> <p>(vi) Order No. 531, of 25.11.2019 “On Improving the Criteria and Methodology for Evaluation of the Quality of Legal Aid Service Provision and Supervision Procedures by the</p>
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							<p>Legal Aid Department of the Legal Aid Services”.</p> <p>The structure and the organigramme of the Legal Aid Directorate have been approved (By Order of the Prime Minister No. 59, of 25.03.2019). The Legal Aid Directorate does currently have 12 staff members in its organigramme and announcements have been made for filling current vacancies.</p> <p>Also, the Legal Aid Directorate has taken measures to raise awareness among citizens through letters sent to Courts, Municipalities, and care institutions about the placement of informative posters in their premises.</p> <p>Awareness raising of the citizens regarding the implementation of the Law No. 111/2017 "On Free Legal Aid Guaranteed by the State", was also done through issuing of interviews with national television and radio outlets.</p>	
2. Primary legal aid system fully operational.	LAD	<p>Awareness campaigns developed;</p> <p>Completion of the by-law framework (paragraph 1);</p> <p>The first 4 regional offices have been established/are operational;</p> <p>At least 60% of primary care</p>	29 000			221 (in thousand Lek)	Ongoing	<p>Regarding the implementation of this measure by the Legislative Drafting Directorate at the Ministry of Justice, pursuant to Law No. 111/2017 “On State Guaranteed Legal Aid”, below follows a list of decisions and instructions approved by the Council of Ministers for the period of from January to December 2019:</p> <p>i. Decision No. 110, of 06.03.2019 “On Defining the Procedures and Rules for the Selection of Non-profit Organizations authorized for the Provision of State Guaranteed Primary Legal Aid, benefiting from State Budget Financing and the Manner of their Financing”;</p>

		<p>needs are covered nationwide;</p> <p>4 additional regional offices have been established;</p> <p>Recruitment and training of employees with special training;</p> <p>Publication of the list of authorized NGOs at the end of the legal procedure (call, review, decision making);</p> <p>Establishment and operation of Legal Clinics at 4 Universities with Law Faculties in Tirana, Durres, Vlore and Shkoder;</p> <p>Awareness campaigns conducted</p>						<p>ii. Decision No. 55, of 6.2.2019 “On Determining the Procedures and Documentation for the Authorization of Non-profit Organizations to Provide State-guaranteed Primary Legal Aid”;</p> <p>iii. Instruction No. 1, of 6.3.2019 “On some Changes and Additions to Instruction no. 4, of 12.12.2012, of the Council of Ministers, "On the Determination of the Expenses and Payments of Experts and Witnesses in a Litigation Process".</p> <p>The Minister of Justice has approved the by-laws in implementation of Law No. 111/2017:</p> <p>(i) Instruction No. 1, of 08.03.2019 “On the Approval of the Rules and Procedures for the Collection, Completion and Administration of Registry Data”;</p> <p>(ii) Instruction No. 2 of 25.03.2019 “On the Procedures, Periodicity and Rules for Verifying the Circumstances of Return of Benefits”;</p> <p>(iii) Order No. 225 of 25.3.2019 "On Approval of State-Guaranteed Legal Aid Forms";</p> <p>(iv) Order No. 266 dated 25.3.2019 "On the Approval of State-Guaranteed Legal Aid Contracts";</p> <p>(v) Instruction No. 6, of 20.08.2019 "On the Rules and Procedures of Court Payments and Fees for which Exemption due to Legal Aid".</p> <p>(vi) Order No. 531, of 25.11.2019 “On Improving the Criteria and Methodology for Evaluation of the Quality of Legal Aid Service Provision and Supervision Procedures by the</p>
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							<p>Legal Aid Department of the Legal Aid Services”.</p> <p>The structure and the organigramme of the Legal Aid Directorate have been approved (By Order of the Prime Minister No. 59, of 25.03.2019). The Legal Aid Directorate does currently have 12 staff members in its organigramme and announcements have been made for filling current vacancies.</p> <p>The Ministry of Justice in compliance with Law No. 111/2017 “On State Guaranteed Legal Aid”, in cooperation with local government bodies, and within the framework of OSFA-supported initiative to open state-guaranteed primary legal aid centres, has undertaken to provide primary legal aid service, through the opening of the first two Centres of Primary Legal Aid Service.</p> <p>The Ministry of Justice initially agreed with the Municipality of Tirana and Municipality of Elbasan to open Legal Aid Service Centres near venues where services are provided to citizens. These municipalities have provided their premises for the primary legal aid service delivery centres, while professional human resources will be allocated in cooperation between them for the smooth operation of these two centres. Two experts will provide services at each of these centres.</p> <p>The Ministry of Justice has signed a cooperation agreement with the Municipality of Elbasan regarding the provision to the Ministry of Justice and the Free Legal Aid Directorate of the Office of Primary Legal Aid Services. The Centre opened in October</p>
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							<p>2019 and is operational since then. It has two staff members.</p> <p>Legal clinics are set up at higher education institutions (HEIs) and provide primary legal aid.</p> <p>In addition, the Free Legal Aid Directorate has drafted draft cooperation agreements with the Legal Clinics at the HEI and is expected to confirm and sign relevant cooperation agreements for training and updating the students involved in these clinics with knowledge on issues related to primary legal aid.</p> <p>Currently the following Clinics are in operation: Faculty of Law, University of Tirana (FLUT), "Alexander Moisiu" University of Durrës (UAMD), "Ismail Qemali" University of Vlora, "Luigj Gurakuqi" University of Shkodra, "Luarasi" University of Tirana, and European University of Tirana.</p> <p>In terms of awareness raising campaigns, the Office of Legal Aid at the Ministry of Justice has provided the necessary information on legal aid to any citizen who has addressed this office.</p> <p>Also, the Free Legal Aid Directorate ha also adopted measures to raise awareness among citizens through letters sent to Courts, Municipalities, and other care-giving institutions about the placement of informative posters in their premises.</p> <p>Awareness raising of the citizens regarding the implementation of the Law No. 111/ 2017</p>
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								<p>"On Free Legal Aid Guaranteed by the State", was also done through issuing of interviews with national television and radio outlets.</p> <p>The Ministry of Justice has held meetings with the Faculty of Law on the recognition and implementation of law by law students.</p>
3. Secondary legal aid system fully operational.	LAD; Courts; NBC, SoM	<p>Completion of the legal framework (paragraph 1);</p> <p>Selection of lawyers to provide secondary aid and publication of the list;</p> <p>Training of judges; Training of lawyers providing secondary aid;</p> <p>At least 40% of national needs have been met (with a sufficient budget for Secondary Aid); of these, at least 40% of the needs of vulnerable groups;</p>	135 000		8 152 (in thousand Lek, LAD)		Implemented	<p>MoJ: The Ministry of Justice has approved the following by-laws and instructions, approved by the Minister of Justice:</p> <ul style="list-style-type: none"> (i) Instruction No. 1, of 08.03.2019 "On the Approval of the Rules and Procedures for the Collection, Completion and Administration of Registry Data"; (ii) Instruction No. 2 of 25.03.2019 "On the Procedures, Periodicity and Rules for Verifying the Circumstances of Return of Benefits"; (iii) Order No. 225 of 25.3.2019 "On Approval of State-Guaranteed Legal Aid Forms"; (iv) Order No. 266 dated 25.3.2019 "On the Approval of State-Guaranteed Legal Aid Contracts"; (v) Instruction No. 6, of 20.08.2019 "On the Rules and Procedures of Court Payments and Fees for which Exemption due to Legal Aid". (vi) Order No. 531, of 25.11.2019 "On Improving the Criteria and Methodology for Evaluation of the Quality of Legal Aid Service Provision and Supervision Procedures by the Legal Aid Department of the Legal Aid Services".

		Awareness campaigns conducted						<p>All these documents are published at the following link: https://drejtesia.gov.al/ndihma-juridike-e-garantuar-nga-shteti/</p> <p>Note: Order No. 531, of 25.11.2019 has not yet been published on the official website of the Ministry of Justice.</p> <p>Also, the High Prosecutorial Council has approved two guidelines drafted by the MoJ, until the establishment of the HPC, as follows: 1. Instruction “On the Rules of Appointment on the Basis of the Rotation Principle of the Counsels of Defence providing Secondary Legal Aid in Criminal Proceedings”; and 2. Instruction "On the Rules for Guaranteeing Compulsory Defence".</p> <p>Clarification: the HPC has adopted Decision No. 231, of 12.11.2019 “On Approval of the Rules of Procedure for guaranteeing Compulsory Defence and Assignment on the Basis of the Principle of Rotation of the Defence Lawyer, from the List of Lawyers providing Secondary Legal Aid Services in Criminal Proceedings”.</p> <p>There are currently two by-laws, which are not approved:</p> <ol style="list-style-type: none"> 1. The Joint Draft Instruction with the NBC “On the Rules of Appointment on the Basis of the Rotation Principle of the Counsels of Defence providing Secondary Legal Aid”; 2. The Joint Draft Instruction with MFE “Eligibility Criteria for Fees and Tariffs of Counsel of Defence Providing Secondary Legal Aid
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							<p>Services”, which is sent for comments to the Albanian Bar Association before being sending it to the MFE, as provided by law.</p> <p>These draft-laws are drafted, but are in the process of being co-ordinated with the Albanian Bar Chamber.</p> <p>Despite of the fact that the bylaws have not yet been passed, the National Chamber has prepared the lists for secondary legal aid, referring to Law 111/2017 “On Secondary Legal Aid”, listed in the order of application according to the rotation procedure. The lists have also been sent to local Bar Chambers for implementation under the rotation principle. Some districts have not filed any application. For these districts, it is the National Bar Chamber to decide on the counsels of defence.</p> <p>LAD: For the period of from January to December 2019, secondary legal aid in the amount of ALL 8 152 200 was granted.</p> <p>SoM: The School of Magistrates approves every September the calendar of trainings of the academic year. For the academic year of October 2018 - July 2019, 3 (three) trainings for judges were planned and delivered respectively on November 19, 20 and 21, 2018 with the topic “On State Guaranteed Legal Aid”. A total of 24 judges attended these trainings. At the same time, this topic was included in the training calendar for the 2019-2020 Academic Year. The training took place on 20-21 November, 2019 and was attended by 12 judges and 1 State Advocate.</p>
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192.5 (in
thousand
Lek;
SoM)

Objective 4: Increase the efficiency of the criminal justice system and anti-corruption measures by consolidating the mission, status and functions of criminal justice institutions
Sub-objective 4/a: Improve the efficiency and functioning of the criminal justice system according to European standards

Indicator / Indicator:

% of pre-trial detention in relation to low-risk crimes (anticipation of imprisonment of up to 5 years);
 and % of reduction in the number of juveniles in detention on remand (separate values).

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Monitoring of detention cases for minor offenses and the number of juveniles in detention (from ethical and professional evaluation of judges and the disciplinary process).	HJC	Annual case identification, macro-level analysis and issuance of recommendations to relevant institutions.	1 800				Not implemented	The new scheme of ethical and professional evaluation of judges has been adopted and is fully operational (<i>see Sub-objective 1/c, paragraph 5</i>).
2. Issuing of general instructions, aimed at:	GP	Study of the legal framework and the current situation and drafting of draft reports addressing the findings. Identification of current situation and statistics. Drafting, discussion and	2 000				Implemented	GP: The following seven acts are drafted and approved by the General Prosecution Office: - General Instruction No. 09, of 10.12.2019 "On Administrative and Procedural Measures in the Prosecution Offices for Serious Crimes and in the Prosecutions of the First Instance of General Jurisdiction upon Commencement of Work the Special Prosecution Office"; - General Instruction No. 08, of 04.12.2019 "On Guaranteeing the Independence of the Prosecutor, his Relations with the Head of the Prosecution Office and with Information in the Prosecution Offices of General Jurisdiction";

<p>a) Increase of efficiency of investigations;</p> <p>b) Increase of application of security measures different from arrest in prison for criminal offences with low social risk (of up to 5 years of imprisonment).</p>		<p>approval of bylaws.</p> <p>2% increase in cases sent to Court for high social risk offenses, compared to statistics of 2017.</p> <p>5% increase in Prosecutor's requests for alternative security measures other than prison, compared to statistics of 2017</p>						<ul style="list-style-type: none"> - Order No. 140, of 03.09.2019 "On Approval of the Regulation on Personal Data Protection in the Exchange of Information with EUROJUST"; - General Instruction No. 5 of 30.07.2019 "Public Relations in Prosecution Offices of General Jurisdiction"; - General Instruction No. 3, of 21.06.2019 "On Administrative and Procedural Measures in Prosecution Offices of General Jurisdiction in the Period before and after the Elections"; - Order No. 101, of 12.06.2019, "On Approval of the Regulation "On the Appointment of the Deputy Head of the Prosecution Office in Prosecution Offices of General Jurisdiction"; - General Instruction No. 2, of 24.05.2019 "On Law Enforcement regarding the Special Regime in the High Security Prison". <p>The two following general draft instructions are currently being drafted:</p> <ul style="list-style-type: none"> - For the calculation of procedural costs in Prosecution Offices of general jurisdiction; - On the resignation and replacement of the prosecutor and the judicial police officer in Prosecution Offices of general jurisdiction.
<p>3. Guarantee of working conditions in line with contemporary standards through:</p> <p>a) Increase of the support staff in service of the prosecutor;</p>	GP, HPC	<p>Needs assessment;</p> <p>Calculation of statistics on average workload (baseline 2018).</p>	<p>205 900;</p> <p>for shared sub-measure:</p> <p>a)192 000;</p> <p>c) 13 900</p>	<p>99 385; for sub-measure b) shared;</p> <p>b) 2 085: 97 300</p>	<p>(a)18 245 (in thousand Lek, GP)</p> <p>(b) 2 547 (in thousand Lek, GP)</p>		Ongoing	<p>GP: a) According to Law No. 99/2018, "On the 2019 Budget", 65 employees were added to the Prosecution Offices. The following were recruited during the reporting period:</p> <ul style="list-style-type: none"> - 27 judicial police officers; - 23 victim coordinators; - 14 secretaries;

<p>b) Investment in infrastructure; New construction; reconstruction;</p> <p>c) Continuous training of judicial police officers and staff of civil servants.</p>	<p>PP</p>	<p>Recruitment and training of staff;</p> <p>Implementation of investments;</p> <p>Continuous professional training</p>						<ul style="list-style-type: none"> - 1 IT; - 1 advisor. <p>For the additional 65 employees we did not request funding for personnel expenses in the 2018-2020 MTBP. In the context of increasing salaries of magistrates and officers, this fund was opened during 2019.</p> <p>b) Partial reconstruction (fully implemented in Vlora Appeal Prosecutor's Office and Permet Prosecutor's Office. Partial Reconstruction (fully implemented in Vlora Appeal Prosecutor's Office and Permet Prosecutor's Office. ALL 448 thousand, purchase of office equipment and furniture ALL 2,099 thousand). Construction of the additional floor foreseen for the Gjirokastra District Prosecutor's Office in the amount of ALL 40,653 thousand is not realised since the construction permit was not obtained.</p> <p>c) During the reporting period, the PAMECA V project has conducted 5 training sessions with 40 judicial police officers.</p> <p>No additional costs for the GP.</p> <p>During the reporting period, civil servants have participated in the trainings conducted by ASPA:</p> <p>3 training for new employees in probationary period (certified all three). 14 trainings for specialists of different fields.</p> <p>No additional costs for the GP.</p> <p>HPC: the HPC is in the process of recruiting staff. By virtue of Decision No. 150, of 22.07.2019, the tasks of the HPC</p>
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								Administration have been approved and recruitment procedures have been launched according to the Law <i>On Civil Servants</i> . No employee training has been conducted during this period yet. No investments have been made for the reporting period as of yet.
4. Increase the efficiency of interception in criminal proceedings by: a) Realization of the decentralization process of interception of electronic communications at the Prosecutor's Offices; b) Expansion of capacities for active interception.	GP	Needs analysis. Coming up with the statistics on the sentencing rate in cases where interception was used (2018 baseline). Technical equipment is installed in 8 First Instance Prosecution Offices and staff trained		232 130			Ongoing	a) Regarding decentralization of interceptions, we have conducted a needs analysis and an analysis of technical issues of remote offices. b) During the reporting period, a workshop on active interception (trjan technology) was organized, attended by 5 Judicial Police Officers of the Interception Directorate. No additional costs for the GP.
Objective 5: Improve functioning of the justice system by providing modern electronic systems, procedures and facilities for the development of robust international cooperation Sub-objective 5/a: Improve the judiciary through introduction of IT Management Systems and other infrastructure improvements								
Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Establishment of a unified IT platform for the operation of	HJC	Improving IT operations and support services		469 350			Ongoing	The High Judicial Council has given its opinion on the establishment and operation of the ITC Centre and has subsequently held

<p>electronic systems of the judiciary. (including case management platforms) (in service also of Objective 1a)</p>		<p>for electronic management systems in the judiciary;</p> <p>Improving the statistical information provided by Court case management systems as an interim solution until ICMIS is operational</p>					<p>consultative meetings with international partners (Euralius and JUST/USAID).</p> <p>The unification of the IT system and support services requires financial resources, which are not available with the current budget. The HJC is considering donor alternative sources of funding.</p> <p>The current case management systems (ICMIS and ARC) offer limited functionality in generating statistical data. Improvement of this aspect will be achieved with the establishment of a new unified system.</p>
<p>2. Creation of a centralized ICT support centre (ITOSC) that will govern the ICT Management Systems of Courts, HJC, HPC, HIJ.</p>	<p>MoJ, CoM, ICT Centre</p>	<p>Approval of the DoCM for setting up the ICT Centre.</p> <p>Operation of the ICT Centre;</p> <p>Recruitment of the Centre's human and technical resources;</p> <p>Training of the technical capacities of the Centre;</p>		<p>70 803</p>		<p>Ongoing</p>	<p>MoJ: Regarding the implementation of this measure, the Legal Drafting Directorate has drafted the Draft Decision “On Establishment of the Information Technology Centre for the Justice System, Adoption of the Rules on the Organization, Functioning and General State Policies for the Information Technology System in the Justice System”. The draft decision in question is currently being subject to the internal consultation process (line ministries and public administration bodies), including several meetings with representatives of Euralius and Justice for All Project, with the aim of agreeing on a draft.</p> <p>The draft is currently being revised reflecting the comments. Work will afterwards be launched to co-ordinate future opinions.</p>

3. Purchase and maintenance of electronic equipment for the Court	HJC, Courts	<u>95%</u> ²⁶	175 000		25 940 (in thousand Lek)		Implemented	The purchase and maintenance of electronic equipment has been carried out by all Courts, according to budget forecasts.
4. Equipping the new justice bodies with the necessary electronic infrastructure (HJC/HIJ/HPC)	HJC, HPC, HJI	Installation of the IT equipment and its operation. Internal management system software developed (separate for each institution). Installation of the IT equipment and its operation.		110 308, HJC 43 515, HPC 44 640 HIJ 22 153				
4.1. Equipping the new justice bodies with the necessary electronic infrastructure (SPAK/GJKKKO)	SPAK/ GJKKKO	Internal management system (software) developed. (separate for each institution)		234 675; SPAK 227 970; CACOC 6 705	8 838 (in thousand Lek, HJC)	2 532 (in thousand Lek, HPC)	Ongoing	HJC: The HJC was provided for 2019 with the major part of the necessary electronic infrastructure. The process will continue in 2020. The Court Against Corruption and Organised Crime was set up as a Court by the decision of the HJC No. 286 of 18.12.2019. The needs for electronic equipment will be reviewed and implemented during 2020. HPC: US Embassy Assistance/Donation (OPDAT) in electronic devices such as: printer, laptop, server, UPS server and scanner. US Embassy Assistance/Donation (OPDAT) in electronic devices such as: computer, PC screen, UPS, printer, toner and Shock Resistant Hard Drive.

²⁶ For 2019, 95% - what this means is that out of 38 Courts, 95% of them have all electronic devices (100%) in good working order. Electronic equipment has a high depreciation rate, which is why every year there is a need for investments in this domain to meet the new needs. The total value of investments planned for electronic infrastructure in the Courts for the 2019-2021, is about ALL 175,000 ALL. This amount does not include the needs for the Court Case Management Program.

5. Investment in Court buildings according to contemporary standards	HJC, Courts	<u>58%</u> ²⁷	352 000		92 983 (in thousand Lek)		<p>Ongoing</p> <p>For the year 2019, investments in Courts amounted to ALL 98 983 thousand for electronic equipment, office furniture, security equipment, other equipment and reconstruction.</p> <p>Full investment in construction infrastructure is planned to begin in 2020. This is in line with the adoption of the new judicial map, which is currently under way.</p>
6. Improvement of the Case Management Electronic System in the Prosecutor's Office, reflecting in it also the amendments to the Criminal Procedure Code and staff training	GP	Detailed analysis; The system is fully operational.		40 230			<p>Ongoing</p> <p>Improvement of the existing functionalities of the system, as well as completion of interconnection of the CAMS system with the State Police system.</p> <p>During 2019 it has become possible to interconnect with the State Police system. Necessary training of registry officers on this module has been done and soon (we are in the process of acquiring the right servers) the module it will be operational.</p> <p>The appeal module has been completed, but problems have been encountered during the testing phase. They are not being rectified by the implementing company.</p> <p>It is also worth noting that the statistics module continues to be tested due to the frequent changes and repairs that the company, in cooperation with the IT Department, are performing on the system.</p> <p>From the final analysis of this system by the IT Directorate at the General Prosecutor's Office, in relation to the Contract</p>

²⁷ In 2019, 22 Court buildings are new construction, or fully reconstructed buildings, representing 58% of Courts (22/38 Courts). The adoption of the new judicial map conditions investments in buildings. Full investment is planned to take place in two Court buildings (1 construction, 1 complete reconstruction) and will extend to two budget years, 2020-2021. The total value of the investment for both buildings is about ALL 352,000. By the end of the investment for these Courts, in 2021, the % will change from 58% to 63% (24 new and/or reconstructed buildings/38 Courts in total).

								<p>requirements, some of the points of this contract are still not fulfilled, and the company is currently working on their finalization. Also, the company is repairing the various defects arising from the implementations made in the CAMS system, in collaboration with the IT Department at the General Prosecutor's Office.</p> <p>No additional costs for GP, as the project is funded by IPA.</p> <p>New requirements arising from legal amendments are drafted and need funding.</p>
7. Establishment of secure communication channels for information exchange in the framework of international judicial cooperation	GP, MoJ	<p>Analysis of the situation;</p> <p>Drafting of measures for implementation of findings</p>		9 730			Ongoing	<p>Discussion on the establishment of secure communication channels for information exchange in the framework of international judicial cooperation is underway.</p> <p>With no additional cost for the GP.</p>
8. Establishment of the necessary IT infrastructure at the LAD	MoJ	<p>Internal case management system designed;</p> <p>Internal case management system operational</p>		140 000	1 860 (in thousand Lek)		Ongoing	<p>Purchasing ICT hardware required by the Legal Aid Directorate was finalized by NAIS.</p> <p>During the months of November-December 2019, the equipment was delivered according to the deadlines foreseen in the contract, as well as their configuration and installation with the assistance of IT Sector staff at the Ministry of Justice, NAIS.</p> <p>The ICT equipment purchased by the Legal Aid Directorate has costed ALL 1.860.240.</p>
9. Prepare an integrated system for the publication of legal acts and by-laws in the Official Journal and the Bulletin of Official Notices, for	QBZ , AKSHI	<p>Drafting of Terms of Reference, following procurement procedures.</p>	69 840		38 000 (in thousand Lek)		Implemented	<p>COP: Establishment of an integrated system for publishing consolidated laws and bylaws and legislative summaries as per relevant fields (Centre of Official Publications' Electronic Archive) was completed on 29.03.2019 and was taken over by NAIS specialists. It is now fully operational.</p>

<p>the publication of up-to-date legislation, codes and summaries of legislation according to relevant fields.</p>		<p>Establishment of the system, data migration and system testing.</p> <p>User-friendly system implementation;</p> <p>Establishment of updated Legislation Corps. System consolidation and elaboration between COP and GCD; Updating of legislation.</p>						<p>Population of the system with existing acts for the period of from 2000 to 2018 as an integral part of the system.</p> <p>Population with follow-up acts on the COP web site is a daily process of publication in the Official Journal. Immediately following the publication of the Official Journal, the separate acts are published in real time on the Centre's website. Updated acts and summaries of legislation are also published.</p> <p>NAIS: Pursuant to Contract No. 2781, of 14.06.18, as well as Amendment No. 750 Prot. dated 13.2.2019, the contract where the "QBZ Archive System" and the "Maintenance of the Xerox D136 Printer" are part thereof.</p> <ul style="list-style-type: none"> - On 29.03.2019, the implementation process of the system was completed and submitted to NAIS in the presence of contract implementers; the final report along with other accompanying documents submitted as well. - According to the contract we are currently in the tenth month of the system maintenance as well as in the twentieth month of maintenance of Xerox D136 printer. - The project has achieved the overall objective: Establishment of an Electronic Archive System, which serves for the registration, editing, publishing, updating, maintaining, administering and accessing of all publishable acts, in full compliance with Albanian legislation, national policies, and best practices in the world in this regard. - Quick and effective search of legal acts through advanced search (with specific
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							<p>filters), as well as text content search, searching by a word or a given data.</p> <ul style="list-style-type: none"> - Presentation of the acts in real time, the legal bases of the acts, the changes the act has undergone over time, the repeals, and their updates, if any. - Process automation and control, document creation, control and approval. Storage, archiving and reuse of digital information in the internal system (DMS). - Data migration from 1999-2000, 2001-2018. - Corrections and adjustments with regards to the relationship of acts, a process that is ongoing, based on the relationship, and other errors in the process of entering key data or migrated data. - Checking, compiling and identifying lists of unpublished acts in the COP, which serve as basic, amending or repealing act. - Processes related to the Electronic Archive system administrator, specifically with <i>user</i> managing, identification of process controls, publishing of static information on the website. Management of the <i>CMIS Workbench</i> interface for possible changes and corrections, tracking and troubleshooting of errors displayed during other users' work processes. - Processes related to the implementation of the online services in the COP, as well as the electronic stamp on the documents generated by the Electronic Archive system of acts <p>MoJ: Following the implementation of this measure, the Legislative Drafting Directorate</p>
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								has drafted the Decision “On the Approval of Detailed Rules for the Organization and Internal Functioning of the Electronic Archive of Acts”, approved by Decision No. 855, of 24.12.2019, published in the Official Journal No. 182, of 30.12.2019.
10. Improvement of the infrastructure and institutional capacity of the Judicial Archive.	SAJS	Drafting of the project on "Reconstruction of SAJS ". Reconstruction of the building of the SAJS (100%) and partial archive furniture - archive shelves (46%)	51 000		1 339 (in thousand Lek)		Not implemented	By Order No. 548, of 05.12.2019 of the Head of the Contracting Authority, the procurement procedure on “The Reconstruction of the Building of the State Archive of the Judicial System” was cancelled, in reply to the letter of the Ministry of Finance and Economy No. 21920, of 02.12.2019 “On the Priority of Payments in the Conditions of the Declared State of Natural Disaster”.
11. Establishment and operation of the judicial archive electronic system.	SAJS	Establishment of the archiving electronic system (hardware and software). Operation of the electronic system (data recording)	28 800		0		Ongoing	In the process of evaluating the continuity of the contract due to the identified problems. For this project, the High State Audit has issued the following recommendation: “To revoke the Service Contract No. 527/9, of 26.05.2017 which is not effective and efficient, where all implementation chains are with low performance and the system installed in the testing environment cannot be technically evaluated because the application cannot constitute a complete and functional system”. <i>The MoJ is currently awaiting for the conclusions to be reached by the Task Force set up to analyse the findings of the High State Audit Final Audit Report.</i>
Objective 6: Improve the protection of human rights in the penitentiary institutions								
Sub-objective 6/a: Improve the protection of human rights in the penitentiary institutions								
Measures/planned activities	Responsible institution		Budget/Cost (in thousand Lek)		Budget spent for 2019 (factual)		Status of activities for the period of	Description of achievements for January-December 2019

		Target/ Milestones 2019	2019 - 2021				January – December 2019 <i>(implemented/ongoing/not implemented)</i>	
			MTBP	Donors	MTBP	Donors		
<p>1. Involve prisoners in employment activities and increase the number of reintegration activities:</p> <p>1.1 Involvement of prisoners in employment activities.</p> <p>1.2 Offering vocational training courses in basic and technical skills.</p> <p>1.3 Offering other educational, sports, social and cultural programs.</p>	GDP	<p>Implementation of the legal framework. Clarification the legal aspects of employment of prisoners.</p> <p>Increasing the number and type of vocational courses for individuals serving prison.</p> <p>Increase participation in vocational training programs by 10%.</p> <p>Increase the participation of persons deprived of their liberty in these type of activities by 10%.</p>		2 000			Implemented	<p>1.1 Employment is seen as an important component of the reintegration and rehabilitation process for persons deprived of liberty. The General Directorate of Prisons has undertaken several initiatives for the employment of prisoners and the use of institutional capacities for the education of persons deprived of liberty through work. Pursuant to the legal provisions, employment of prisoners is considered as a rehabilitation and not a punitive tool. A manual for the education staff on the rehabilitation work for the persons deprived of liberty is being implemented. Among other things, it addresses the issue of employment of prisoners as one of the basic components of reintegration and rehabilitation work. For January-December 2019, on average, 631 prisoners were employed in the prison system, of whom 144 were detainees. Prisoners are engaged in employment activities according to the opportunities provided by institutions, mainly engaged as maintenance staff, cook assistants, gardeners, library assistants, etc. Cooperation agreements have been concluded with local institutions, such as the Municipality of Tirana, to increase the opportunities for reintegration of persons deprived of liberty upon their release.</p> <p>1.2 The General Directorate of Prisons and subordinate institutions have cooperated with the Regional Vocational Training Directorates to develop a vocational training process at the Institutions of Execution of</p>

							<p>Criminal Decisions (prisons). In pursuance of this agreement, the vocational training process has been developed based on the requirements of prisoners, the physical spaces and material base available to the institutions, as well as the types of vocational courses offered by the Vocational Training Regional Directorates. For the period of from January to December 2019, vocational courses were offered in 10 prisons, attended by an average of 264 inmates each month. Courses provided include foreign language (English, Italian), painting, pyrography, electrician, plumber, tourism, cook, barber, tailoring, woodworking and welding courses.</p> <p>1.3 The average number of inmates who have attended other educational activities throughout the prison system during one month is 2892. During January-December 2019, the penitentiary institutions have on average developed 189 social topics per month, while 32 book reviews were covered by the Social Care Sectors. Also, 497 reintegration activities have been developed. A policy document has been drafted to treat prisoners and detainees according to their needs. Educational programs for prisoners on the verge of release have been designed and implemented. The purpose of these programs is to successfully reintegrate prisoners into society and prevent recidivist behaviour. These courses were attended by 37 prisoners.</p> <p>MoJ: The Draft Law “On the Rights and Treatment of Prisoners and Detainees” was approved at a meeting on 23.10.2019 by the Council of Ministers and remains to be approved by the Assembly, according to its work calendar.</p>
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								After the adoption of the draft-law, work on issuing of secondary legislation may continue.
2. Reduce overpopulation in penitentiary institutions in line with European standards	GDP	Reduction of overpopulation by 3% upon opening of the Shkodra Prison.	373 000				Implemented	<p>The issue of overpopulation in the prison system is in general a resolved problem. The total capacity of the prison system is 6106 beds, while during January-December 2019 an average of 5150 persons were treated in prisons, of whom 258 with compulsory medical treatment. The population level for the period of from January to December 2019 was on average -12% (-716). Hence, the prison system has at the general level been in the conditions of underpopulation.</p> <p>Elimination of overcrowding in prisons has come as a result of concrete measures, whether in investments, such as the opening of a new prison in Shkodra, investment by the European Union and the Albanian Government, and the construction of two new facilities at the Jordan Misja Penitentiary Institution in Tirana, an investment of the Albanian Government, as well as through a case-by-case careful study of the distribution and accommodation of prisoners in the penitentiary institutions.</p>
3. Guarantee of protection of the rights of detainees/inmates with issues of mental health.	GDP	Reconstruction of buildings for persons with mental health problems in order to transform prison facilities into hospital facilities. Adapting a provisional	62 629		26 883 (in thousand Lek)		Implemented	<p>3.1 The investment for the adaptation of two buildings in the prison of Lezha into hospitals has entered into its final phase. Aspects of reciprocal commitments with regards to the treatment of this category of prisoners in the new hospital facilities at the penitentiary institution of Lezha will be set out in a Cooperation Agreement between the Ministry of Justice and the Ministry of Health. In December 2019, the Ministry of Health drafted a Joint Order approving the Plan of Transitional Measures in the context of improving the conditions and treatment of</p>

		<p>solution for detainees/ prisoners with mental health problems;</p> <p>Recreational and supportive facilities for inmates with mental health problems;</p> <p>Standard/ uniform salary for doctors working in hospitals and in prisons.</p>					<p>persons with "compulsory medication". It is based on this order that measures, responsible institutions and deadline for implementation have been assigned. The administration of the new hospital facilities at the Lezha penitentiary institution will enable the provision of specialized services for this category according to the MoH protocols, in order to create access for these patients to meaningful out-of-cell activities, necessary care and human contact with field specialists (psychiatrists, psychologists, caregivers, etc.).</p> <p>3.2 Taking into account the requests made by the General Directorate of Prisons to increase the salaries of doctors serving in the prison system by Letter No. 1825/1, of 06.12.2018, the Ministry of Finance and Economy has replied that the additional requirements for 2019 in relation to this request cannot be approved. It has also guided that that requirements for the salary increase of doctors in these institutions be included in the MTBP projections of 2020-2022. By Letter No. 2058/1, of 02.04.2019, the Ministry of Justice, in light of this fact, has also instructed that the requirement to raise the salary of doctors be included in the GDP requirements for 2020-2022. Consequently, the forecast for the increase in doctors' salaries, along with the financial cost, has been made.</p>	
4. Guarantee of respect for human rights of prisoners	ICSPS (The Internal Control Service in the Penitentiary System)	<p>Review of the legal framework of the field;</p> <p>Increase efficiency in the</p>		35 000			Ongoing	<p>MoJ: In implementation of this measure and the implementation of DoCM No. 837, of 24.12.2019 "On the Approval of the General Analytical Program of Draft Acts to be Submitted for Review to the Council of Ministers during 2020", the draft law "On Internal Control in the Prison system" is</p>

		<p>treatment of prisoners' complaints by 30% in all penitentiary institutions;</p> <p>Establishment of the database and digital identity (webpage – green number);</p> <p>More efficient and direct treatment of complaints with the relevant structures.</p>						<p>expected to be approved, while the Ministry of Justice is the institution responsible for its proposal.</p> <p>Currently, the Legislative Drafting Directorate has drafted the draft law, which has been revised in the framework of consultations with the stakeholders and is in its coordination phase. The draft law is expected to be forwarded to the Council of Ministers within the first four months of 2020.</p> <p>ICSPS: With regard to the second measure, the treatment of complaints of prisoners and family members, it continues with full efficiency from the relevant investigations and complaints sector.</p> <p>Regarding the third measure, during January-December 2019, apart from the internal database network established by the employees themselves, the procedures for creating a website/green number have not started yet.</p>
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Sub-objective 6/b: Improve Probation Service to European standards and increase the use of alternative sanctions

Indicator:

% of criminal convictions for crimes punishable by up to 5 years, which include alternative sentences.

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Improvement of the Probation Service infrastructure	Probation Service	30 % of infrastructure improved (offices);	33 400		12 095 (in		Implemented	During 2019, 9 Local Offices have been rented. Improvement of the Probation Service infrastructure has reached 45%. In addition, work has begun on the expansion

		<p>better provision of alternative services;</p> <p>22 trained persons.</p>			thousand Lek)			<p>and redevelopment of the GDPS and Local Probation Service Offices in Tirana, which is facing its full implementation.</p> <p>Optimal conditions have been established in some Local Probation Service Office in providing better quality supervision and care of prisoners.</p> <p>Currently the staff of 25 employees, who are being trained, is included in the Swedish Juvenile Criminal Justice Program. The program currently continues to train probation officers.</p> <p>Also, 2 employees have been trained in the Office, Word Excel Package etc. In cooperation with UNICEF, Restorative Justice and Mediation, 75 probation service employees have been trained.</p> <p>Funds spent for the period from January to December 2019 are in the amount of ALL 12,094,635.</p>
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Objective 7: Improve the functioning of the Ministry of Justice and its subordinate institutions

Sub-objective 7/a: Improve policy-making, planning and evaluation processes of the justice system

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		

<p>1. Increase the planning and monitoring capacities of the Ministry of Justice in order to develop efficient policies in the justice system and their implementation.</p>	<p>MoJ, CoM (assisting role)</p>	<p>Training needs assessment; The Training Calendar; Implementation as per the Training Calendar.</p>	<p>3 000</p>				<p>Implemented</p>	<p>MoJ: For the period of from January to June 2019, the activities of the draft document “TA Complementary support on SRC EU4Justice” have been analysed and comments and suggestions have been provided by MoJ structures and beneficiary institutions, in order to include additional activities. One of these activities also planned and implemented by the EUD is the training of the Monitoring, Implementation and Priorities Sector staff, at MoJ, as well as of other relevant structures responsible for the preparation and drafting of Terms of Reference for Technical Assistance “TA Complementary Support on SRC EU4Justice”, expected to start implementation in February 2020 and last for 34 months.</p> <p>Further on, the Technical Assistance Document, part of the IPA-AD document from the "Justice Sector Contract with Budgetary Support", amounting to EUR 2.2 million in Technical Assistance on "Support to the Implementation of the Justice Sector Reform Contract" has been finalized and an official note has been addressed to the EUD, in September 2019.</p> <p>In addition, on 8 March, 2019, with the support of EURALIUS, an active participation seminar was organized on the Development of an Institutional Capacity Development Plan of the Ministry of Justice, attended by 35 MoJ officers.</p> <p>In June 2019, the Directorate of Programs in the Justice Field and the Directorate of Project Conception and Feasibility (in MoJ) have participated in the trainings organized at the PM’s Office on the use of the IPSIS</p>
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							<p>system. These trainings were attended by 4 employees of the Ministry of Justice.</p> <p>On 26 September, 2019 a training was provided by the IPA Management Support Project: "Monitoring and Reporting on IPA Assistance" with the participation of the staff of the Project Conception and Feasibility Directorate.</p> <p>On 1 October 2019 a training was provided by the IPA Management Support Project on "IPA Sector Assistance Programming" with the participation of the staff of the Project Conception and Feasibility Directorate.</p> <p>Furthermore, during November 2019, the Directorate of Justice Programs, the Directorate of Project Conception and Feasibility, and the Directorate of Justice Policies and Strategies (MoJ), have participated in a workshop organized by the MP's Office on Training of Trainers (TOT) on the use/testing of the IPSIS system in the respective modules. These trainings were attended by 3 officials of the Ministry of Justice.</p> <p>PM: A 5-day training was held in the context of the development of the IPSIS system, with the aim of recognizing and using the relevant modules mainly in the framework of strategic framework policy development, as well as sector strategies and government priorities, PKIE, draft acts analytical plan as well as the development of strategic programs and projects.</p> <p>Special focus on the respective modules was given on the passport indicators, as well as the costing of political documents.</p>
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2. Establish a system for conducting regulatory impact assessment of legislation	PM, MoJ	Continuous training for employees and newly recruited employees.	1 500				Implemented	<p>PM: As of January 2019, all draft-laws that meet the RIA criteria are subject to the impact assessment process by the line Ministries. In order to further enhance capacity building across Ministries for RIA implementation and their support for specific laws, the RIA Unit in the Prime Minister's Office, with the support of SIGMA, has organized various training sessions with the line Ministries. These sessions took place in the following periods: February - May - June - October 2019. Following the training, participants were provided with additional instructional materials for each RIA, including recommendations and examples of RIA, best practices from other EU countries, promoting their critical thinking when conducting impact assessments.</p> <p>MoJ: During 2019, employees of the Legislation Drafting Directorate at the MoJ have attended many trainings to increase the capacity of ministries and subordinate agencies in drafting impact assessment reports, organized by the Prime Minister's relevant directorates with the SIGMA support.</p>
Sub-objective 7/b: Improve legal drafting and analysis capacity and public notification and consultation processes								
Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Improving public notification and consultation of legislation	KM, MD	Training: - for filling in the consultations register	2 400				Implemented	MoJ: At the Ministry of Justice, the Public Consultation Coordinator's task is carried out by a specialist of the Legislative Drafting Directorate. In fulfilment of the obligation deriving from the "2018-2020 Roadmap for

							<p>Policy Design and Measures for an Enabling Environment for Civil Society", the Public Consultation Coordinator at the Ministry of Justice has attended a one-day training on 12 June 2019 on Public Consultations, organized by the Albanian School of Public Administration, and quarterly and six-month public consultation reports have been drafted in line with sector-based reporting.</p> <p>PM: In cooperation with Sigma/OECD, in July 2019, a workshop was organised with line ministries to improve the public consultation process.</p> <p>The Directorate of Policies and Systems for Good Governance in the Prime Minister's Office coordinates and monitors the performance of the public consultation process by the institutions with regards to realizing the quality of this indicator, as well as the number of acts subjected to public consultation. For the period of from January to September 2019, the Ministry of Justice has performed 100% regarding the number of acts subject to public consultation, getting the highest score of 8 points according to the applied SIGMA evaluation methodology.</p> <p>About the adopted acts subject to public consultation, it results that only 1 of them was foreseen in the Annual Analytical Plan of Draft Acts and the National Plan for European Integration, while 3 others fall beyond these planning documents.</p>
<p><i>Sub-objective 7/c: Improve international cooperation according to European standards</i></p>							

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Strengthening the capacity of the MoJ to align the national law with <i>acquis communautaire</i>	MoJ	<p>Recruitment/increasing the number of employees in the Legislation Approximation Unit;</p> <p>Analysis of the need to determine the legislation to be aligned with content structures and dependency institutions;</p> <p>Effective training related to the approximation processes.</p>	1 500				Ongoing	<p>The approval of the structure was realized by Order No. 166/2017, which established the Sector for Legal Reforms and Approximation of Legislation.</p> <p>At the end of March 2019, the vacancy for a specialist at the Sector for Legal Reforms and Approximation of Legislation was temporarily filled.</p> <p>This measure is currently ongoing, as on 2 October 2019, one of the civil servants, one of the two in the approved organigramme, has resigned and his position is vacant during the reporting period.</p> <p>For the other position, the employment contract expires on 15 March, 2020.</p> <p>Regarding the training needs assessment, in February 2019 a request for training on approximation techniques and foreign language courses has been submitted.</p> <p>ASPAs has authorised an online access on refreshing and updating foreign language skills.</p> <p>In March, a training on approximation of European legislation and approximation techniques was conducted, as well as how to fill out an LGA, attended by 3 staff from the Codification Directorate.</p>

							<p>For the employees of the General Directorate of Codification and Harmonization of Legislation a training was organized with Euralius, on 25-27 June 2019, at ASPA on the topic “Enhancing the Capacity to Assess the Constitutionality and Compliance of Draft Laws with ECHR Jurisprudence and EU acquis”.</p> <p>Furthermore, in February and June, respectively, on 18-20-21 February and 25-26 June 2019, in cooperation with the experts of the EURALIUS mission, a training was organised with the public officials of the Ministry of Justice involved in the pre-screening process for the judiciary, human rights and anti-corruption. The training was attended, inter alia, by representatives of the Ministry of Justice (Directorate of Codification and Legislation Drafting, Directorate of Policy and Strategies in the Justice Sector and members of the Inter-Institutional Working Group on European Integration).</p>
2. Capacity building for the MoJ Department dealing with different donors.	MoJ	<p>Identification and consolidation of necessary staff;</p> <p>Project management training;</p> <p>An electronic system for managing the work of the DKFP;</p>	28 500				<p>Ongoing</p> <p>During January – December 2019 the following trainings on project management are held:</p> <ul style="list-style-type: none"> • Training organized by ASPA on “Identifying the Risks of Corruption in Legislation” on April 18, 2019. • Training funded by the European Union on: "On the application of key IPA procurement and contracting procedures for services, goods and twinning and on the management of contracts for goods and services", organized by the Technical Assistance Project "Support to the Albanian System for indirect management with the beneficiary country”, held on 22.05.2019.

		Assist the expert in the departmental process						<ul style="list-style-type: none"> • Workshop on “Costing of ERP Structural Reforms, Methodology and Challenges”, held on May 28, 2019 by CEF. • Training organized by ASPA on "Project Design and Management", 19-21 June 2019. • Training organized by ASPA on “Strategic Planning”, 2-3 June, 2019. • Training organized by ASPA on “Operational Planning”, 25-26 July 2019. • Training organized by “IPA Management Support” Technical Assistance on “Project Monitoring and Reporting”, 26 September 2019. • Training organized by “IPA Management Support” Technical Assistance, on the topic: “Sectorial Assistance Programming”, on 1 October 2019. • Training organized by ASPA on “Management of EU funds”, on 19-20 December 2019. • Training organized by ASPA on “Knowledge of the EU”, 17-19 December 2019.
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Sub-objective 7/d: Improve functioning of the MoJ and its dependency institutions

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	PBA	Donors		
1. Preparing adoptive applicants on the adoption process in order to guarantee the best interest of the child.	NAC	Conducting counselling sessions for adopting applicants in separate groups;	175 000		ALL 20 459		Implemented	During the period of from January to December 2019, a total of 8 (eight) counselling sessions were conducted, during which 14 (fourteen) couples/applicants interested in adoption were trained and informed on the adoption process.

		Counselling for 30 pairs of applicants (informative meetings on adoption procedures/ interviews with psychologists and social workers).						<p>The budget for the counselling sessions held during 2019 is ALL 20 459.</p> <p>Counselling sessions are held depending on the number of applicants for adoption in 2019.</p>
2. Improvement of the legislation on the medical forensic field and of other by-laws	IML	<p>Improvement of the internal Rules of Procedure of the IFM;</p> <p>Amendment of DoCM No.120, of 27.2.2003 “On the Establishment of the Institute of Forensic Medicine”;</p> <p>Revision of the Law on Autopsy;</p> <p>Drafting and adoption of the law on the functioning of the Institute of Forensic Medicine;</p> <p>Improving the procedure of Oath of Experts</p>	50		0	0	Ongoing	<p>MoJ: Regarding the review of the Law <i>On Autopsy</i>, drafting and approval of a draft law on the functioning of the Institute of Forensic Medicine, we wish to inform you that they are not included in the General Analytical Program of Draft Acts to be submitted to the Council of Ministers during 2020. The schedule of the draft acts to be proposed during 2020, approved by Decision No. 837, of 24.12.2019 of the Council of Ministers, envisages submission a draft decision on the organization and functioning of the IFM during the second quarter of 2020.</p> <p>On the other hand, the Legislation Drafting Directorate will contribute to all initiatives that will be undertaken for the revision of the above mentioned draft acts, once the motivated request for legislative changes is submitted and the need for interventions has been assessed by the responsible policy structures, followed for the dependency institutions.</p> <p>IFM: Proposal for amending the Rules of Procedure sent to the Ministry of Justice.</p> <p>Following the submission of the first draft by IFM, the MoJ is currently evaluating the draft Rules of Procedure submitted by the IFM.</p>

		in Court (in the CCP)						As regards other sub-measures, working groups on relevant proposals have been set up. Following a meeting organized at the Ministry of Justice in October 2019, the IFM has submitted proposals for amending its Rules of Procedure.
2. Strengthen the institutional capacity of IFM by improving working conditions in IFM, in hospital settings (Mother Teresa University Hospital) as well as district hospitals, equipment (DNA laboratory) and staff/ personnel of the institution.	IML	<p>Practical Study on the Division of Regional Forensic Medical Offices & Hospitals;</p> <p>Implementation of agreed procedures;</p> <p>Creating facilities for appropriate laboratories and work spaces/offices;</p> <p>Equipment for 6 Regional Forensic Institutions.</p> <p>Creating facilities and purchasing equipment for the DNA lab;</p> <p>Assessment of institution's and staff capacities.</p>	12 040	255 000	8 191 (in thousand Lek)	0	Ongoing	<p>Working groups on relevant proposals have been established.</p> <p>Investments are made for purchasing laboratory equipment (autopsy), and the reconstruction of the IFM interior has been concluded. A contract has been signed for the works, testing and supervision. The total amount of these investments amounts to ALL 8.190.700.</p> <p><i>Currently, with regard to the reconstruction project the Treasury has only paid one invoice due to the suspension of payments under Letter No. 21920, of 02.12.2019 of the Ministry of Finance and Economy.</i></p>

4. Review of legislation with regards to state enforcement service	MoJ/DGE	<p>Proposal for amendments to Law 8730, of 18.01.2001.</p> <p>Institutional working group for the legal amendments</p>	50		0	0	Implemented	<p>The General Directorate of Enforcement has set up a working group on amendments to Law No. 8730, of 18.01.2001 “On the Organization and Functioning of the Enforcement Service”. The establishment of the working group and completion of the analysis on identifying the deficiencies to be address in the amendments has enabled drafting of the amendments to Law No. 8730, of 18.01.2001.</p> <p>MoJ: Regarding this measure, we wish to explain that the revision of the law “On State Enforcement” is not included in the Analytical Program of the Draft Acts that will be submitted for review to the Council of Ministers during 2020, as approved by DCM No. 837, of 24.12. 2019, but the Legislation Drafting Directorate will contribute to all initiatives that will be undertaken to amend the Law “Om State Enforcement”, once the need for interventions has been assessed by the responsible policy structures followed for the dependency institutions.</p>
5. Improvement of the infrastructure of state enforcement service buildings, modern logistics infrastructure (<i>electronic equipment, office equipment</i>) and the supply with vehicles to carry out tasks more efficiently.	DGE	<p>Identification of the project idea for improvement of the premises of PED and Bailiff's Offices in Tirana, Fier, Korça, Lushnje, Berat, Gjirokastra, Kruja, Kukës, Lezha, Mat, Pogradec, Puka, Shkodra,</p>	<p>47 000; 6 250; 2 750 (‘18);</p> <p>10 000 (‘19);</p> <p>8 000; 6 000 (‘20);</p> <p>10 000; 4 000 (‘21)</p>	550 000	7 460 (in thousand Lek)		Ongoing	<p>For 2019, the Directorate General of Enforcement has planned investments in the amount of ALL 10,000,000 (ten million) for “purchasing electronic equipment”. The procurement procedures enabled the realization by 100% of the planned investments in the amount of ALL 7,459,589, namely for “purchase of computers, 30 pcs”, “purchase of scanners, 70 pcs”, “purchase of UPSs, 6 pcs”, “purchase of printers, 6 pcs” as well as “purchase of switches, 10 pcs). For the difference of Lek 2,540,411, related to procurement procedures for supply of equipment, planned and implemented for</p>

		<p>Tropoja, Debar, Vlora and Përmet.</p> <p>Identification and inclusion of project ideas in the MTBP;</p> <p>45% of logistics infrastructure (<i>electronic equipment</i>) upgraded</p>						<p>2019, it was not possible to finalize the contracts for additional supplies with other necessary electronic equipment due to the earthquake hitting the country on 26.11.2019. They are expected to be implemented in 2020.</p> <p>Also, once identifying the necessity to create normal working conditions for the staff of the General Directorate of Enforcement and the Tirana Enforcement Office in order to guarantee a qualitative service of execution of executive titles under normal working conditions, the General Directorate of Enforcement has proposed a project idea for reconstruction, and adaptation of the premises of the General Directorate of Enforcement and the Tirana Enforcement Office, at a cost of ALL 14,000,000 (fourteen thousand). The draft idea is included in the 2020-2022 MTBP, in Appendix 2B.</p>
6. Improving human resources at the professional, operational and financial perspective.	DGE	<p>Training Needs Assessment;</p> <p>Identification of the need for review of financial treatment of service employees/(reclassification);</p> <p>Analysis of the need for additional service organization charts.</p>		50 500	0	0	Ongoing	<p>The Directorate General of Enforcement, through identification of the training needs, has planned and approved the training program for bailiffs for 2019.</p> <p>Implementation of the training program, during 2019, enabled training for bailiffs with the subject of "Execution of cases related to meeting with children and food pension".</p> <p>Trainings were held for trial bailiffs on "Compulsory Enforcement of Executive Titles" and "Ethics and Communication".</p> <p>Also, in face of the fact that the State Judicial Enforcement Service has a high number of enforcement cases and reduced staff, a total of 78 (seventy-eight) bailiffs, the General Directorate of Enforcement, as the central</p>

		78 trained bailiffs; Identification and inclusion of a project proposal for review of financial treatment in MTBP. Identification and inclusion of the project proposal in the MTBP.						body of this service, upon completion of the needs analysis for additional staff, has submitted a request for a staff increase of 20 employees in the second phase of the MTBP, Annex no. 1. Upon identification of the need for appropriate financial treatment, proportionate to the nature of the bailiffs' work and responsibility, and the degree of difficulty in fulfilling it, concrete proposals have been submitted for amendments to Law No. 8730, dated 18.01.2001 "On the Organization and Functioning of the Enforcement Service".
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Objective 8: Improve the quality of service for the legal professions and create a legal framework for arbitration
Sub-objective 8/a: Improve the quality of service of the freelance legal professions

Indicator:
 % of inspections for notaries conducted by the Ministry of Justice

Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Enhance the performance of the directorates responsible for monitoring freelance legal professions and subordinate institutions at the MoJ, through:	MoJ	Identify and consolidate the staff needed to perform the monitoring work.	8 900				Ongoing	The total number of employees in the Directorate of Deregulation, Permits, Licenses and Monitoring is 15 employees and it currently has 3 vacancies. The Freelance Regulation Sector has the following organigramme: 6 + 1 staff, where all vacancies are filled during 2019.

<p>1.1 Establishing of a training program for the directorate responsible for monitoring freelance professions.</p> <p>1.2 Establishing a training program for the directorate responsible for monitoring subordinate institutions, with a particular focus on the control of human rights compliance by the administration.</p>		<p>Identification of training curricula.</p> <p>Strengthen the sector responsible for monitoring freelance professions;</p> <p>Draft and approve a list of standards for the implementation of the notary control;</p> <p>Draft and approve a list of standards for implementing intermediaries' control.</p> <p>Develop and adopt a risk-based notary control methodology.</p> <p>Develop and adopt a risk-based intermediary control methodology.</p> <p>Strengthen the sector</p>						<p>Regarding the Monitoring Sector of Other Dependent Institutions, its organigramme is: 2 + 1 staff. It currently has one vacancy.</p> <p>On 17-30 September 2019, the Freelance Regulation Sector has attended a compulsory training organised by ASPA on the topic of "Presentation with Public Administration", 3 specialists.</p> <p>Training on "Integrity Risk Assessment Methodology", on 26.12.2019, with the support of ISDA, Support Project, a joint fund of the Italian, Austrian Government and UNDPI, was attended by all employees of this Directorate - 12 employees.</p> <p>As part of the Justice Reform legal package in the area of regulation of freelance professions, Law No. 110/2018 "On Notary" has been approved.</p> <p>This law explicitly stipulates the obligation of the Ministry of Justice, in cooperation with other institutions responsible for the adoption of bylaws.</p> <p>The relevant structures of the Ministry of Justice have started working on drafting these draft acts, depending on their importance. Three of them have been approved. More details are provided below:</p> <ol style="list-style-type: none"> Order No. 444, of 30.09.2019, "On the Approval of the Code of Professional Ethics of Notaries"; Order No. 445, of 30.09.2019, "On the Approval of the Statute of the National Chamber of Notaries";
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		responsible for monitoring subordinate institutions through training						<p>3. Order No. 214, of 21.03.2019 of the Minister of Justice, “On Updating the Notaries and Assistants Files, as well as the Relevant Self-declaration Forms”, together with the Order establishing a working group to follow this process.</p> <p><u>There are currently 35 by-laws being drafted.</u></p> <p>In addition, a draft order has been drafted for the approval of standards and methodology of inspection of the activity of notaries (ongoing).</p>
<p>2. Professional growth and empowerment of defence lawyers to protect the fundamental rights of citizens through consolidation of training programs offered by the School of Advocates;</p> <p>Vocational Education Program offered by the School of Advocates for the training of defence lawyers nationwide.</p>	School of Advocates; Bar Chamber of Albania	<p>Identification of the defence lawyers training needs;</p> <p>Draft and approve the regulation on continuing training;</p> <p>Approval of the 1-year Continuing Training Plan based on a needs assessment;</p> <p>Preparation of the infrastructure of the School of Advocates;</p> <p>Organization of the first 6</p>		7 000			Ongoing	<p>For the purpose of consolidating Vocational Education of Defence Lawyers provided by the School of Advocates, two main areas of work are followed:</p> <p>1. Updating and strengthening of the initial training curricula of Assistant Lawyers/ Students of the School of Advocates in view of modules based on the recently adopted special legislation on fundamental human rights and freedoms (juveniles, victims, CPC) etc.).</p> <p>2. Establishment and consolidation of a continuous training program for Albanian lawyers. Concerning the implementation of the continuous training program, the Albanian Bar Chamber has started a collaboration with the Euralius V Mission for developing a Mid-Term and Long-term Strategy in this regard.</p> <p>In cooperation with the Euralius V Mission, cooperation has been planned for the first 6 months of 2020, which includes the above issues.</p> <p>Notwithstanding the foregoing, the Chamber has continued to organize various trainings, mainly a training cycle on the subject of</p>

		rounds of training						<p>"Individual Constitutional Appeal" based on Constitutional amendments and amendments to the Law "On the Constitutional Court", in April 2019, and a workshop on Venice Arbitration Chamber in Albania, a co-organization, etc.</p> <p>The following training events have been organised in the period of from September to December 2019:</p> <ul style="list-style-type: none"> • A 2-day training with lawyers from several Bar Chambers, organised on 30 September – 1 October 2019 on Environmental Law, in cooperation with Eco-Partners for Sustainable Development, Vlora; • A regional online training in co-operation with the Council of Europe's HELP Program and the Rule of Law Regional Network (BRRLN) on the "Eligibility Criteria for Applications Before the Court of Human Rights and Fundamental Freedoms, Strasbourg, 14 October 2019, kick off seminar; • A 2-day training on "Individual Constitutional Appeal", organized in cooperation with the German IRZ Foundation on 4-5 December 2019 in Korca, with lawyers from the Korca, Pogradec and Elbasan Bar Associations; • A 2-day training on "Aspects of Civil Procedure in Increasing the Effectiveness of Civil Litigation" on 12-13 December 2019, organised in Tirana, with advocates of the Tirana Bar, organized in cooperation with the Euralius Mission
3. Establishing a specific training program for the	Albanian Bar Association; In	Training needs analysis;		3 000				The phase of training needs assessment for <i>ex officio</i> lawyers, as well as those who will provide legal aid based on the requirements

<p>protection of the rights of vulnerable groups, especially of juveniles in conflict with the law</p>	<p>cooperation with the Council of Europe, School of Advocates, etc.</p>	<p>Preparation of training modules on juveniles in conflict with the law; Organization of trainings (first rounds for lawyers throughout Albania)</p>					<p>Ongoing</p>	<p>of the legal aid law, or the law on advocacy, has been concluded. The aim of this exercise is to enhance the quality of the service provided by these lawyers and/or underline the need for specialized lawyers, such as for juveniles in conflict with the law.</p> <p>In co-operation with the Council of Europe's HELP Program, curricula on the standards of Juvenile Friendly Justice, dealt with in conjunction with the Juvenile Criminal Justice Code, have been prepared and harmonized.</p> <p>On the basis of these curricula, intensive 3-month online training has been developed for 30 lawyers from several regions of the country. The list of specialized lawyers and training modules has been sent to the Ministry of Justice.</p> <p>Cooperation with the CoE HELP program will continue in 2020, with the training of lawyers (advocates identified on the basis of requirements for this training topic) on Juvenile Friendly Justice Standards combined with the CRPD.</p> <p>Also, in cooperation with the international organization Terres des Hommes, an MoU was signed in March 2019 and its implementation has started, contributing in the drafting of:</p> <ul style="list-style-type: none"> • Guidelines for juvenile-friendly justice and restorative justice advocates, primarily on litigation avoidance and encouragement of mediation; • A curriculum for Assistant Lawyers at the School of Advocacy on Juvenile Justice issues as well as application of restorative justice;
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							<ul style="list-style-type: none"> • Organization of trainings with lawyers at the end of the preparation of the Guideline. All three of these issues have a maximum deadline of March 2020. <p>In cooperation with the German Bar and the IRZ Foundation, training has been conducted with mainly lawyers and those who will provide state guaranteed legal assistance on "Amendments and Novelties of the Code of Criminal Procedure and European standards" on June 5, 2019;</p> <p>On 8-9-10 July 2019, the first training session for mainly advocates and legal aid lawyers was conducted based on the specific training/pilot training program, which covered topics such as: important principles of criminal proceedings and strengthening of the defence of the rights of the accused, as amended by the CPC; legal aid legislation, who benefits from it, what are the protected categories and their fundamental rights; the principles and standards of the ECHR, as well as the ECtHR, etc., and the standards of protection of children's rights provided by the CRPD. This training session was organized in cooperation with TLAS, in the framework of the Joint Program with the Balkan Rule of Law Network - BRRLN.</p> <p>For the development of a Specific Training Program on the Rights of Vulnerable Groups for Legal Aid Defence Lawyers + Ex Officio Lawyers, collaboration will mainly be focused with the Balkan Rule of Law Network, BRRLN, based on the pilot project tested by Tirana Bar Chamber lawyers.</p>
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<p>4. Establishment of the Training Centre for Notaries in the Republic of Albania;</p> <p>4.1 Evaluation of notaries with credits</p>	<p>NCN</p>	<p>Establishment of a working group to enable the Training Centre to become operational;</p> <p>Design of the training curricula;</p> <p>Establishment of a program for capacity building of notaries and their evaluation criteria;</p> <p>Training sessions according to the approved program (4 sessions/year in total);</p> <p>Notary evaluation.</p>		<p>1 400</p>		<p>2.000 (in thousand Lek)</p>	<p>Ongoing</p>	<p>NCN: The National Chamber of Notaries, in order to carry out the foreseen tasks, initially rented a suitable facility for the development of its activities at a rental price of 2000 EUR/month, starting in June 2019.</p> <p>Arrangements have been made for the establishment of a Training Centre, which is currently available and training activities are underway. The preparation of this Centre has cost the Chamber a total of ALL 2,000,000.</p> <p>Measures have been taken to develop the curricula, which will be completed by March 2020.</p>
<p>5. Establishment and operation of N.I.S.A electronic system, providing real-time online connection of notary activity with public services.</p>	<p>NCN</p>	<p>System design;</p> <p>Organisation of tender procedures;</p> <p>System testing for operation;</p>		<p>1 072 800</p>			<p>Ongoing</p>	<p>NCN: Training sessions on the N.I.S.A. system have begun at the Centre; with separate groups of notaries, with groups of 20 notaries, in the fourth quarter of 2019 training of notaries were launched mainly for the N.I.S.A. system and they will continue throughout the first quarter of 2020.</p>

		Training of notaries on the use of the N.I.S.A. system;						<p>The design of the N.I.S.A system is completed and the system is already undergoing testing. The N.I.S.A. System is worth about EUR 8 million and will be paid over a period of 8 years through the service and payment of notaries using the system. This payment will start in March 2020.</p> <p><i>(All contributions will come from the National Chamber of Notaries. The Chamber does not expect donor revenues or budget.)</i></p>
6. Improvement of the legal framework after the entry into force of the amendment of the law <i>On Mediation</i>	NCM	<p>Review and approval of the acts of the Chamber (Statute; Code of Ethics);</p> <p>General Rules of Procedure; SCM's Strategy;</p>		5 000			Ongoing	<p>In the framework of the Justice Reform, as part of the legal package in the area of regulation of freelance professions, the Assembly approved Law No. 26/2018 "On Some Additions and Amendments to Law No. 10385, of 24.2.2011, On mediators for the settlement of disputes".</p> <p>The following is planned pursuant to Law No. 26/2018 "On Some Additions and Amendments to Law No. 10385, of 24.2.2011, On mediators for the settlement of disputes".</p> <p>Adoption of legal acts, rules and procedures set forth in Articles 4, 5 and 5/1 of the Law, respecting the deadline within 3 months from the entry into force of this Law. (Orders, Instructions under Article 102, paragraph 4 of the Constitution of the Republic of Albania) and specifically:</p> <ol style="list-style-type: none"> 1. Order No. 9635 Prot., dated 21.09.2018 "On the Establishment of the Working Group for Drafting of By-Laws in Implementation of Law No. 26/2018 "On some Supplements and Amendments to Law no. 10385, of 24.02.2011 "On

							<p><i>Mediation for the Settlement of Disputes”, as amended”.</i></p> <p>a) Drafting of the Draft Order of the Minister of Justice, “Recognition of the Intermediary Title acquired by a Foreign Citizen”, pursuant on Articles 8 and 11 of Law No. 26 / 2018;</p> <p>b) Drafting of the Draft Order of the Minister of Justice, “On the Establishment of the Mediator’s Register”, pursuant to Article 7 of Law No. 26/2018;</p> <p>c) Drafting of the draft guidelines “On the Rules on the Organization and Evaluation of the Qualification Exam for the Profession of the Mediator”;</p> <p>d) Drafting of the draft guidelines “On the Program and Curricula of Initial and Continuing training”, pursuant to Article 7 of Law No. 26 / 2018;</p> <p>e) Proposals for the Draft Joint Instruction of the Ministry of Justice and the Minister of Finance “On the Remuneration Manual for the Work of the Mediator and Expenses as a Result of the Mediator’s Activity”, pursuant to Articles 14 and 15 of Law 26/2018;</p> <p>f) Establishment of the register of active mediators, setting out the form, content and rules of administration of the Mediator Register and the personal file pursuant to Article 7 of Law No. 26/2018, following the promulgation of the Order of the Minister of Justice.</p> <p>NCM: There is a Code of Ethics, which needs no amendment;</p> <p>All draft bylaws have been approved by the General Meeting of the NCM and have been</p>
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								submitted for approval to the Ministry of Justice. The NCM Rules and Strategy are approved.
7. Establishment of Local Chambers and provision of mediation services; 7.1 Building and improving the professional capacity of mediators through organization of initial, continuous training and also through Training of Trainers (ToTs)	NCM	Initial training; Continuous training; Training of Trainers; Adoption of Rules of Procedure; Initial training; Continuous training (30-50 mediators)		53 030			Ongoing	The Local Chambers have not yet been set up, as the legal framework requires 5 mediators in each district. The Tirana Local Chamber will be established in 2020. Initial trainings have not been organized as the NCM expects the adoption of legal acts. Training for Mediators dealing with minors has been organized. 20 days of continuous training were provided.
8. Organizing awareness campaigns for the mediation service in the country	NCM	Media, leaflets and brochures; Information campaigns in schools and universities; Meetings with public and non-public institutions, notaries, lawyers, legal practitioners and experts		3 000			Not reported	

<p>9. Finalizing the amendments to the applicable legal framework related to the organization and functioning of the private enforcement service as part of the justice reform package.</p>	<p>MoJ, the Assembly, NCPE</p>	<p>Legal amendments that guarantee:</p> <p>1-Addressing of the problems encountered by the private enforcement service identified by the NCPJC and the Ministry of Justice in dealing with complaints;</p> <p>2-Regulation of the functioning of the enforcement companies;</p> <p>3-Defining clear duties of private judicial bailiffs, for carrying out activities related to the nature of their legal profession and regulating the collection of fees in good faith; notifying the parties; keeping records of occurrences, facts and circumstances</p>	<p>With no additional cost, as the cost is covered by the contributions of relevant staff of the Assembly, Ministry of Justice and the Chamber.</p>			<p>Implemented</p>	<p>MoJ: On 08.05.2019, the Assembly of the Republic of Albania adopted the Law No. 26/2019 "On the Private Judicial Enforcement Service", which concluded the second package of laws on the justice system reform. This law is intended to:</p> <ol style="list-style-type: none"> address the problems identified in the analysis of the justice system for the private judicial enforcement service; guarantee the execution of final Court decisions as part of the principle of fair trial according to the case-law of the Constitutional Court. lay solid foundations for the development of the bailiffs' profession and their professional status, legal responsibility, guarantees of enforcement, institutional relations, and academic integrity of bailiffs in accordance with the best international standards in this field. <p>By decree No. 11195, of 31.05.2019, the President of the Republic decided to return to the Assembly for review Law 26/2019 "On the Private Judicial Enforcement Service". After reviewing the President's decree, the Assembly of Albania, at its plenary session on 04.07.2019, decided to overturn the decree of the President of the Republic. The law is published in the Official Journal No. 99, of 10.07.2019.</p> <p><u>The following act has as well been approved:</u></p> <ul style="list-style-type: none"> ✓ Order No. 448, of 30.09.2019, of the Minister of Justice "On the Establishment of a Working Group for the Identification and Taking Over of the Documentation and Undelivered
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		in support of judicial activity or civil disputes.					<p>Archives of Private Judicial Bailiffs whose License has been Revoked".</p> <p><u>By-laws currently under drafting:</u></p> <p>Pursuant to Article 89 of this Law, the Ministry of Justice is engaged in issuing orders and instructions that are currently in the drafting process (31 bylaws).</p> <p>The Assembly: On 08.05.2019, the Assembly of the Republic of Albania adopted the Law No. 26/2019 "On the Private Judicial Enforcement Service", which also concluded the second set of laws on justice system reform. This law is intended to:</p> <ul style="list-style-type: none"> d. a. address the problems identified in the analysis of the justice system for the private judicial enforcement service; e. guarantee the execution of final Court decisions as part of the principle of fair trial according to the case-law of the Constitutional Court. f. lay solid foundations for the development of the bailiffs' profession and their professional status, legal responsibility, guarantees of enforcement, institutional relations, and academic integrity of bailiffs in accordance with the best international standards in this field.
10. Strengthening the professional capacity of private bailiffs; 10.1 Planning of training according to needs, based on the	NCPLE, MoJ	(10.1) Identification of key areas and topics where training is needed.		7 000			Not reported

<p>analysis of complaints and deficiencies found by the NCPJE and the MoJ during controls and oversight of the work of private judicial bailiffs;</p> <p>10.2 Preparation of training curricula;</p> <p>10.3 Organization of initial and continuous training (subject to legal amendments);</p> <p>10.4 Estimation of operating costs of the training centre;</p> <p>10.5 Establishment of a Training Centre at the National Chamber of Private Legal Enforcement</p>		<p>(10.2) Preparation of a training curricula.</p> <p>(10.3) Clear forecast of the number of hours for continuous training;</p> <p>Development of at least 2 continuous trainings during the year.</p> <p>(10.4) Estimated cost of setting up a Training Centre at the National Chamber of Private Enforcement.</p> <p>(10.5) Identifying and providing support infrastructure for the training center at the National Chamber;</p> <p>Approved structure for the Training Centre at the National</p>						
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		Chamber of Private Enforcement; Adoption of the Regulation On the Organization and Functioning of the Training Centre at the National Chamber of Private Enforcement.					
<p>11. Ensure quick execution procedures, through information management.</p> <p>11.1 Conduct an analysis of the need to expand access to the state databases of the judicial enforcement service;</p> <p>11.2 Promote signing of bilateral or multilateral agreements to grant access to databases of the banking system and allow for a real-time exchange of information with the banking system, in order to streamline the execution process;</p>	NCPLE, MoJ	<p>(11.1) Conduct an analysis of the need to expand access to the state databases of the judicial enforcement service.</p> <p>(11.2) Bilateral or multilateral agreements to grant access to databases of the banking system and allow for a real-time exchange of information with the banking system, in order to streamline the</p>		90 000		Not implemented	<p>MoJ: With regard to measure 11.2, for 2019 there are no bilateral or multilateral agreements signed for granting access to databases of the banking system and enable real-time exchange of information with the banking system, in order to streamline the execution process.</p> <p>Regarding measure 11.3, the Legislative Drafting Directorate has identified the need for including the Draft Decision “On Determining the Manner of Maintaining the Central Register of Enforcement Requests for Execution Orders and Interaction with other State Databases” in the Analytical Program of draft acts to be submitted to the Council of Ministers for 2020, approved by DoCM No. 837, of 24.12.2019.</p> <p>This Draft Decision is planned to be submitted for review and approval to the Council of Ministers during the third quarter of 2020.</p>

11.3 Real-time interaction of electronic enforcement systems with other state systems and state databases, and/or with private entities.		execution process. (11.3) Necessary legal and technical changes made for the real-time interaction of electronic enforcement systems with other state systems and state databases, and/or with private entities.						
Sub-objective 8/b: Establish a legal framework for arbitration								
Measures/planned activities	Responsible institution	Target/ Milestones 2019	Budget/Cost (in thousand Lek) 2019 - 2021		Budget spent for 2019 (factual)		Status of activities for the period of January – December 2019 (implemented/ongoing/not implemented)	Description of achievements for January-December 2019
			MTBP	Donors	MTBP	Donors		
1. Drafting of the national legal framework for the settlement of legal disputes by arbitration.	MoJ, The Assembly	Drafting and adoption of the Law "On the Settlement of Disputes by Arbitration"; Adoption of the foreseen bylaws;	2 332				Ongoing	MoJ: Pursuant to the Analytical Plan of the Draft Acts to be submitted for adoption during 2019, approved by DoCM No. 764, of 27.12.2018, the institution responsible for proposing this legal initiative within the third quarter of 2019 is the Ministry of Justice. Currently, the Legislative Drafting Directorate is preparing the draft law “On Arbitration”. Meetings have been held with EURALIUS representatives, who have also submitted a draft of this draft law. The General Directorate of Codification and

						<p>Harmonization of Legislation, on 16.09.2019, held a consultation roundtable with representatives of Chambers of Commerce and Industry, Law Offices, representatives of interest groups and civil society. The purpose of this meeting was to discuss issues that were considered essential to the policy to be followed and which should be reflected in the Draft Law <i>On Arbitration</i>. The Regulatory and Compliance Department at the Prime Minister's Office have evaluated it for impact analysis. The draft law has been drafted by the Legislative Drafting Directorate at the MoJ.</p> <p>The draft law is in the public consultation phase, at the electronic consultation register. The deadline for closing the consultation is 20 working days from the date of publication of the draft laws in the electronic register, therefore the legal consultation deadline for this draft law is 13 January, 2020.</p> <p>In parallel, the draft law was forwarded for consultation to the line ministries and other central institutions.</p> <p>The MoJ is currently awaiting comments from various stakeholders, so that it can afterwards continue with their review. After the conclusion of the consultation phase, the draft law will be reconsidered, in the light of comments received. The initiative is expected to be adopted within the first quarter of 2020.</p> <p>The Assembly: The role of the Assembly, as in any other legislative initiative that is submitted for review and approval to it, is related to the moment the initiative will be submitted to it by the Council of Ministers.</p>
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