



MINISTRY OF JUSTICE

Annual Report 2021



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List of abbreviations

AT	Technical Assistance
EU	European Union
NBI	National Bureau of Investigation
CAMS	Albanian Case Management System
ACA	Albanian Chamber of Advocacy
NCN	National Chamber of Notaries
NCJPB	National Chamber of Judicial Private Bailiffs
DFLA	Directorate of Free Legal Aid
ECHR	European Court of Human Rights
CC	Constitutional Court
SC	Supreme Court
WG	Working Group
HIJ	High Inspector of Justice
IPSIS	Integrated Planning Information System
IT	Information Technology
JFA	“Justice for all” Project
CE	Council of Europe
ECHR	European Convention on Human Rights
HJC	High Judicial Council
HPC	High Prosecutorial Council
CoM	Council of Ministers
IQC	Independent Qualification Commission
AC	Appeal Chamber
MoJ	Ministry of Justice
MoFE	Ministry of Finance and Economy
NGOs	Non-governmental organizations
OSFA	Open Society Foundation for Albania
NPEI	National Plan for European Integration
GPO	General Prosecutor Office
SDGs	Sustainable Development Goals
SoM	School of Magistrates
CJS	Cross-cutting Justice Strategy
NSDI	National Strategy for Development and Integration
SPAK	Special Anti-Corruption Structure
TF	Task Force
SASPAC	State Agency for Strategic Planning and Assistance Coordination
IPA	Instrument for Pre-Accession Assistance
PG	Policy Goal
OS	Specific Objective

I. EXECUTIVE SUMMARY ON THE CROSS-CUTTING JUSTICE STRATEGY 2021-2025 AND ITS ACTION PLAN 2021-2025

Since 2011, Albania follows and implements the Cross-cutting Justice Strategy, which is a policy document aimed at improving access to justice, increasing public faith in the judiciary's independence and functioning, strengthening this sector's contribution to Albanian society's development, and encouraging the acceleration of European integration. Based on this goal, the first qualitative steps toward the design and implementation of a comprehensive justice system reform have been taken since November 2014, with the intent of developing a credible, fair, independent, professional system that is oriented to an easily accessible, responsible, and efficient service that has the public's trust and supports the country's sustainable socio-economic development by also prioritizing its integration into the European family. A justice system with these traits is an essential foundation for strengthening the rule of law, respect for individual freedoms and rights, equality of citizens before the law, the country's economic and social growth, and the European integration process' advancement.

Regarding the above, taking into account the immediate need to increase the efficiency of the justice system and the adaptation of the reform phases to the budgeting limits of the initiatives foreseen in the Cross-cutting Justice Strategy, this reform is expected to be carried out in 3 phases.

Phase 1 (2016-2020). The legal and institutional grounds for justice reform were created at this point, including constitutional amendments and other legislative changes throughout the sector, bringing the legal framework up to European standards. New institutions were established in accordance with European standards and the process of transitional re-evaluation of judges and prosecutors began and continued with rapid steps.

Phase II (2021-2025). After the completion of the first phase of justice reform, the Government of the Republic of Albania continued with the drafting of the Cross-cutting Justice Strategy 2021-2025 (CJS II), in order to consolidate the institutional framework, implement modern European practices in criminal justice, improve justice system infrastructure and explore new information technology opportunities, including advanced electronic solutions, that support a significant increase in efficiency and transparency in the justice sector.

Phase 3 (4-5 years after phase II). It is thought to be the final stage of major reforms.¹ At this point, the goal is to eliminate the backlog, improve service quality, and offer justice on par with that of EU countries. It should be noted that the majority of the consolidation of the governing institutions of the justice system, the improvement of the regulatory and methodological

¹ Reforms may continue after its completion of III, but it has been established to be related to the gradual improvement at the institutional level, but which includes extensive cross-sectoral reforms.

framework, the training of magistrates and candidates for magistrates, and the strengthening of the Ministry of Justice's capacity will be completed by the end of 2025. Therefore, the third phase of the SND, which covers a period of 4-5 years, from 2026 onwards, will focus on improving the delivery of services by courts, criminal justice institutions, subordinate institutions and directorates of the Ministry of Justice, as well as infrastructure-related investments.

In order to guarantee the progress of the reform through a comprehensive strategic framework, the Council of Ministers with decision no. 823, dated 24.12.2021 approved *the Cross-cutting Justice Strategy 2021-2025 and its action plan*. The Passport of Indicators, which defines measurable indicators of the strategy's objectives was also approved with the two strategic documents mentioned above.

Pursuant to the Decision of the Council of Ministers no. 290, dated 11.4.2020 "*On the establishment of the state database of the Integrated Planning Information System (SIPI / IPSIS)*", the Cross-cutting Justice Strategy 2021-2025 is a document widely consulted with all representatives of independent constitutional institutions and subordinate institutions of the Ministry of Justice, and approved by the Department of Development and Good Governance at the Prime Minister. The Action Plan and detailed budgets have been created according to the IPSIS system.

The Cross-cutting Justice Strategy is intended as an umbrella strategy, which will comprise primarily the most significant objectives and expected results from its implementation, given that the justice system consists of a large number of independent institutions. CJS 2021-2025 is supplemented by the Action Plan, which sets out in detail the measures that each institution will take to meet each specific objective of the policy goals by well-defined deadlines.

The Action Plan 2021-2025, went through a comprehensive consultation process with the participation of key actors, state administration institutions at the central level, independent institutions, international organizations and partners, civil society, etc.

The vision of the Cross-cutting Justice Strategy 2021-2025 is: "*An independent, accountable, accessible, transparent and efficient justice system that safeguards human rights and serves society according to European standards.*"

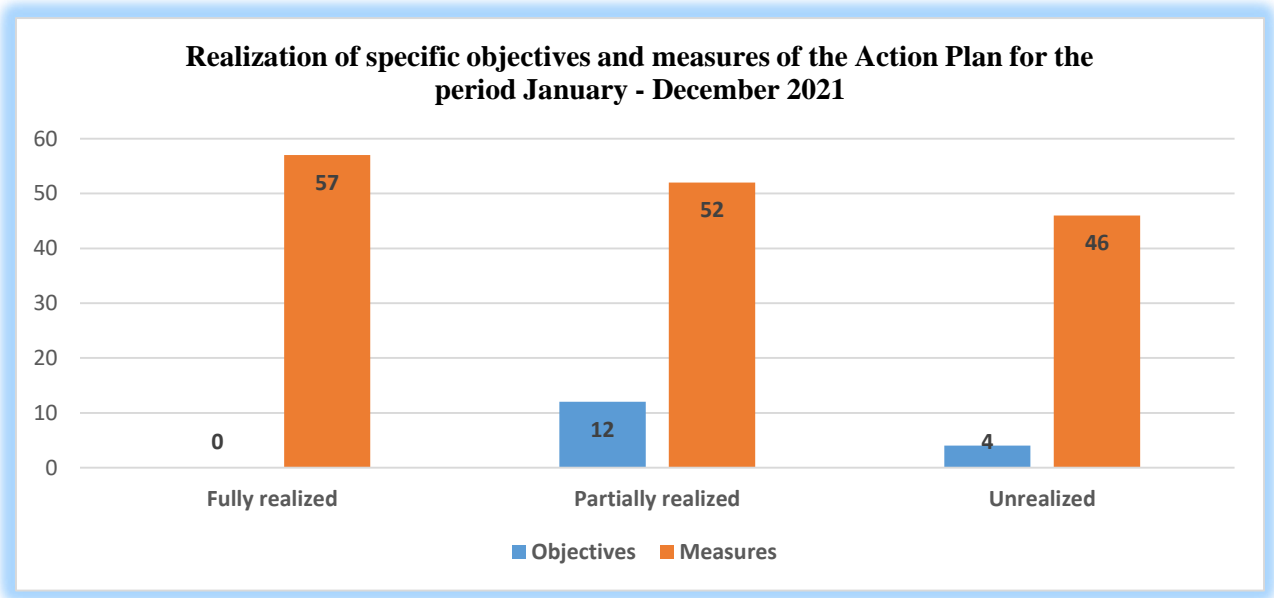
The Strategy's goals are divided into objectives to enable a more focused and direct arrangement of the associated measures that are planned. The forecast format of *target / milestones* has been applied. CJS 2021-2025 lays out the strategy's vision, policy goals, specific objectives for each goal, the expected results, as well as the measures required to achieve each objective.

The document outlines crucial performance indicators for measuring accomplishments, as well as methods for coordination, monitoring and reporting, as well as the overall budget execution. The Action Plan 2021-2025, in implementation of the Cross-cutting Justice Strategy, consists of:

- 4 Political Goals
- 17 Specific Objectives²
- 186 measures.

For the monitoring period of *January-December 2021*, data was gathered and evaluated for 16 specific objectives and 155 measurements, distributed respectively in: 22 measures for the first goal; 51 measures for the second goal; 46 measures for the third goal, 36 measures for the fourth goal.

It results that 57 measures have been fully implemented by the responsible institutions, 52 of them are in the process of implementation, 46 of them remain unrealized.

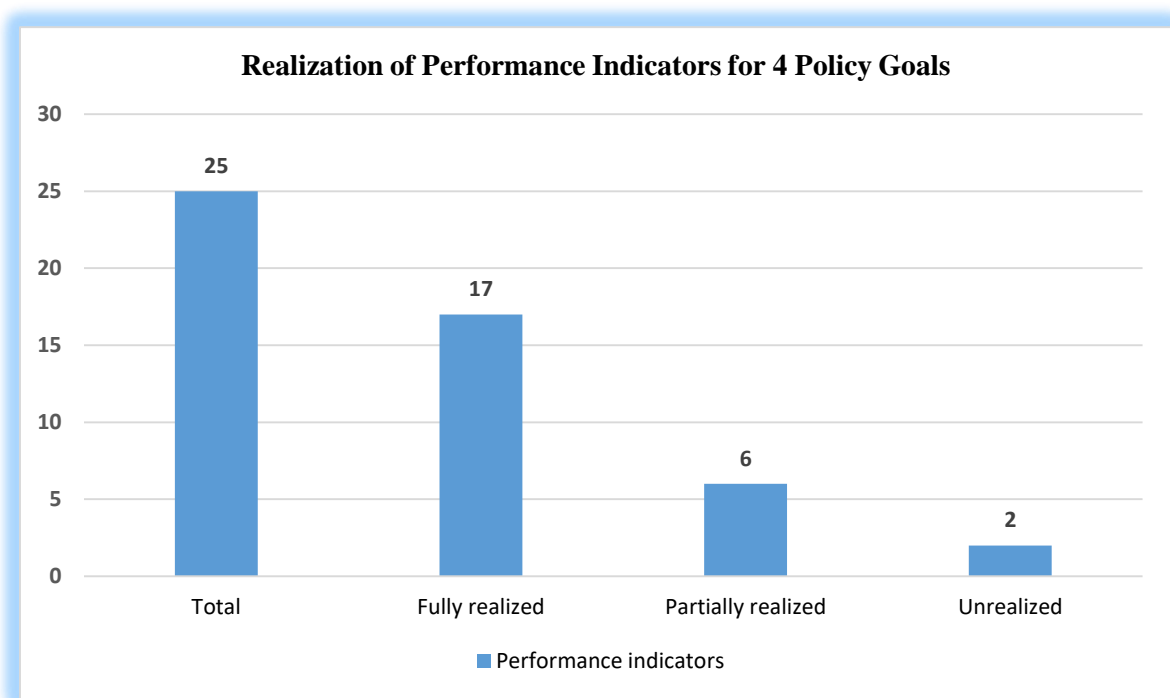


The total performance indicators for the four goals for 2021 is 28, with 7 indicators for specific objectives in the first goal, 7 indicators for specific objectives in the second goal, 8 indicators for specific objectives in the third goal, and 6 indicators for specific objectives in the fourth goal.

Out of a total of 25 performance indicators analyzed for 2021, the target values for 17 performance indicators have been fully reached, partially reached for 6 performance indicators, and have not been reached for 2 performance indicators.

²Note: *Objective 3.3 related to Juvenile Justice is not included. This reference is made in this strategic document in the framework of the Juvenile Justice Strategy. To prevent overlapping with the measures provided in the Juvenile Justice Strategy, the plan of actions in implementation of this specific objective is not included in the CJS 2021-2025 action plan.

Policy goal	Performance indicators ³	Realization of Performance Indicators		
		The target value is fully realized ⁴	The target value is partially realized ⁵	The target value is not realized
First Policy Goal	7	3	2	2
Second Goal	7	6	1	0
Third Goal	6	5	1	0
Fourth Goal	5 ⁶	3	2	0
Total	25⁷	17	6	2



³ Performance indicators analyzed for the four policy goals for 2021

⁴ Referring to the methodology, it results fully realized.

⁵ Referring to the methodology, it is partially realized on a scale from 50 to 100 percent.

⁶ There are six indicators for the Fourth Goal, although Specific Objective Indicator 2.4 cannot be measured in 2021.

⁷ According to the High Judicial Council, data for two indicators are unavailable for 2021. The two indicators of the HJC institution are expected to be analyzed in April 2022 as part of the annual HJC analysis. In addition, implementation of the specific objective indicator 4.1 is expected to begin after 2021. In this framework for 2021, 25 indicators have been taken into analysis.

The implementation of the strategy objectives is shown below, based on the level of realization of the measures and performance indicators.

Objectives		Level of realization according to the Specific Objective	Level of realization according to performance indicator
First Policy Goal	1.1 Continuing the implementation and finalization of the process of transitional re-evaluation of judges and prosecutors in an effective and efficient manner in conformity with the Constitution and the legislation.	92%	139%
	1.2 Revising and improving justice reform legislation based on findings from analysis and monitoring of reform implementation, including, but not limited to, updated legislation on competencies, transparency, efficiency, and coordination.	83%	98%
	1.3 Strengthening and consolidating the governing bodies of the justice system in accordance with European standards, by creating and developing capacities, in order to carry out activities with independence, efficiency, and professional standards, and providing service to the governing institutions of justice that meets the relevant rules and standards.	67%	84%
Second Policy Goal	2.1 Reviewing the legal framework regarding the judiciary as needed to further improve professional competence, accessibility, transparency and efficiency.	56%	100%
	2.2 Strengthening and developing the Constitutional Court's institutional capacities, as well as providing appropriate resources and ensuring its professional functioning in a transparent and effective manner.	92%	100%
	2.3 Increasing the efficiency and professional capability of the training system to ensure advancement toward European practices and quality in the field of justice by providing a suitable number of magistrates, legal advisers, and assistants trained for the Albanian justice system.	78%	74%

	2.4 Improving the judicial system to strengthen its effectiveness and efficiency at all levels of the judicial system, including the Supreme Court, and ensuring the provision of transparent, delay-free and accessible justice for citizens.	28%	_8
	2.5 Efficient access to justice provided through legal aid, alternative dispute resolution and appropriate court fees.	78%	160 %
Third Policy Goal	3.1 The Criminal Code and the Code of Criminal Procedure have been updated aiming at an integrated approach of justice institutions and a restorative approach to justice, built on prevention, re-socialization, reintegration and rehabilitation by replacing the existing punitive approach.	86%	100%
	3.2 An efficient and proactive prosecution system that operates according to European standards in order to effectively investigate and prosecute corruption and organized crime.	75%	69%
	3.3 Improving juvenile justice, guaranteeing juvenile-friendly justice, which safeguards their best interest.	-	_9
	3.4 An effective and efficient probation service that facilitates resocialization, reintegration, and rehabilitation while adhering to EU best practices and standards by utilizing operational standards, supervisory techniques, and tailored case management.	29%	105%
	3.5 Development of the penitentiary system based on European standards, which ensures full regard for human resources and the utilization of individual development plans.	75%	100%
Fourth Policy	4.1 Full development of an integrated electronic justice system (e-justice) with unified identifiers, updated case management systems, Internet-based electronic registration for all three areas (criminal, administrative, civil) and links to registries and relevant national databases.	13%	- 10

⁸ Objective 2.4 cannot be measured as for two indicators there are no values reported for this monitoring report. The High Judicial Council reports that data are unavailable. It is expected to be analyzed in April 2022, in the framework of the annual analysis of the HJC.

⁹ Note: *Objective 3.3 related to Juvenile Justice is not included. This reference is made in this strategic document in the framework of the Juvenile Justice Strategy. To prevent overlapping with the measures provided in the Juvenile Justice Strategy, the plan of actions in implementation of this specific objective is not included in the CJS 2021-2025 action plan.

¹⁰ It cannot be measured in 2021 as it begins implementation in the following years.

4.2 Improving coordination, performance management and communication systems through the IPSIS methodology.	28%	100%
4.3 BuHIJing the Ministry of Justice's capacity, as well as providing resources and support to its subordinate institutions.	53%	90%
4.4 Modernizing the MoJ's legal framework and capabilities, enhancing international legal cooperation, and preparing Albania for EU membership by harmonizing Albanian legislation with the EU acquis and other acts of integration with the EU and member states in the field of justice.	55%	100%

According to the results of the conducted analysis, the progress made toward each of the policy goals, I– II– III– IV, is as follows:

<p>First Policy Goal</p> <p>Proper and professional functioning of the justice system's governing institutions in conformity with constitutional and legislative requirements, as well as European standards, guaranteeing independence, efficiency, and accountability.</p>	81%
<p>Second Policy Goal</p> <p>Strengthening the transparency, efficiency of the judiciary and access to justice in line with constitutional, legal and European standards.</p>	108%
<p>Third Policy Goal</p> <p>A criminal justice system based on modern justice principles that assures re-socialization, reintegration, and rehabilitation, as well as respect for human rights, freedoms and gender equality, all within an integrated approach and with solid practices of crime prevention.</p>	95%
<p>Fourth Policy Goal</p> <p>Coordination, efficient and effective management of the justice system in all sector institutions.</p>	73%

Main achievements for 2021

In summary, the year 2021 has marked some important achievements in Policy Goal I, II, III, IV in the framework of the implementation of the Cross-cutting Justice Strategy, with the following achievements in particular:

- The Independent Qualification Commission set a target of completing 120 files by 2021. It results that this aim was exceeded as 167 files were completed, thus exceeding by 39% the set target.
- For the period January to December 2021, the Appeal Chamber has issued 38 decisions, deciding to: uphold the decision of the Independent Qualification Commission in 29 cases; change the decision of the Independent Qualification Commission, terminate the re-evaluation process, and prohibit the re-evaluation subjects from being appointed judges or prosecutors of any level, member of the HJC or HJC, High Inspector of Justice or Prosecutor General for a period of 15 years in 1 case; change the Independent Qualification Commission's decision dismissing the subject of re-evaluation in 5 decisions; change the Independent Qualification Commission's decision placing the subject of re-evaluation in office in 1 case; overturn the Independent Qualification Commission's decision ordering the Independent Qualification Commission to continue the re-evaluation process in 1 case; overturning the decision of the Independent Qualification Commission in 1 case. In terms of public complaints, the Appeal Chamber received and processed 151 complaints from January to December 2021.
- The HJC has submitted draft legal proposals on the efficiency package approved by the Assembly in March 2021. Part of this package were the fundamental reform laws, among which we mention law no. 115/2016 *"On the governing bodies of the justice system"* and no. 96/2016 *"On the status of judges and prosecutors in the Republic of Albania"*.
- The Assembly of the Republic of Albania added 30 positions for judicial police officers to the prosecution structure at the request of the Prosecutor General, accompanied by the relevant fund from the Ministry of Finance, in order to avoid the effects of vacancies in the number of prosecutors as a result of the vetting process. Subsequently, by analyzing the requirements and needs of the prosecutions of the general jurisdiction, structural interventions were carried out for the efficient functioning of the prosecutions.
- During the transitional period until the establishment of this institution, the Office of the High Inspector of Justice began forming working groups for the administration and categorization of complaints filed to competent entities in the first year of operation (2020) and continuing in 2021. After the classification procedure was completed, the work continued with the distribution of complaints involving magistrate, prosecutors and judges at the Office of the High Inspector of Justice, according to a priority system.
- Since its inception, the High Inspector of Justice has given special emphasis to building the capacity of the Office of the High Inspector of Justice, prioritizing the development of training by foreign and national specialists. To date, the Office of the High Inspector of Justice has collaborated with foreign organizations such as Taiex, Opdat, Cepej, Mission Euralius V, and ASPA for the training of the inspectors unit. During the year 2021, 9 trainings with international partners were held.
- The Constitutional Court's information network has been upgraded by supplying the necessary software and hardware.
- A database of School of Magistrates lecturers and trainees with expertise of EU legislation has been created. The number of judges and prosecutors who will be taught on EU legislation and standards, as well as international practice, has been quantified. During this phase of implementation of the action plan, challenges have been found, affecting the

realization of some of the objectives of the strategy as well as the achievement of the basic and end goal of the policy.

- 8153 persons have received primary legal aid during 2021, surpassing the target value by 94.12%.
- The percentage of legally required public notary inspections performed by the Ministry of Justice has surpassed the target value for 2021, reaching 63%.
- Following an analysis of the necessity to amend legislation, the General Directorate of Prisons, in collaboration with the Ministry of Justice, has completed all required steps to draft bylaws in accordance with the revisions to the penitentiary legislative package. All regulations have also been drafted, with the General Regulation of Prisons currently awaiting approval by the Council of Ministers.
- The Criminal Procedure Code (CPC) has undergone a status quo evaluation and an intervention analysis. The draft law was prepared in order to make some changes and additions to Law No. 49/2012, as amended, which was sent to international institutions and organizations for feedback.
- The GDP is nearing completion of the "Skills for Life" program, which will fulfill the needs of prisoners in terms of holistic rehabilitation and reintegration back into the community. Two important manuals for the psycho-social care professionals in the IECD were approved in 2021, for the rehabilitation work with persons with drug abuse/addiction problems, young people aged 18-21, people with mental health problems, risk and needs assessment.
- Overcrowding will be fully abolished by 2021, and we will be in a state of jail undercrowding. In 2021, the average population was -590 people, a decrease of -14 percent. Overcrowding in prisons has been eliminated as a consequence of concrete investment initiatives, such as the Albanian government's investment in the reconstruction of two buildings at the Lezha Penitentiary Institution, and the IECD's case-by-case assessment of the allocation and accommodation of convicts.
- The Law No. 10193, dated 3.12.2009, "*On Jurisdictional Relations with Foreign Authorities in Criminal Matters*," as amended by Law No. 97/21, dated 7.7.2021, has been reviewed and approved.

The main challenges to implementing the action plan for 2021

During the first year of the action plan's implementation, issues have been detected that are affecting the realization of some of the policy objectives as well as the achievement of the overall policy goal, more specifically:

- Issues related to the internal regulatory environment, organizational and administrative capacities, operational processes and communication;
- The non-candidacy of magistrate judges in the position of magistrate inspector at the Office of the High Inspector of Justice, has resulted in lack of human resources in the magistrates unit.

- The Independent Qualification Commission has run into financial difficulties covering personnel costs in the wage category.
- Due to the late adoption of the Regulation *"On the Evaluation of Prosecutors"* the preparation of the analysis of the justice system reform implementation, based on the component related to the HPC has displayed delays.
- The response to the analysis of the legislation review on the status and governance structure of the HIJ has been concretized to start the relevant initiative, but it has not been evaluated and finalized. The necessity for the above-described legal amendments was recognized in the Albanian Parliament's activity report and the Committee on Legal Affairs as one of the problems encountered in the Office of the High Inspector of Justice's work in 2021.
- The formation of groups to draft work plans for the implementation of the National Chamber of Mediators' measures is highlighted as an issue.
- The Probation Service reports that due to the review of the institution's organic structure, it has been unable to prepare cooperation programs with the HJC, HPC, GP, and SoM.
- The drafting and approval of the scheme and standards for regular psychological supervision for all personnel, the IECD performance evaluation, and the piloting of schemes in four IECDs have all been influenced by the COVID-19 pandemic management measures.
- Due to a lack of particular experts, the preparation of modules of programs for the prevention of recidivism for sexual offenses, violent people, and those addicted to drugs and alcohol, as well as piloting in eight IECDs, has been delayed.
- Delays in establishing the ITC and lack of human resource capacity have hampered the full development of an integrated electronic justice system (e-justice) with unified identifiers, updated case management systems, internet-based electronic registration for all three areas (criminal, administrative, and civil) and links to relevant national registries and databases.
- One of the main problems during the implementation of processes in the framework of European integration is related to the frequent movement of IWGEI members, leading to instability of working groups, which also affects the implementation of work processes.

1.1 Monitoring methodology

Institutional coordination for drafting the Monitoring and Performance Report

Pursuant to the Prime Minister's Order no. 128, dt. 08.11.2021 "On the approval of the structure and staff of the Ministry of Justice", in the Ministry of Justice has been established the Sector for Monitoring, Implementation of Priorities and Statistics, at the Directorate of Policies and Strategies in the Field of Justice, which is the structure responsible for the monitoring process and the drafting of Strategy Monitoring Reports. The Sector for Monitoring, Implementation of

Priorities and Statistics coordinates with all responsible institutions, and then proceeds with the drafting of the monitoring report.

The Ministry of Justice coordinates and organizes meetings with all contributing institutions, and then proceeds with the drafting of the monitoring and performance report. The strategic document monitoring report (CJS) for the period 1 January to 31 December 2021 has been drafted on the basis of the contribution given by the responsible and contributing institutions of the action plan.

Periodicity of drafting the Monitoring and Performance Report

The Ministry of Justice will prepare semi-annual and annual reports for monitoring and reporting strategic documents, providing policymakers with crucial and timely information on the progress of the measures outlined in the CJS action plan for the next five years.

Reporting Manual according to IPSIS system

According to the data entry manual in the IPSIS system, the Ministry of Justice will draft the monitoring and performance report for the respective period. Each institution reports on the level of implementation of each objective and measure, the allocated budget, the challenges, and the overall assessment of the strategy's progress. The State Agency for Strategic Planning and Assistance Coordination (SASPAC) will supervise compliance with the data entry manual of the IPSIS system (SASPAC).

Compliance of monitoring and performance reports with the principles of Good Governance

The Ministry of Justice will draft the monitoring and performance report for the respective period in accordance with the principles of good governance. The Principles of Good Governance provide a framework for evaluating Monitoring and Performance Reports, which allows for periodical analysis of progress made in implementing the Principles and the establishment of standards that must be met by the country.

The principles are intended for countries willing to join the EU and receiving assistance from the EU through the Instrument for Pre-Accession Assistance (IPA). In areas where the *acquis* exists, the terms of the *acquis*, as well as other EU directives and guidelines, are at the core of the Principles. In other areas the Principles are derived from international standards and requirements, as well as good practice in EU Member States and OECD countries. Countries should ensure that these Fundamental Principles are followed as a minimal standard for good performance-oriented administration. The Good Governance Unit, Department of Policies and Good Governance in the Prime Minister's Office, will coordinate the assessment of the monitoring and performance report regarding the fulfillment of these principles.¹¹

¹¹ Prior to the decision-making structures' approval of the monitoring and performance report.

Mechanism for Integrated Policy

On a technical level, the Sectoral Steering Committee for Justice Reform will operate through two thematic groups that will be part of the group for integrated policy management for the justice sector and other participating institutions, as well as a technical secretariat that will be formalized by Minister of Justice order. The theme groups will be established and operated in accordance with Prime Minister's Order No.157, dated 22.10.2018, "On adopting measures to implement the broad sectoral/cross-sectoral approach and the establishment and functioning of an integrated sectoral/cross-sectoral mechanism."

1. Thematic group for the full justice system functioning and access to justice.
2. Thematic group on criminal justice.

The reports, problems, and obstacles that arise during the implementation of the CJS and the normal exercise of the activities of the respective institutions, which require a common approach, as well as the steps that will be taken to ensure their realization, will be discussed in the meetings of the thematic groups.

It will also strive for management-level coordination between criminal justice institutions promoting crime prevention, which will prepare and develop the concept of an integrated chain of criminal justice institutions with a coordinated and common approach to the proposed new criminal justice concept.

Phases of the Monitoring and Performance Report Drafting

The following are the phases that must be followed for the preparation and consolidation of the performance and monitoring report:

Phase 1: A request for contribution was addressed to all reporting institutions on January 27, 2021, followed by the package's consolidation in accordance with the IPSIS system's standards and the Principles of Good Governance;

Phase 2: The entire package was delivered to the Prime Minister's Good Governance Unit, Department of Policies and Good Governance, on March 18, 2021, for review and evaluation of the performance report in accordance with good governance principles.

Phase 3: Consolidation of the package after receiving and reflecting comments from the Prime Minister's Department of Policies and Good Governance's Good Governance Unit;

Phase 4: Sending the full package to the SASPAC Agency for recognition and/or evaluation;

Phase 5: Organization of the meeting of SSC on 31.03.2021 for the consultation of the consolidated package, receiving comments from the participants, as well as its approval;

Phase 6: Reflecting on the comments and finalizing the monitoring and performance report package;

Phase 7: Publication of the annual report on the official website of the Ministry of Justice;

Phase 8: Submission of SSC meeting procedures (meeting minutes, operational conclusions, public consultation report) and the final package, together with the link for recognition of the Good Governance Unit, Department of Policies and Good Governance in the Prime Minister.

Principles of Good Governance to be considered when drafting the Monitoring and Performance Report

The principles of good governance that must be followed in developing a good and successful M&R system will be implemented in the Monitoring and Performance Report:

- **EFFICIENCY:** Document level aggregation. This principle should allow the use of synergies between different documents' reports. If the documents are closely related in terms of content, the M&R system should take this into consideration to enable the further development of each other and not overlap. The essential elements of M&R reports (e.g., objectives, measures, indicators) in the lower level document will be established towards the content of M&R in the higher level documents. Connections must be taken into account. The frequency and content of M&R reports should improve as a result of this principle.
- **ACCOUNTABILITY:** Adherence to the planning documents' content. To enhance responsibility for proposed reforms and interventions, monitoring reports should focus on components of planning documents.
- **IMPORTANCE:** Respecting the needs of users of monitoring and performance. M&R reports should be tailored to the needs of the user in terms of content, length and frequency. Furthermore, the reports should be held accountable for accomplishing the desired results in a verifiable way and in accordance with the SMART indicators.

The key components that the Monitoring and Performance Reports will be assessed on for compliance with the Principles of Good Governance are as follows:

Structured analytical approach based on evidence and consultation

- The information provided explains the methodological framework in accordance with the procedures and standards of the system.
- Progress towards each policy goal and specific objective based on indicators as well as the implementation of key reforms in the sector is clearly presented.
- Progress towards each policy goal and specific objective based on indicators as well as the implementation of key reforms in the sector is clearly presented.
- The extent to which main stakeholders were involved in the report-drafting process, as well as the fact that the Monitoring Report was consulted with all groups and made available on the institution's website (main evidence is the public consultation report on the process and evidence that comments are taken into consideration).
- The level to which sector developments are presented analytically on a global or regional scale.
- The level of analytic presentation of the strategy's implementation and its effects on the European integration agenda.

- The level of analytical presentation in terms of identifying the area that needs to be improved as well as the implications for overall budget implementation.

Progress reached vs. policy goals, specific objectives and measures

- The extent to which progress clearly conveys the evaluation of key achievements through indicators/analyses should be assessed (graphs, dashboards, in-depth analysis and visually through tables would be added value to the result). The identification of the performance scale to be clearly presented.
- The extent to which progress addresses the analysis of challenges, gaps, and inefficiencies (clearly identified in the progress report which areas (based on policy goals / specific objectives) indicate the weakest / ineffective performance, vs. the highest performance of the PG, OS, using result indicators. (Graphics, dashboards, in-depth analysis, and visual representation through tables would add value to the outcome.)
- Performance indicators are part of the analysis for each PG (political goal) and each OS (specific objective) and are provided with comparability premises in years or for certain periods (xx vs xx).
- Conclusions and recommendations are based on the evidence presented in the report and they provide concrete measures for correction / improvement that can be addressed in decision-making.

Standards-based performance evaluation

- •The level of achievement for each performance indicator has been assessed. Collection of available data has been performed. The indicator's rate of realization was determined using the following criteria: 1) target value, 2) base value, and 3) data for meeting the target.
- •The level of achievement of the specific objective is defined. The average implementation rate of all performance indicators related to each specific objective is also calculated. (The data entry of each performance indicator's realization levels was reflected and divided by the number of performance indicators.)
- The level of realization of the goal is measured and analyzed using one of the performance system's four (4) intervals. The Interval is also dictated by the tolerance level. (i.poor, ii.sufficient, iii.good, iv.very good, v.exceeded)

Risks

- The extent to which risks are identified at the PG and SO levels in implementation of Law No. 10 296 "On financial management and control" dated 8.7.2010.
- The extent to which risks are analyzed at the PG and SO levels.
- The following risk categories were used to assess risk: i.low, ii.medium, and iii.high.
- The probability of risk is classified into three categories: i.low, ii.medium, and iii.high.

Financial analysis

- The level of analysis performed regarding (i) the budget used in the monitoring period, (ii) the funding gap, and (iii) future needs.
- • Budget program analysis (the total number of budget programs is precisely identified) at three (3) levels: I policy goals (ii) specific objective (iii) measures / outputs, and the total for strategy.
- The financial evaluation included determining the causes of lack of funds and determining how this gap will be addressed in the future.

Action Plan

- Plani është zëbërthyer në realizueshmërinë e masave.
- The realization period is well defined.
- A list of cooperating institutions has been compiled.
- The three-year measurements / products are consistent with the budget programs' products (budget programs are clearly identified).

Analyzing data procedure for drafting the monitoring and performance report

- The data analysis was carried out in compliance with good governance standards and the Prime Minister's performance evaluation structure.
- First, the implementation of the measures is analyzed, providing a quantitative and qualitative comparison of their implementation to the implementation of the linked measures.
- Second, the realization of the target value indicated in the performance indicators is analyzed, as well as the degree of impact of implemented measures on the accomplishment of the target value.
- Third, the proportion of realized performance indicators and realized measurements linked to the corresponding objective is calculated to analyze the realization of specific objectives.

A rating scale was used to assess the implementation of each measure, which was divided into:

Fully realized: Institutions have reported the status “Fully realized” for those measures which have been implemented within the foreseen deadline.

Partially realized/In process: Institutions have reported the status of “Partially realized/In process” for those measures which in the reporting period have been partially implemented and/or continue to be applicable by them.

Unrealized: Those measures that have not registered development for the reporting period have been reported unrealized.

To calculate the realization of specific objectives based on the annual value of the performance indicator, the following formula was used:¹²:

$$NR = \frac{TP\ 1\ NR + TP\ 2\ NR}{2\ TP} \times 100\%$$

The degree of realization of the objective versus the implementation of the measures was performed based on the 4 intervals of the performance system as in the table and the color code reflected below:¹³

Category Levels of Tolerance Points (110)	Category Levels of Tolerance Points (110)	Category Levels of Tolerance Points (110)
Poor	From 0 to 30 percent of the implemented measures	30
Sufficient	From 31 to 50 percent of the implemented measures	20
Good	From 51 to 85 percent of the implemented measures	35
Very Good	From 86 to 110 percent of the implemented measures	25
Exceeded	111 and above N/A	N/A

The next level of analysis is conducted according to policy goals. Each of the four policy goals was assessed based on the realization data for each analytical level (measures, performance indicators, specific objective):

1. Proper and professional functioning of the justice system's governing institutions in conformity with constitutional and legislative requirements, as well as European standards, guaranteeing independence, efficiency, and accountability.
2. Strengthening the transparency, efficiency of the judiciary and access to justice in line with constitutional, legal and European standards.
3. A criminal justice system based on modern justice principles that assures re-socialization, reintegration, and rehabilitation, as well as respect for human rights, freedoms and gender equality, all within an integrated approach and with solid practices of crime prevention.
4. Coordination, efficient and effective management of the justice system in all sector institutions.

Risk Matrix

The monitoring report evaluates the risk identification process in order to determine the steps that must be taken in order to address the risks in the context of implementing the Cross-cutting Justice Strategy's goals.

The risk assessment was done in accordance with the table below:¹⁴:

¹² The calculating formula is derived from the IPSIS strategic documents methodological guide for drafting monitoring reports.

¹³ Evaluation was carried out in accordance with the "Structure of monitoring reports for sectoral and cross-sectoral strategic documents for the good governance agenda" Methodological Guide.

¹⁴ Risk analysis and assessment was performed referring to the Methodological Guide for drafting monitoring reports for the Good Governance Agenda.

Possibility	High	3	6	9
	Medium	2	5	8
	Low	1	4	7
		Low	Medium	High
		Impact		

Public consultation of the monitoring and performance report

In accordance with the legal criteria for public consultation, after drafting the report, the Ministry of Justice sent the document for consultation to reporting institutions and civil society organizations on 18.03.2022, as well as published the draft on the official website of the Ministry of Justice, where an e-mail address is assigned. for receiving comments, on the website www.drejtesia.gov.al, in the menu Priorities/Cross-cutting strategy/ Cross-cutting Justice Strategy.

At the end of the consultation process, the Ministry of Justice reflects relevant comments / suggestions into the draft monitoring report and plans a dedicated meeting to discuss the conducted analysis, report findings, and policy goals implementation in presence of all implementing and reporting institutions of the action plan. The public consultation report of the monitoring report is also published on the ministry's website, www.drejtesia.gov.al.

II. PROGRESS OF CROSS-CUTTING JUSTICE STRATEGY

The Cross-cutting Justice Strategy aims to achieve major objectives through the implementation of concrete measures in order to develop a society with a responsible and efficient justice system, where justice institutions' accountability, the Ministry of Justice's functioning and its subordinate institutions bring tangible results. Each responsible institution provided information on the CJS implementation through reporting of contact points in order to monitor the achievements, progress, and/or challenges toward fulfilling the strategy's objectives. An in-depth analysis of the policy document's orientations is deemed necessary in order to identify the actions to be taken for ongoing development and improvement. The second periodic report has been prepared in the scope of the

implementation of the measures of the Action Plan 2021–2025, which covers the period 1 January 2021 to 31 December 2021, in order to monitor the progress of the justice reform.

2.1 Reforms successfully implemented in 2021

Justice reform is considered a priority process for the country, as a key element through which the Albanian Government guarantees the consolidation of independence and efficiency of the justice system, increasing transparency and strengthening public faith in the justice system; improving the infrastructure and security measures of the penitentiary system.

The Cross-cutting Justice Strategy 2021-2025, along with the accompanying strategic documents, is harmonized and is in full compliance with the goals, objectives and forecasts of the *National Strategy for Development and Integration 2015-2020 (NSDI II) according to the pillar "Good governance, democracy and rule of law"*.¹⁵

It is intended that this strategic document be implemented through the four policy goals.

- **First Policy Goal:** Proper and professional functioning of the justice system's governing institutions in conformity with constitutional and legislative requirements, as well as European standards, guaranteeing independence, efficiency, and accountability.
- **Second Policy Goal:** Strengthening judicial transparency, efficiency, and access to justice in accordance with constitutional, legal, and European standards.
- **Third Policy Goal:** A criminal justice system based on modern justice principles that assures re-socialization, reintegration, and rehabilitation, as well as respect for human rights, freedoms and gender equality, all within an integrated approach and with solid practices of crime prevention.
- **Fourth Policy Goal:** Coordination, efficient and effective management of the justice system in all sector institutions.

The 16 specific objectives of the Cross-cutting Justice Strategy 2021-2025 are as follows:

First Policy Goal: Full and professional functioning of institutions

SO 1.1: Continuation and completion of the transitional re-evaluation of judges and prosecutors in a timely and effective way, in accordance with the Constitution and legislation.

SO 1.2: Updating and improving justice reform legislation, including, but not limited to, legislation on competency, transparency, efficiency, and coordination, based on findings from analysis and monitoring of reform implementation.

SO 1.3: Strengthening and consolidating the governing bodies of the justice system in accordance with European standards, through the creation and development of capacities, in order to carry out

¹⁵ See: https://www.kryeministria.al/ep-content/uploads/2017/09/SKZHI_FINAL_QBZ.pdf

activity with independence, efficiency, and professional standards, as well as providing service to the governing institutions of justice in accordance with relevant rules and standards.

Second Policy Goal: Strengthen transparency, efficiency of the judiciary and access to justice

SO 2.1: Reviewing the legal framework regarding the judiciary as needed to further improve professional competence, accessibility, transparency and efficiency.

SO 2.2: Institutional strengthening and capacity building of the Constitutional Court (CC), as well as the provision of necessary resources and professional functioning in a transparent and effective manner.

SO 2.3: Increasing the efficiency and professional capability of the training system to ensure progress toward European practices and quality in the field of justice by providing a suitable number of magistrates, legal advisers, and assistants trained for the Albanian justice system.

SO 2.4: Improving the judicial system's effectiveness and efficiency at all levels, including the Supreme Court, ensuring the provision of transparent, delay-free and accessible justice for citizens.

SO 2.5: Efficient access to justice provided through legal aid, dispute resolution, alternative litigation and appropriate court fees.

Third Policy Goal: Coherent criminal justice system, based on modern principles of justice

SO 3.1: The Criminal Code and the Code of Criminal Procedure have been updated in order to promote an integrated approach of justice institutions and a restorative approach to justice, based on prevention, re-socialization, reintegration, and rehabilitation, rather than the current punitive approach.

SO 3.2: An effective and proactive prosecution system that follows European standards in order to investigate and punish corruption and organized crime successfully.

SO 3.3: Improving juvenile justice by ensuring juvenile-friendly justice that safeguards their best interests.

SO 3.4: An effective and efficient probation service that integrates operational standards, supervisory methodologies, and tailored case management as well as supports resocialization, reintegration, and rehabilitation while adhering to EU best practices and standards.

SO 3.5: Development of the penitentiary system based on European standards, which ensures full respect for human resources and uses individual development plans.

Fourth Policy Goal: Coordination, efficient and effective management of the justice system in all institutions of the sector

SO 4.1: Full development of an integrated electronic justice system (e-justice) with unified identifiers, updated case management systems, Internet-based electronic registration for all three areas (criminal, administrative, civil) and links to registries and relevant national databases.

4.2: Improving coordination, performance management and communication systems through the IPSIS methodology.

SO 4.3: BuHIJing the Ministry of Justice's capacity, as well as providing resources and support to its subordinate institutions.

SO 4.4: Modernizing the MoJ's legal framework and capabilities, enhancing international legal cooperation, and preparing Albania for EU membership by harmonizing Albanian legislation with the EU acquis and other acts of integration with the EU and member states in the field of justice.

These policy goals are long-term and will be reached over the course of the strategy and action plan's implementation.

Realization of the specific objectives of the four CJS policy goals

The realization of the strategic goal of the Cross-cutting Justice Strategy for this monitoring period is **90%**.

First Policy	Realization	Second Policy	Realization	Third Policy	Realization	Fourth Policy	Realization
1.1	139%	2.1	100%	3.1	100%	4.1	_ ¹⁷
1.2	98%	2.2	100%	3.2	69%	4.2	100%
1.3	84%	2.3	74%	3.3	-	4.3	90%
		2.4	_ ¹⁶	3.4	105%	4.4	100%
		2.5	160%	3.5	100%		

There are 26 institutions involved in the implementation of the Action Plan 2021-2025, including judicial system institutions, central level institutions, subordinate institutions, independent institutions, among others.

It results that the ratios for the four policy goals are nearly identical in the prediction of measurements over the years of action plan implementation. There is a balance of measures in place to ensure the same level of interaction and inter-institutional initiatives.

A total of 16 specified objectives and 155 measures were monitored over the reporting period of *1 January to 31 December 2021*.

Policy Goal		Implementation of Measures for 2021
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¹⁶ It cannot be measured for 2021 as the High Judicial Council reports that data are unavailable. It is expected to be analyzed in April 2022, in the framework of the annual analysis of the HJC.

¹⁷ It cannot be measured for 2021, the indicator begins implementation in the following years.

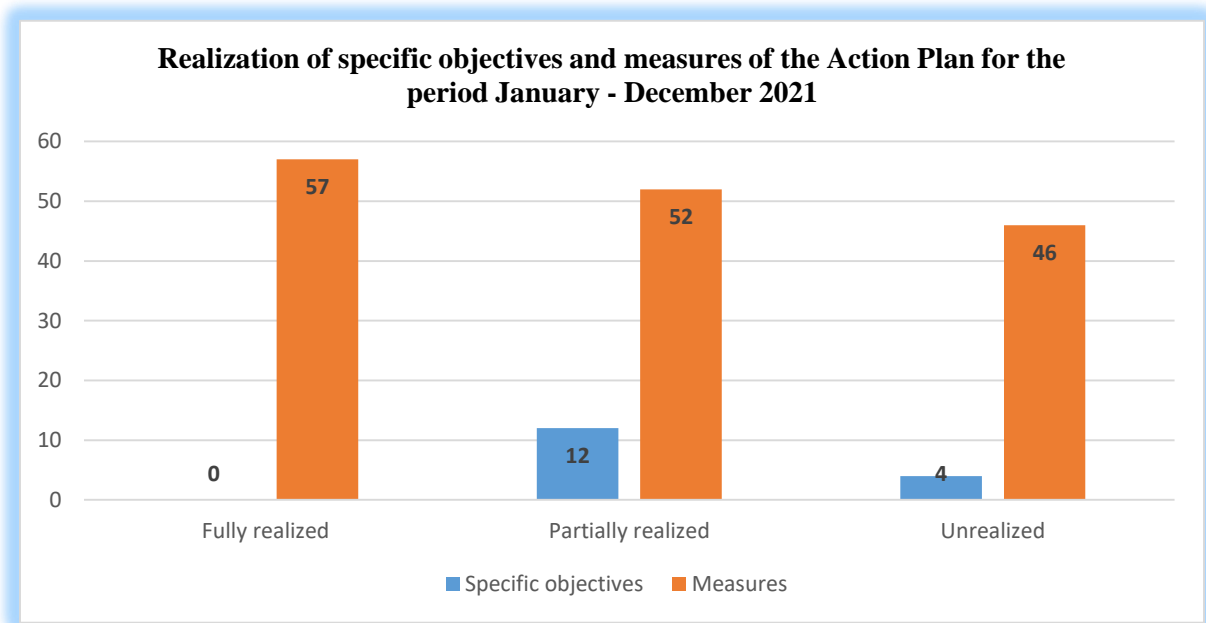
	S.O and measures	S.O and measures foreseen for 2021	S.O and fully realized measures	S.O and partially realized measures ¹⁸	S.O and unrealized measures ¹⁹
First Policy Goal	S.O	3	0	3	0
	Measures	22	13	6	3
Second Policy Goal	S.O	5	0	4	1
	Measures	51	24	15	12
Third Policy Goal	S.O	4	0	3	1
	Measures	46	13	24	9
Fourth Policy Goal	S.O	4	0	2	2
	Measures	36	7	7	22
TOTAL	S.O	16	0	12	4
	Measures	155	57	52	46

It results that out of a total of 16 specific objectives and 155 measures foreseen in the action plan for the period January - December 2021, their current status for the four policy goals is reported as follows:

- 57 fully realized measures;
- 12 objectives and 52 measures partially realized;
- 4 objectives and 46 measures unrealized.

¹⁸ "Partially realized" measure is that measure that has been realized on a scale from 50 to 100 percent.

¹⁹ "Unrealized" measure is the measure which is realized on a scale from 0 to 50 percent.



Regarding the above, from 57 measures implemented for January-December 2021, specifically:

- 13 measures belong to the first goal of the policy;
- 24 measures belong to the second policy goal;
- 13 measures belong to the third goal of the policy;
- 7 measures belong to the fourth policy goal.

Out of 12 specific objectives and 52 measures which are **still in the process of implementation** for January-December 2021, specifically:

- 3 specific objectives and 6 measures belong to the first goal of the policy;
- 4 specific objectives and 15 measures belong to the second policy goal;
- 3 specific objectives and 24 measures belong to the third policy goal;
- 7 specific objectives and 7 measures belong to the fourth policy goal.

Out of 4 specific objectives and 46 **unrealized** measures for January-December 2021, specifically:

- 3 measures belong to the first goal of the policy;
- 1 specific objective and 12 measures belong to the second policy goal;
- 1 specific objective and 9 measures belong to the third policy goal;
- 2 specific objectives and 22 measures belong to the fourth policy goal.

2.2 Impact of sector development in the Western Balkans region and beyond

The justice system reform as a priority of the Albanian government in recent years, has given its visible effects including, inter alia, the establishment of a comprehensive system of verification of judges and prosecutors, the establishment of new institutions leading the judiciary, the establishment of a special prosecutor's office and court for the fight against corruption and organized crime, as well as the substantial transforming of existing institutions, including the Supreme Court, the Constitutional Court and the General Prosecutor's Office.

Albania's constitutional process of reorganizing the judiciary was completed before the start of the EU membership negotiation process, compared to the main candidates of the Western Balkans expansion. The focus has already shifted towards the proper functioning and efficiency of the newly established structures and institutions. Albania has made tremendous progress in several of the areas addressed by Chapter 23 as a result of "frontloading" conditioning.

2.3 Impact of strategy implementation in line with the European integration agenda

The process of Albania's integration into the European Union (EU) is considered as a national strategic priority by the Albanian state, in order to democratize and transform the Albanian society, in accordance with the values and principles of the United Europe. CJS 2021-2025 is intended to reflect the standards set out in Chapter 23, "Judiciary and Fundamental Rights". For this chapter, the CJS 2021-2025 vision and policy goals aim to directly strengthen institutional capacity to guide the process of aligning legislation with the EU *acquis*. Proper implementation of the *acquis* in the domestic system is one of the fundamental conditions for the European integration of the country.

National Plan for European Integration 2021-2023. Chapter 23 is an essential chapter in the Stabilization and Association process and carries a special significance during the accession negotiationshis chapter covers three important areas: (1) *the judicial system*; (2) *anti-corruption policies* and (3) *fundamental rights*. Approximation of the principles with the EU *acquis* for chapter 23 is an obligation deriving from the EU-Albania Stabilization and Association Agreement. This chapter relies heavily on the SAA's Articles 1, 2, 13, 70, and 78. According to Article 78, "Strengthening Institutions and the Rule of Law," special attention should be paid to strengthening institutions at all levels of general administration, the rule of law and its application, and the administration of justice. Furthermore, Article 78 of the SAA stipulates that cooperation between Albania and the European Union should aim to enhance the judiciary's independence and effectiveness, as well as improve the functioning of police and law enforcement bodies by providing appropriate training and combating corruption and organized crime.

Also, alignment with the *acquis* and EU standards for chapter 23 is one of the requirements that the EU candidate country must meet during the process of accession negotiations with the European Union.

2.4 Components that need to be addressed in order to improve implementation

The process of continuous monitoring on a semi-annual and annual basis carried out by the Ministry of Justice in the framework of monitoring the implementation of the Cross-cutting Justice Strategy helps in identifying problems in the realization of the foreseen measures so that they can be addressed in a timely manner. Clear reporting of these difficulties contributes in drawing attention to the components that require additional attention in order to improve implementation and further final realization. Thus, based on the analysis of the contributions of the institutions involved in the implementation of the CJS, the elements that need extensive addressing and attention are: S.O 1.2, 2.4, 3.4, 3.5, 4.1, 4.2.

In this regard, the following proposals for the continuation of their implementation are made, based on an analysis of the contributions and reports of the institutions involved:

S.O 1.2 Continuous update and improvement of justice reform legislation based on findings from reform implementation analysis and monitoring.

S.O 2.4 Continuous judicial system improvement in order to improve the effectiveness and efficiency of the judicial system at all levels.

S.O 3.4 Continuing to consolidate the Probation Service's organic structure in order to facilitate collaboration with relevant institutions in order to ensure the measures implementation.

S.O 3.5 T Continuing coordination and operational interaction with other institutions for the implementation of measures.

S.O 4.1 Finalizing the decision-making process for the establishment and operation of ITC. Completion of human, technical and financial capacities, as well as the establishment of the necessary infrastructure, including IT and other support systems, for the implementation of the Action Plan's measures.

S.O 4.2 Continuing with the organization of trainings in order to meet the needs of the staff of relevant institutions who are responsible for implementing the IPSIS mechanism in order to achieve their work objectives and functional tasks.

2.5 Overall budget execution

Monitoring the implementation of the budget for the Cross-cutting Justice Strategy's action plan is a critical component for assessing the strategy's efficacy and progress. This monitoring report intends to ensure transparency for all stakeholders by presenting expenditures in order to take action to address financial resource needs.²⁰ The detailed action plan, attached as an annex to this strategic document, has been drafted in accordance with the methodology of the IPSIS system. The Action Plan is costed and includes detailed budgets, providing the appropriate allocation for budget programs by institutions. Finances will be covered by the state budget, the sector contract

²⁰ It is worth noting that during the submission of the contribution there was a lack of information related to budget execution.

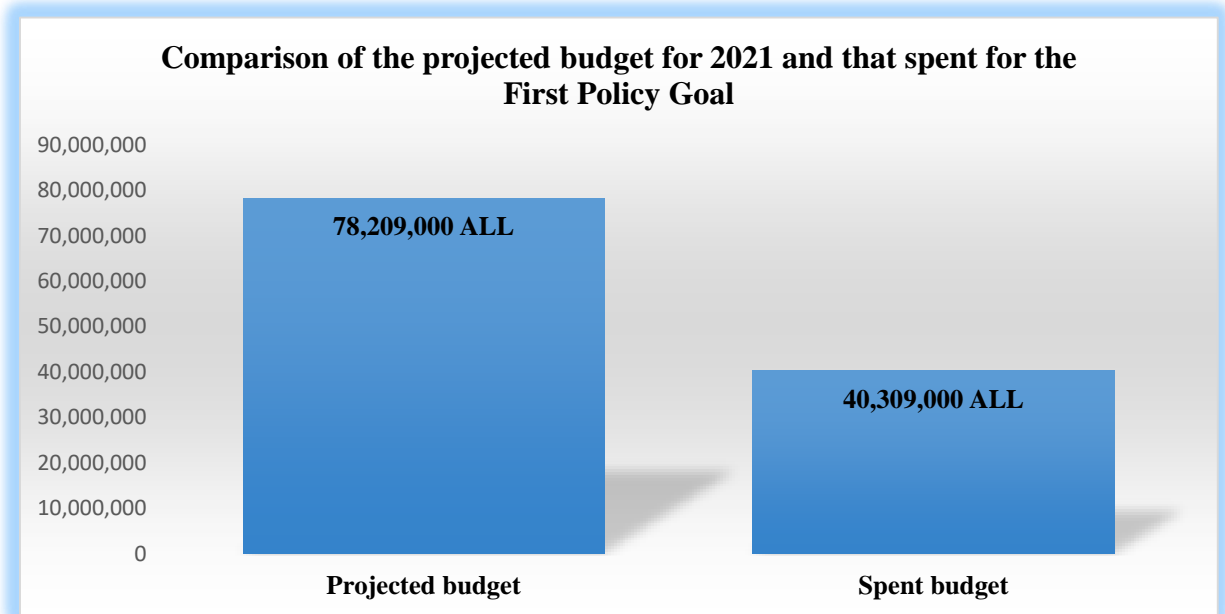
"EU for justice reform", donors in the form of grants, loans or any other capital fund or technical assistance provided. The total cost for the implementation of the Strategy is estimated to be **4 154 621 209 ALL** or **33 777 408 Euros**. The costed measures in the action plan 2021-2025, **which are planned to be covered by the state budget funds**, are within the funds allocated to the responsible institutions, according to DCM no. 440, dated 22.07.2021, "On the approval of the final expenditure ceilings of the medium-term budget program 2022-2024".

- ❖ The following is the overall budget used for 2021:
 - Financing from the state budget is in the amount of 130, 941,000 ALL.
 - Funding from donors is in the amount of 0 ALL.

The budget used according to the policy goals is:

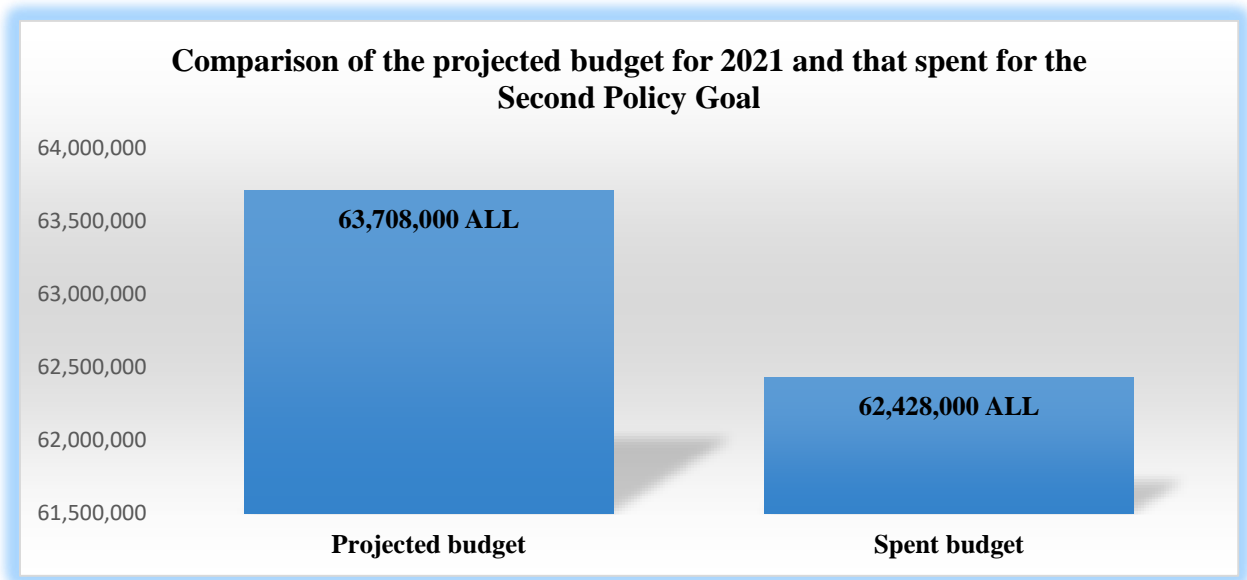
First Policy Goal: *Proper and professional functioning of the justice system's governing institutions in conformity with constitutional and legislative requirements, as well as European standards, guaranteeing independence, efficiency, and accountability.*

- ❖ For 2021, the total cost of the First Policy Goal is estimated 78,209,000 ALL. The budget spent for implementing the measures of the First Goal for 2021 has been calculated at 40,309,000 ALL covered by the state budget. The set budget for unrealized or in-progress measures will be used to complete them during the next implementation period.



Second Policy Goal: Strengthening judicial transparency, efficiency, and access to justice in accordance with constitutional, legal, and European standards.

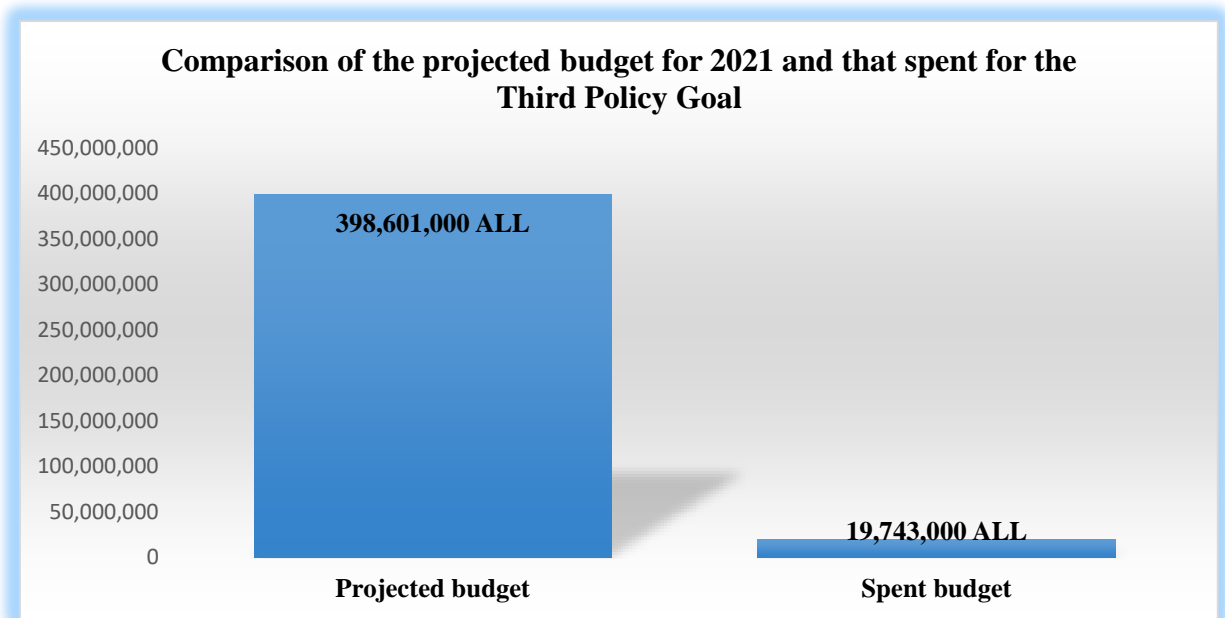
- ❖ For 2021, the total cost of the Second Policy Goal is estimated 63,708,000 ALL. The budget spent for implementing the measures of the Second Goal for 2021 has been calculated at 62,428,000 ALL. The majority of the budget allocated to the implementation of the second policy goal measures has been spent by the responsible / co-responsible institutions; the remaining funds will be utilized to complete the implementation of measures that remain unrealized / partially realized.



Third Policy Goal: *A criminal justice system based on modern justice principles that assures re-socialization, reintegration, and rehabilitation, as well as respect for human rights, freedoms and gender equality, all within an integrated approach and with solid practices of crime prevention.*

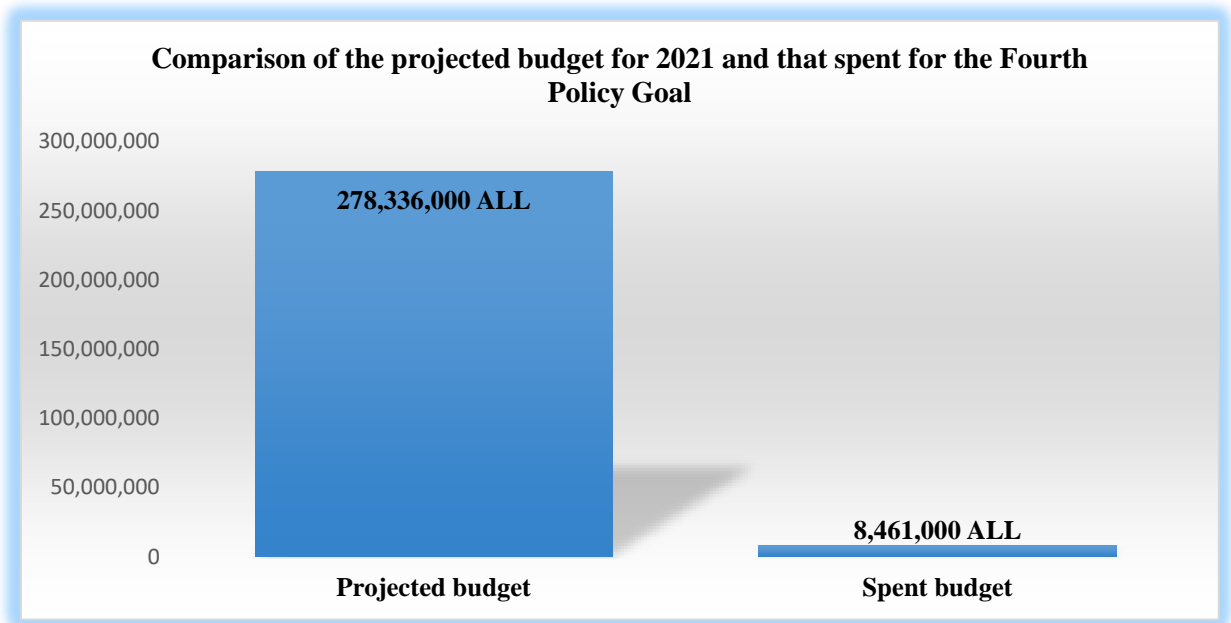
- ❖ For 2021, the total cost of the Third Policy Goal is estimated 398,601,000 ALL. The budget spent for implementing the measures of the third Goal for 2021 has been calculated at 19,743,000 ALL.
- ❖ The projected budget results in a low value spent due to the non-implementation of measures directly related to the proper functioning and organization of the Probation Service institution, such as measure 3.4.9 "Increase staff capacity to ensure a rate of 50 internships in line with European standards and to provide adequate staff for local offices, as well as the pay structure being revised to ensure adequate payment throughout the organization according to skills and responsibilities in accordance with the official payroll scheme ” and measure 3.4.7 "Design and installation of modern information technology and case management system, establishing

links with the integrated electronic justice system". The set budget for unrealized or in-progress measures will be used to complete them during the next implementation period.



Fourth Policy Goal: *Coordination, efficient and effective management of the justice system in all sector institutions.*

- ❖ For 2021, the total cost of the Third Policy Goal is estimated 278,336,000 ALL. The budget spent for implementing the measures of the third Goal for 2021 has been calculated at 8,461,000 ALL. The projected budget results in low value spent due to the non-implementation of measures which are directly related to the establishment, organization, and appropriate functioning of the Information Technology Center for the Justice System, a process that has been impeded due to delays and a lack of human resources. The set budget for unrealized or in-progress measures will be used to complete them during the next implementation period.



The budget used according to the objectives and the concrete source of funding is as follows:

- SO 1.1 : 217.000 ALL, covered by the state budget.
- SO 1.2 : 5,348.000 ALL, covered by the state budget.
- SO 1.3: 43,140.000 ALL, covered by the state budget.
- SO 2.1 : 7,546.000 ALL, covered by the state budget.
- SO 2.2 : 786.000 ALL, covered by the state budget..
- SO 2.3 : 526.000 ALL, covered by the state budget.
- SO 2.4 : 1,481.000 ALL, covered by the state budget.
- So 3.1: 6,504.000 ALL, covered by the state budget.
- SO 3.2 : 0 ALL, covered by the state budget.
- SO 3.4 : 3,721.000 ALL, covered by the state budget.
- SO 3.5 : 9,518.000 ALL, covered by the state budget.
- SO 4.1: 20.000 ALL, covered by the state budget.
- SO 4.2: 2,305.000 ALL, covered by the state budget.
- SO 4.3 : 4,163.000 ALL, covered by the state budget.
- SO 4.4: 1,973.000 ALL, covered by the state budget.


The reporting of "administrative cost" measures by the responsible institutions is recognized as an issue, considering that a budget is planned for their realization. Furthermore, failure to report the budget on the required measures results in a value loss.

III. IMPLEMENTATION PROGRESS ACCORDING TO SPECIFIC OBJECTIVES & MEASURES

For the monitoring period of *1 January to 31 December 2021*, the following will describe the progress made in accomplishing the four policy goals, objectives, and measures of the Action Plan 2021-2025. The goals of the Policies become achievable through specific objectives and measures implementation by the responsible and co-responsible institutions of the Strategy and Action Plan.

3.1 Evaluation of key achievements using indicators

In accordance with the CJS, measures and pertinent objectives set out in the Action Plan 2021-2025 for the reporting period related to the four policy goals have been reached.

-  **FIRST POLICY GOAL:** Proper and professional functioning of the justice system's governing institutions in conformity with constitutional and legislative requirements, as well as European standards, guaranteeing independence, efficiency, and accountability.

The **First Policy Goal** aims to ensure that the governing institutions of the justice system function fully and professionally, in accordance with constitutional, legal and European standards, guaranteeing independence, efficiency and accountability. It refers to *Sustainable Development Goal 16*, which strives to construct effective, responsible, and inclusive institutions at all levels, promotes a peaceful and inclusive society, ensures sustainable development, and offers access to justice for all. In particular, this goal is related to sub-objective 16.6, "*Development of effective, accountable and transparent institutions at all levels*", and 16.7, "*Ensuring responsive, inclusive, participatory and representative decision-making at all levels*". Also, this goal is related to the National Plan for European Integration 2021-2023, based on the recommendations of the European Commission report for Albania for 2020 and the priorities for chapter 23, "Judiciary and fundamental rights".

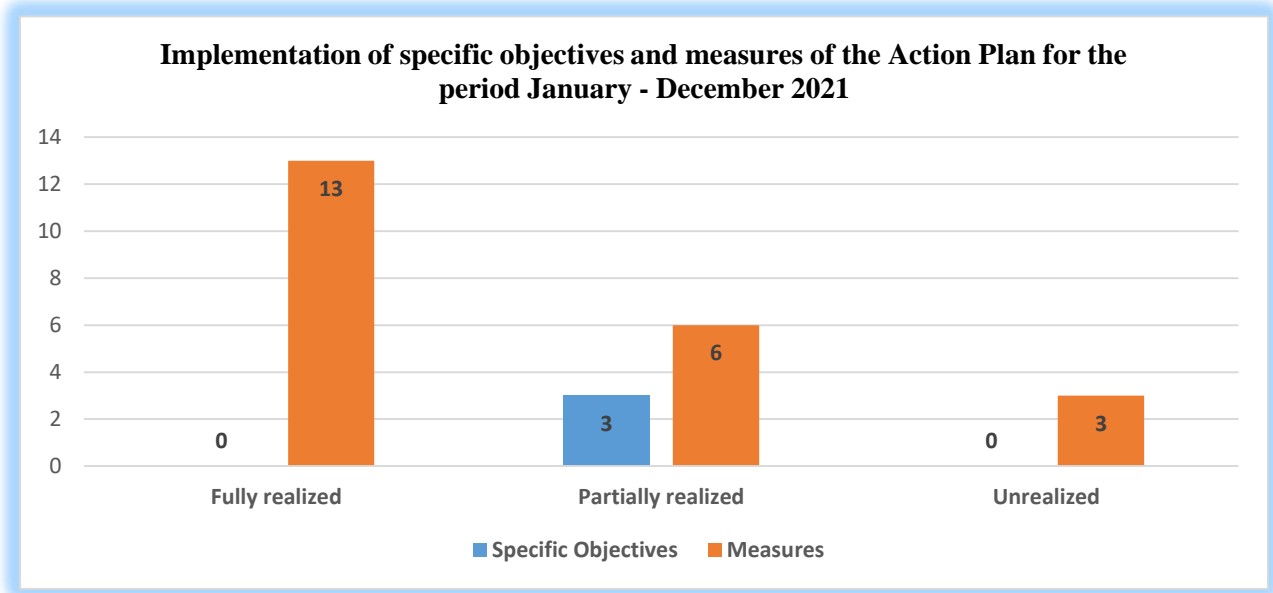
During the reporting period, specific objectives were reached and the following measures were taken:

First Policy Goal	Objectives and Measures	Measures Implementation			
		Specific Objectives and measures foeseen for 2021	S.O and measures fully realized	S.O and measures partially realized ²¹	S.O and measures unrealized ²²
Proper and professional functioning of the justice system's governing institutions in conformity with	Specific Objectives	3	0	3	0

²¹ "Partially realized" measure is that measure that has been realized on a scale from 50 to 100 percent.

²² "Unrealized" measure is the measure which is realized on a scale from 0 to 50 percent.

constitutional and legislative requirements, as well as European standards, guaranteeing independence, efficiency, and accountability.	Measures	22	13	6	3
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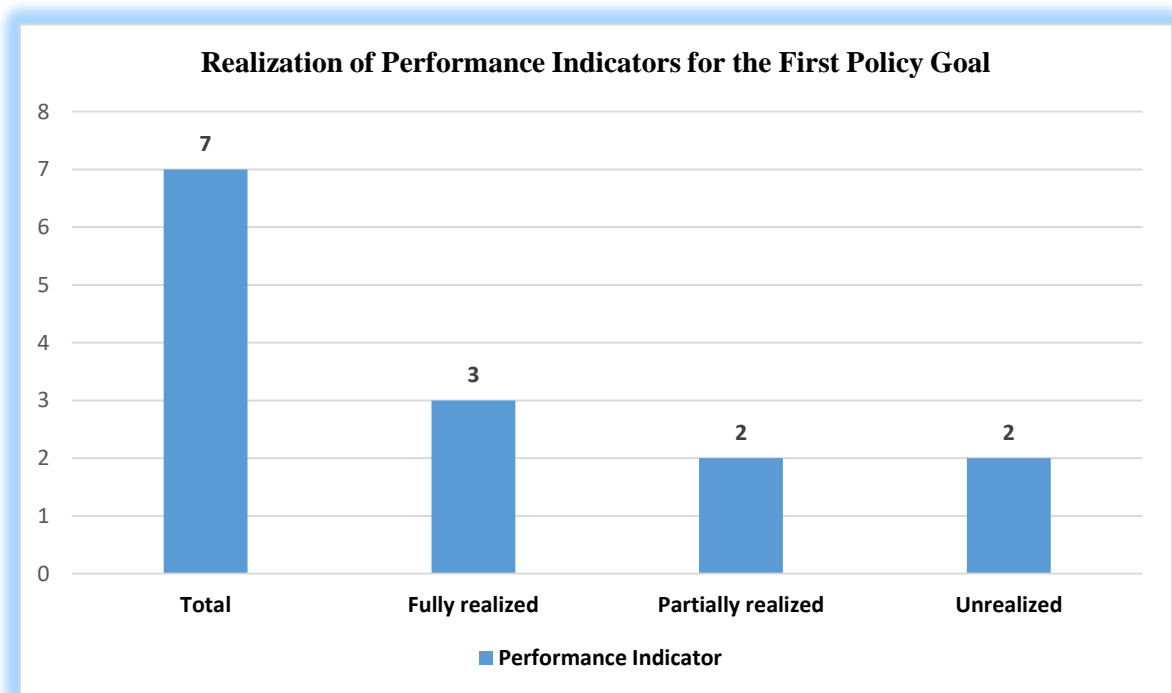
It results that from 3 specific objectives and 22 measures foreseen in the Action Plan 2021 - 2025, for January-December 2021, for the First Policy Goal have been realized:

- 13 measures fully realized;
- 3 specific objectives / 6 measures are partially realized;
- 3 measures are unrealized, respectively measures:
 - a) **1.2.7** "Completing the review of the legal framework related to justice governing institutions based on the HPC component, consultation, and act approval" (*Acts are in the consultation phase and are expected to be approved soon*).
 - b) **1.3.2** "Finishing the procedures for the appointment of magistrate and non-magistrate inspectors at the HIJ, as well as the recruitment of the Office of the High Inspector of Justice's employees" (*Noncandidation of judge magistrates in the Office of the High Inspector of Justice, has resulted in lack of human resources in the magistrate unit*).
 - c) **1.3.5** "Preparation of necessary interventions for HIJ's infrastructural and logistical enhancement, including work/logistics facilities for the total number of HIJ personnel" (*Restructuring of the current buHIJing according to the relevant procedures will continue in the following year*).

From the 7 performance indicators for the First Policy Goal it results that:

- for 3 performance indicators the target value is reached;
- for 2 performance indicators the target value is partially reached;
- as well as for 2 performance indicators the target value has not been reached.

First Policy Goal	Performance indicators	Realization of Performance Indicators		
		The target value is fully realized	The target value is partially realized	The target value is not realized
	7	3	2	2



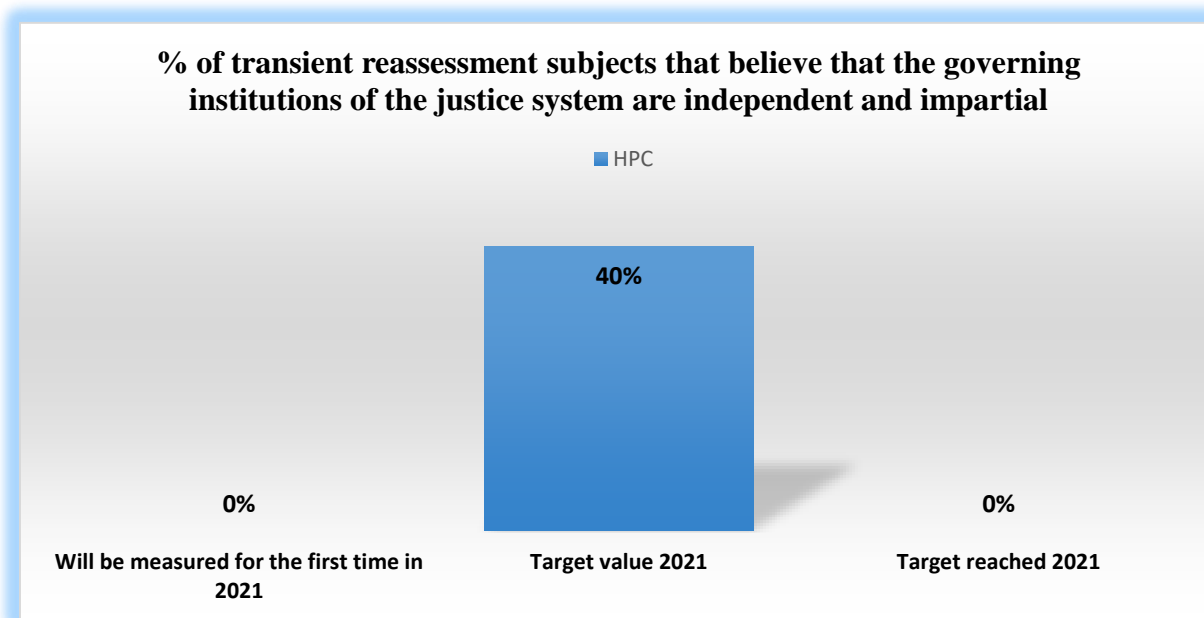
Indicator in the goal level: % of transient reassessment entities who believe that the governing institutions of the justice system are independent and impartial is expected to be realized at a high level of influence, **ie at the level of goal**. The indicator will be constructed for the first time, with values from 2021 as the starting point. For the year 2021, the performance indicator's target value is 40%.

Through an annual questionnaire drafted by the HJC / HPC addressed to the subjects of the transitional re-evaluation, the indicator will measure the impact of the new governing institutions of the justice system by measuring the perception of the subjects of re-evaluation towards the independence and impartiality of these institutions. The indicator has been reached at 0% based on the information reported and processed to perform the assessment of the realization of the target value of this indicator.

The realization of the indicator according to the Indicator Passport (appendix 2 of the Action Plan), is presented as follows:

Base value	2020	Will be measured for the first time in 2021
Target Value / Target	2021 (target value)	40%
	2021 (target reached)	0%
Target Value	2022	50%
	2023	65%
	2024	75%
	2025	90%

The realization of this indicator is presented graphically as follows:



- **Specific Objective 1.1** “Continuation of the implementation and finalization of the process of transitional re-evaluation of judges and prosecutors in an effective and efficient manner according to the provisions of the Constitution and the law”.

The measures foreseen in the action plan of SND 2021-2025 in relation to this specific objective will be implemented to achieve these results in the process of transitional re-evaluation of judges and prosecutors completed for all three categories of re-evaluation subjects (judges, prosecutors,

advisors and legal assistants) as well as the review of appeals to the Special Appellate Panel within the constitutional and legal deadline. Also, the relevant rules, good practices, knowledge, capacities and lessons learned have been properly transferred to the relevant governing institutions of the justice system for sound and credible evaluations of judges, prosecutors and legal advisers. For the years 2021-2025 the following measures are foreseen

Action Plan for Objective 1.1 envisages 5 measures.

1.1.1	Preparation and consolidation of transitional verification reports of evaluation subjects by the existing transitional re-evaluation bodies of judges and prosecutors based on the existing mandate.
1.1.2	Legal and budgetary support for transitional re-evaluation bodies of judges and prosecutors.
1.1.3	Finalization of final evaluation reports.
1.1.4	Review the legal framework for the governing bodies of justice and incorporate good practices into the revised legislation.
1.1.5	Review the internal regulations of the governing bodies in the justice system and include good practices in the revised regulations.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 1.1, where we more specifically mention:**

- The Special Appellate Panel has announced for the period January - December 2021, 38 decisions deciding: leaving in force the decision of the Independent Qualification Commission - in 29 decisions; change the decision of the Independent Qualification Commission, terminate the re-evaluation process and prohibit the re-evaluation subjects to appoint judges or prosecutors of any level, member of the HJC or HJC, High Inspector of Justice or Prosecutor General for a period of 15- annual - in 1 decision; changing the decision of the Independent Qualification Commission, deciding the dismissal of the subject of re-evaluation - in 5 decisions; changing the decision of the Independent Qualification Commission, placing the confirmation in office of the subject of re-evaluation - in 1 decision; overturning the decision of the Independent Qualification Commission, ordering the Independent Qualification Commission to continue the re-evaluation process - in 1 decision; overturning the decision of the Independent Qualification Commission - in 1 decision.
- Regarding denunciations from the public, during the period January - December 2021, 151 denunciations were registered and processed in the Special Appellate Panel.

1 performance indicator has been defined for this objective:

-% of judges / prosecutors who have completed the process of transitional re-evaluation by the bodies of the justice system (values divided according to the levels of the judiciary / prosecution)²³

This indicator will show over the years the progress in completing the transitional re-evaluation process of judges and prosecutors. The base value of the indicator is 85%. The target value for the performance indicator for 2021 over the % of judges / prosecutors who have completed the transitional re-evaluation process by the bodies of the justice system (values divided according to the levels of the judiciary / prosecution) is 70%.

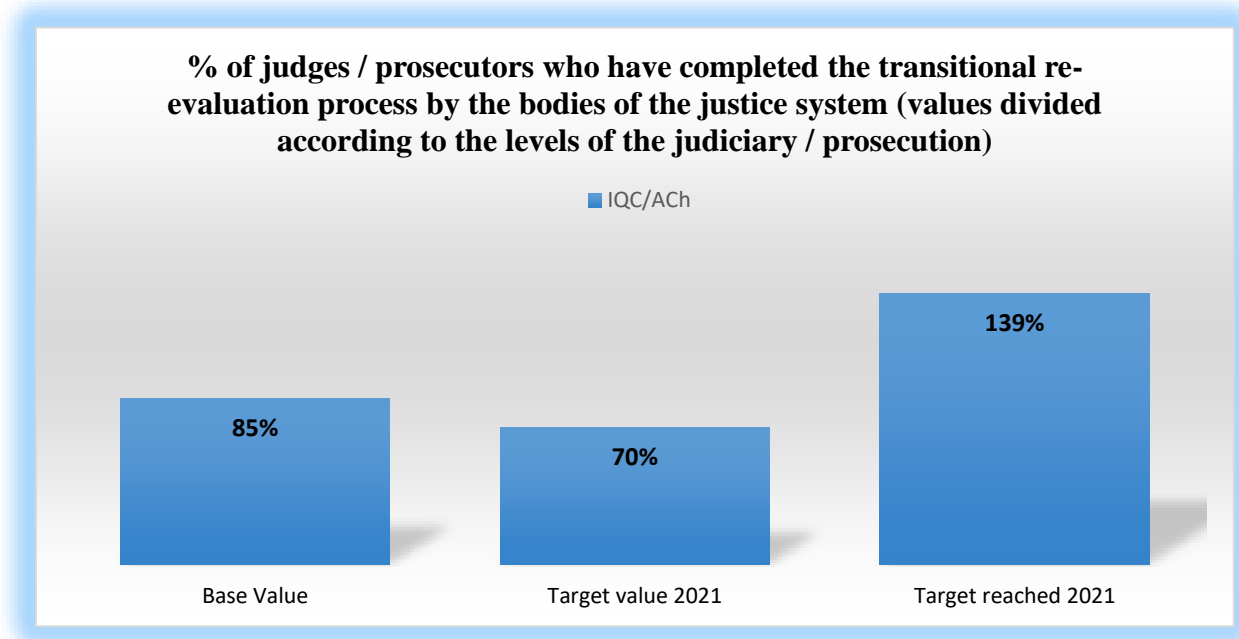
During 2021, the target value was exceeded reaching 167 decisions. Specifically 98 judges, 61 prosecutors and 8 others.

The presentation of the realization of the indicator according to the Indicator Passport is presented as follows:

Base value	Viti 2020	85%
Target Value / Target	2021 (target value)	70%
	2021 (target reached)	139%
	2022	75%
	2023	80%
	2024	90%
	2025	100%

²³ The target set will be part of the analysis for the coming years only for the Independent Qualification Commission. The reporting of the Appeal Chamber based on its organization and functioning will consist only of statistical data related to the progress of the re-evaluation process as well as the cost in the budget of the activity foreseen for the respective year.

Graphically, the realization of this indicator is presented as follows:



Level of achievement of the Specific Objective 1.1.²⁴

*Level of realization of the Objective 1.1 Continuation of the implementation and finalization of the process of transitional re-evaluation of judges and prosecutors in an effective and efficient manner according to the provisions of the Constitution and the law regarding the realization of performance indicators for January-December 2021 is **139%**.*

The achievement rate of objective 1.1 for this reporting period has been exceeded (***111 and above of the implemented measures***).

Data verifiability

The reported data on performance indicators are based on the information reported by the Independent Qualification Commission to monitor the implementation of the action plan for January - December 2021.

Risks for achieving the Objective 1.1

In terms of the implementation of measures, the risk lies in the pace of the transitional reassessment process can be reduced, e.g. due to the crisis caused by Covid-19 and lack of financial resources. This target has medium risk potential and medium impact.

- ❖ **Specific Objective 1.2 “Update and improve justice reform legislation based on findings from analysis and monitoring of reform implementation, including, but not**

²⁴ Specific Objective 1.1 is related to only 1 indicator.

limited to, updated legislation on competencies, transparency, efficiency, and coordination”.

The measures envisaged in the SND 2021-2025 action plan in relation to this specific objective will be implemented to achieve these concrete results in: structure of the judiciary (HJC) / revised / amended legislation, included but without limited to internal regulations; prosecution governance structure (HJC) / revised / amended legislation, including, but not limited to, internal regulations; accountability structures (HIJ, HJC and HJC) / revised / amended legislation, including, but not limited to, internal regulations.

The action plan for Objective 1.2 envisages 12 measures as follows:

1.2.1	Prepare an analysis of the implementation of the reform of the justice system based on the component related to the HJC.
1.2.2	Preparation of the response on the analysis of the review of the law on the status and governing structure of the HJC (draft legal proposals).
1.2.3	Finalize the review of the legal framework related to the rule of justice based on the component related to the HJC, consultation and adoption of acts).
1.2.4	Review and consolidate the internal rules of the HJC.
1.2.5	Prepare analysis of the implementation of the reform of the justice system based on the component related to the HJC.
1.2.6	Preparation of the response on the analysis of the review of the law on the status and governance structure of the HPC (draft legal proposals).
1.2.7	Finalize the review of the legal framework related to the administration of justice based on the component related to the HPC, consultation and adoption of acts).
1.2.8	Review and consolidate the internal rules of the HIJ.
1.2.9	Preparation of analysis of the implementation of the reform of the justice system based on the component related to HIJ.
1.2.10	Preparation of the response on the analysis of the review of the law on the status and governance structure of the HIJ (draft legal proposals).
1.2.11	Review and consolidation of HIJ internal rules.
1.2.12	Preparation of an HIJ operational plan for handling overdue complaints.

- **For the period January - December 2021, achievements have been recorded in Strategic Objective 1.1, where we more specifically mention:**
- The High Judicial Council has finalized the review of the legal framework regarding the governance of the justice system, continuing with the approval of draft proposals in the Assembly in March 2021. It was approved by Decision of the HPC no. 407, dated 17.12.2021, “Regulation on the organization and internal functioning of the HJC.” In the framework of drafting the law on some amendments to the law No. 115/2016 “On the governing bodies of the Justice System” (amended), The High Inspector of Justice during 2020 has submitted proposals for legal changes.

❖ **2 performance indicators have been defined for this objective:**

- *Number of bylaws adopted regarding the competencies, efficiency and coordination of the governing bodies of the justice system (separate values for the HPC/HJC / HIJ).*

- *Number of proposals for legal changes made by the governing bodies of the justice system.*

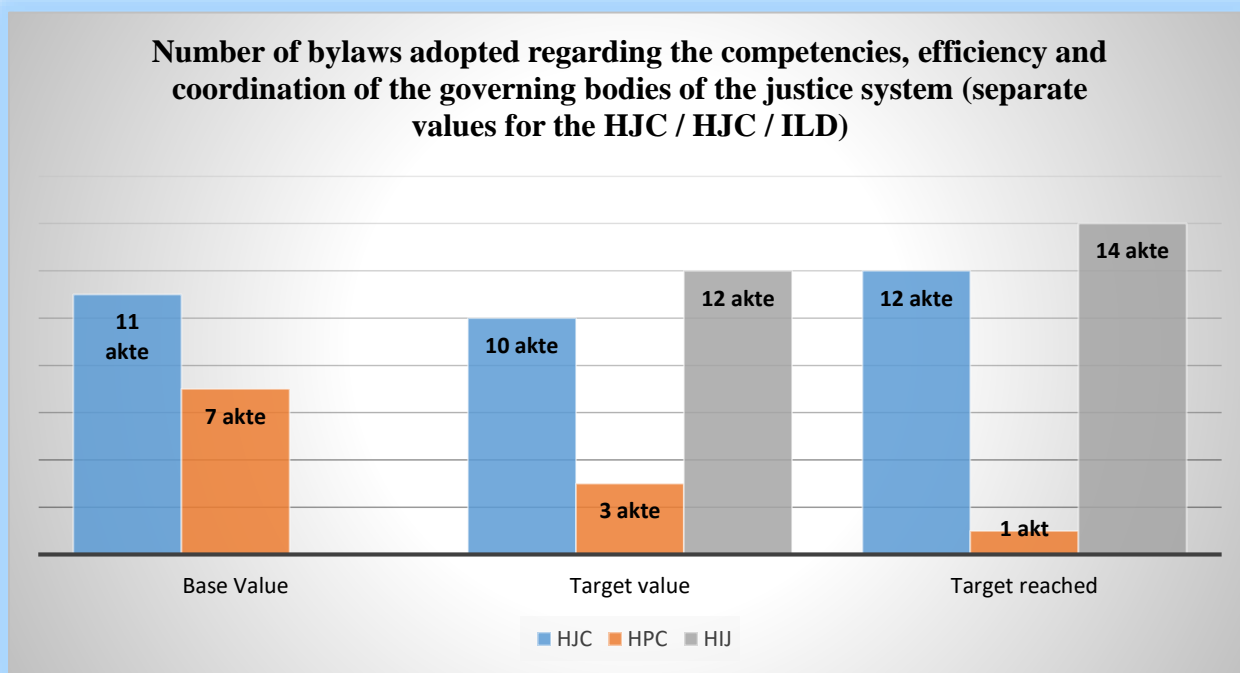
The target value for the performance indicator "*Number of bylaws adopted regarding the competencies, efficiency and coordination of the governing bodies of the justice system (separate values for HJC / HPC / HIJ)*", for 2021 is: HJC 10 acts, HPC 3 acts, HIJ 12 acts. The indicator will measure the adopted legal acts related to the improvement of the competencies, coordination and efficiency of the judiciary.

From the information reported and analyzed for this monitoring period, it is concluded that the indicator has reached **84% for 2021.**

The presentation of the frealization of the indicator according to the Passport of Indicators is presented as follows:

Base Value	2020	HJC: 11 acts HPC: 7 acts
Target Value / Target	2021 (target vlue)	HJC: 10 acts HPC: 3 acts HIJ: 12 acts
	2021 (targeti reached)	HJC: 12 acts HPC: 1 act HIJ: 14 acts The indicator has reached the value of 84%

The realization of this indicator is presented graphically as follows:



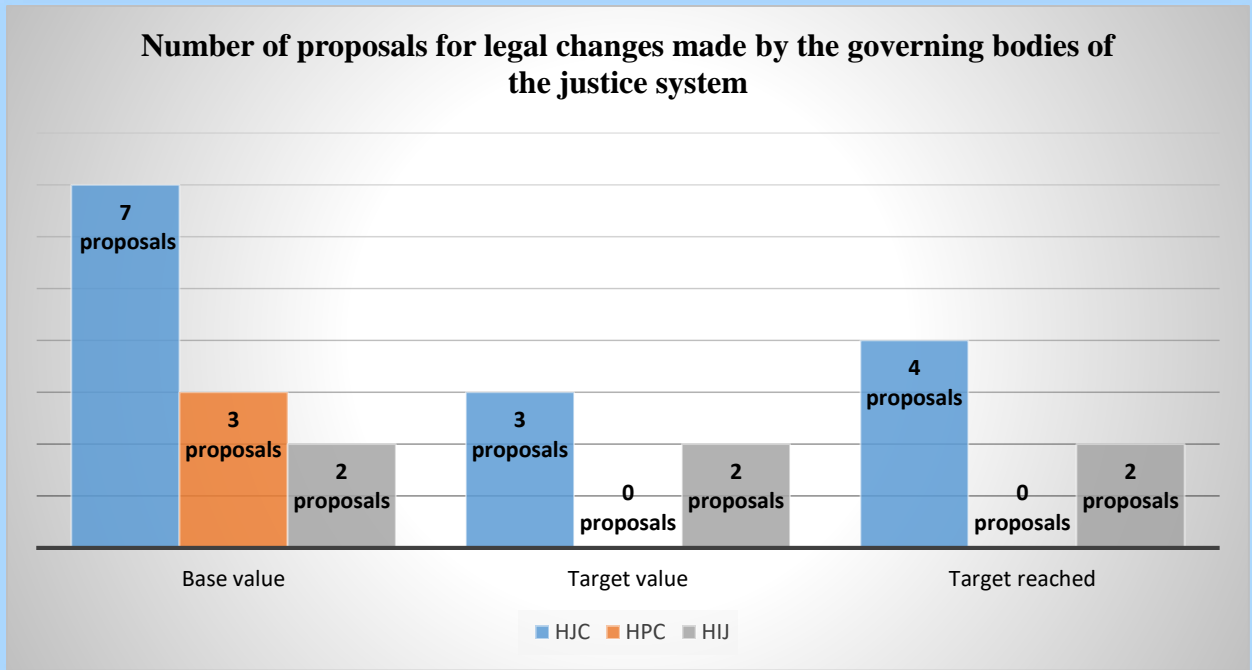
The target value for the performance indicator "Number of proposals for legal changes made by the governing bodies of the justice system" for 2021 is: HJC 3 proposals, HPC 0 proposals, HIJ 2 proposals. The base value is the year 2020, HJC 7 proposals, HPC 3 proposals, HIJ 2 proposals.

For this monitoring period, the number of proposals for legal changes made by the governing bodies of the justice system is 6: HJC 0, HPC has made a number of proposals to amend four laws: 96/2016, 98/2016, 115/2016 and 8577 dated 10.2.2000, HIJ during 2021, the need for legal changes became part of the activity report of the Albanian Parliament and the Committee on Legal Affairs as one of the problems encountered in the activity of the Office of the High Inspector of Justice.

Base Value	2020	HJC: 7 proposals HPC: 3 proposals HIJ: 2 proposals
Target value/ Target	2021 (target value)	HJC: 3 proposals HPC: 0 proposals HIJ: 2 proposals
	2021 (target reached)	HJC: 4 proposals HPC: 0 proposals HIJ: 2 proposals

	The indicator has reached the value of 111%.
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The realization of this indicator is presented graphically as follows:



Level of realization of the specific objective 1.2.

Level of achievement of the Objective 1.2. *Update and improve justice reform legislation based on findings from analysis and monitoring of reform implementation, including, but not limited to, updated legislation on competencies, transparency, efficiency, and coordination* regarding the implementation of performance indicators for the period January-December 2021 is 98%.

The calculation is performed according to the following formula:

$$NR\ O.\ S\ 1.2 = \frac{TP\ 1\ (84\%) + TP\ 2\ (111\%)}{2\ TP} \times 100\% = 98\%$$

The achievement rate of objective 1.2 for this reporting period is **very good (86-110 of the implemented measures)**.

Data verifiability

The reported data are based on information reported by the High Judicial Council, the High Prosecution Council, the High Inspector of Justice. (Reports of the HJC, HPC, HIJ.)

Risks for achieving the Objective 1.2

In terms of achieving Specific Objective 1.2 risk has a "medium" chance of occurrence and a "low" impact. The risks are mainly related to the delays in the adoption of proposals for amendments to legal acts, proposed by independent institutions of the justice system.

- ❖ ***Specific Objective 1.3* “Strengthening and consolidating the governing bodies of the justice system in accordance with European standards, through the creation and development of capacities to carry out the activity with independence, efficiency and professional standards, and providing the service of governing institutions in justice meets relevant rules and standards ”**

- ❖ The action plan for Objective 1.3 envisages 5 measures.

To achieve the values of the performance indicator for the years 2021-2025, measures (5) are foreseen as follows.

1.3.1	Completion of the procedures for the appointment, promotion, transfer of magistrates graduated from the School of Magistrates.
1.3.2	Completion of the procedures for the appointment of magistrate and non-magistrate inspectors at the HIJ as well as the completion of the recruitment of the staff of the Office of the High Inspector of Justice.
1.3.3	Capacity building and strengthening of justice inspectors through job-specific training.
1.3.4	Preparation of analysis reports of working groups for the identification and categorization of complaints carried by other institutions, according to the object.
1.3.5	Preparation of necessary interventions for the infrastructural and logistical improvement of HIJ for the provision of work / logistics facilities for the entire number of HIJ employees.

- ❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 1.1, where we more specifically mention:**

- Relevant procedures have been carried out on the promotion of 12 prosecutors to the position of manager (promotion), and 24 prosecutors with transfer through parallel movement. There were no graduates from the School of Magistrates for the academic year 2020-2021 (prosecutor profile), therefore there are no new prosecutors appointed for 2021.
- The High Inspector of Justice has shown a special attention, regarding the increase of the capacities of the Office of the High Inspector of Justice, giving priority to the development of trainings by international and national experts since the establishment of the institution.

The development of these trainings is seen as a very important element for increasing the performance not only of the unit of inspectors and assistant inspectors but of all the staff of the Office of the High Inspector of Justice. Specifically, the Office of the High Inspector of Justice, for the training of the unit of inspectors so far has had collaborations with foreign organizations such as Taiex, Opat, Cepej, Mission Euralius V..etc, and with ASPA. 9 trainings were conducted with foreign partners during 2021.

❖ **Performance 3 performance indicators have been defined for this objective:**

- % of the state budget dedicated to the governing bodies of the justice system
- % of initiated disciplinary proceedings for appeals against judges or prosecutors
- Indicator of resolving backlog issues for the discipline of complaints submitted to HIJ.

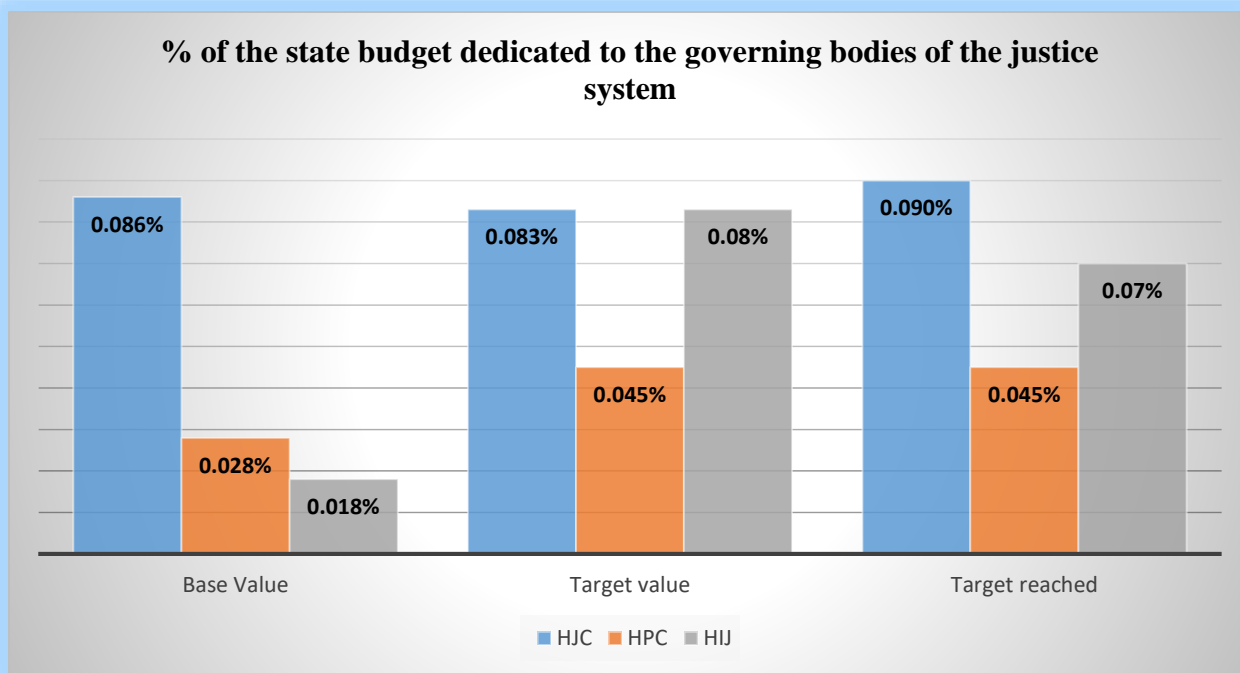
The target value for 2021 for the performance indicator "-% of the state budget dedicated to the governing bodies of the justice system", for 2021 is: HJC 0.083% of the state budget, HPC 0.045% of the state budget, HIJ 0.08 % of state budget. The methodology followed or to be followed in the continuation of the measurement of this indicator aims to show the percentage of the state budget that is dedicated each year to the bodies of the justice system. The base value is HJC: 0.086%, HPC: 0.028%, HIJ: 0.018%.

During 2021, it results that HPC 0.045% of the budget, HJC 0.09% of the state budget and HIJ 0.07% of the budget. For 2021 the indicator has reached the value of 99%.

The presentation of the realization of the indicator according to the Passport of Indicators is presented as follows:

Year	2020	HJC: 0.086% HPC: 0.028 % HIJ: 0.018 %
Target Value / Target	2021 (target value)	21/HIJ 0.08% 21/HJC: 0.083% 21/HPC 0.045%
	2021 (target reached)	HPC0.045% HJC 0.09% HIJ 0.07%
	2022	HIJ 0.06% HJC: 0.089% HPC: 0.045% e

The realization of this indicator in graphical form is presented as follows:



The target value for the performance indicator "% of initiated disciplinary proceedings for appeals against judges or prosecutors" for 2021 is 100% (HIJ will initiate requests for disciplinary proceedings before the relevant councils, in any case where violations are found of magistrates), the same procedure will be repeated for the years 2022, 2023, 2024, 2025.

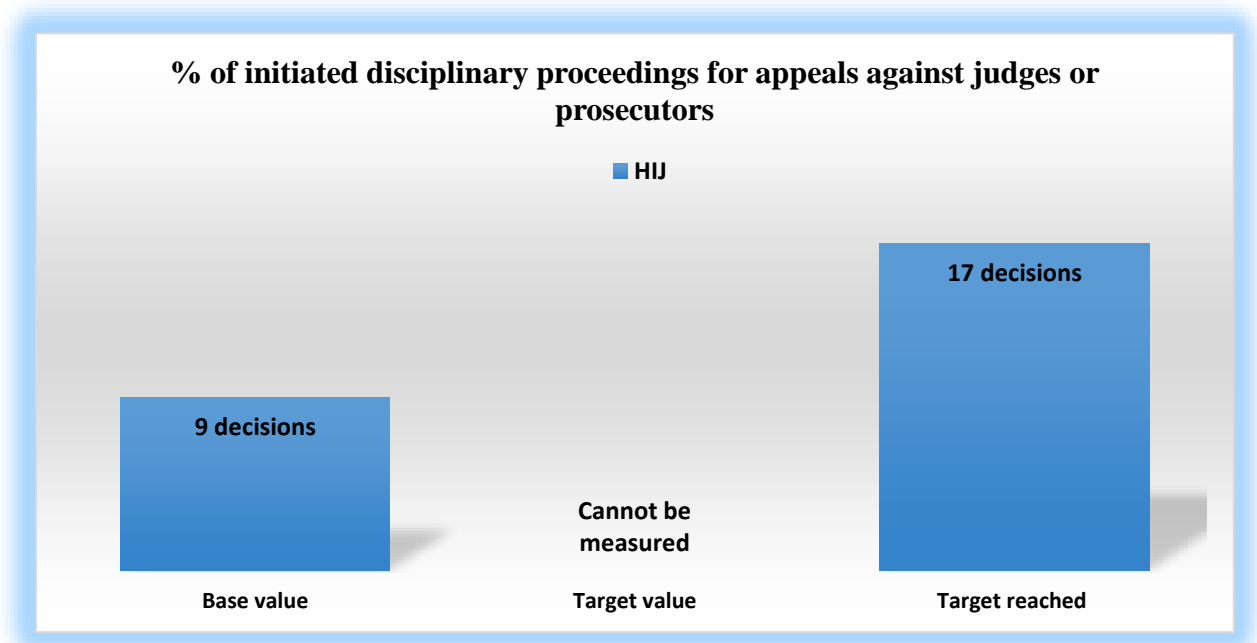
For January-December 2021, there are 17 requests for disciplinary proceedings before the HJC and the HJC.

From the information reported and analyzed to evaluate the target value of this indicator, it results that the indicator is 100% realized.

Base Value	* 2020 Since the High Inspector of Justice has only 1 year of operation, as a basic value where the most successful year should be evidenced in the framework of the requirements for initiating disciplinary proceedings can be referred only to 2020. During this year, by the High Inspector of Justice, out of 9 decisions for initiating a disciplinary investigation, 4 (four) requests for disciplinary proceedings were addressed to the Councils, of which: 3 (three) requests addressed to the HJC and 1 (one) request addressed to the HJC, 3 (three) the requests filed with the HJC were accepted and 1 (one) request addressed to the HJC was rejected. (in percentage it turns out: 44% of the number of decisions to initiate a disciplinary investigation have ended up with requests for disciplinary proceedings before the relevant Councils.)	
	2021 (target value)	This indicator can not be measurable, as it is closely related to the process of

Target Value / Target		handling the complaint, ie the object of the complaint, and therefore can not predict how many of the complaints that will be reviewed during 2021 will be assessed if there is case for initiating disciplinary proceedings or not.
	2021 (target reached)	17 requests for disciplinary proceedings

The realization of the indicator is presented graphically as follows:



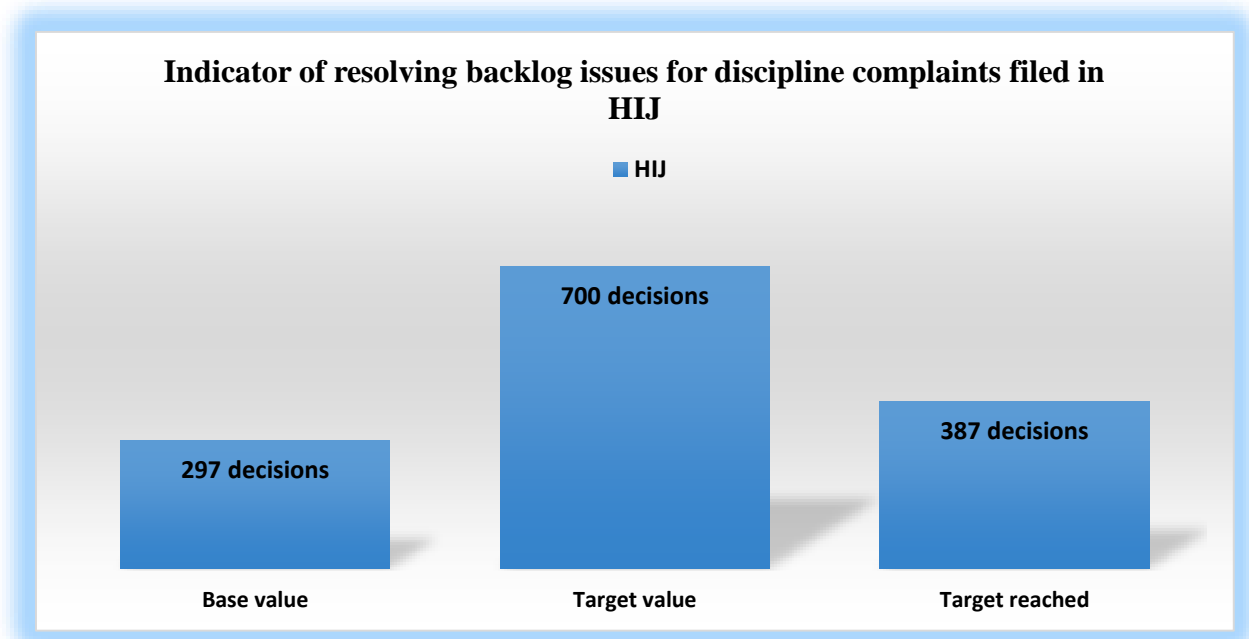
Target value for the performance indicator "*Indicator of resolving backlog issues for the discipline of complaints submitted to HIJ*" for 2021: The base value will refer to 2021 as the number of inspectors is higher, 8 versus 1, which was during 2020. For the period January-June 2021 the number of backlog complaints handled is 297 complaints. In percentage it is calculated: $297/2104 * 100 = 14.1\%$ complaints handled by the backlog for the period January-June 2021. Consequently following this trend, the target value during 2021 will be approximately 700 complaints handled by the backlog.

During 2021, it turns out that 387 complaints related to backlog were handled. Under these conditions, it is estimated that this performance indicator has reached **55%**.

The realization of the indicator is presented as follows:

Base Value	2020	The base value will refer to 2021 as the number of inspectors is higher, 8 versus 1, which was during 2020. For the period January-June 2021 the number of backlog complaints handled is 297 complaints. In percentage it is calculated: $297/2104 * 100 = 14.1\%$ complaints handled by the backlog for the period January-June 2021. Consequently following this trend, the target value during 2021 will be approximately 700 complaints handled by the backlog.
Target Value / Target	2021 (target value)	The target value during 2021 will be approximately 700 complaints handled by the backlog.
	2021 (target reached)	It turns out that a total of 387 complaints related to the backlog have been handled. Realized 55%

The presentation of the realization of the indicator graphically is presented as follows:



Level of achievement of the objective 1.3

Level of realization of Objective 1.3 *Strengthening and consolidation of the governing bodies of the justice system in accordance with European standards, through the creation and development of capacities, to carry out the activity with independence, efficiency and professional standards, and providing service to government institutions in justice meets the relevant rules and standards* regarding the realization of performance indicators for the period January - December 2021 is **84%**.

The calculation is performed according to the following formula:

$$\text{NR 1.3} = \frac{\text{TP } 99\% + \text{TP } 100\% + \text{TP } 55\%}{3 \text{ TP}} \times 100\% = 84\%$$

The achievement rate of objective 1.3 for this reporting period is **84% good (51 to 85 percent of the implemented measures)**.

Data verifiability

The reported data are based on information reported by the High Inspector of Justice, the High Prosecution Council and the High Judicial Council.

Risks for achieving the Objective 1.3

The risk of achieving this objective is of medium level due to factors related to the organization and functioning of the procedures of appointment, promotion, transfer of graduates from the School of Magistrates. So there is secondary probability of occurrence and its secondary impact.

Realization of specific objectives of the First Policy Goal

Based on the data reported by the institutions responsible for the administration and processing of performance indicator data, the table below presents the degree of achievement of the 3 specific objectives of the first policy goal.

The realization of the First Policy Goal is 81%.²⁵

Specific Objectives	Realization
1.1 Continue the implementation and finalization of the process of transitional re-evaluation of judges and prosecutors in an effective and efficient manner in accordance with the provisions of the Constitution and the law.	139%
1.2 Update and improve justice reform legislation based on findings from analysis and monitoring of reform implementation, including, but not limited to, updated legislation on competencies, transparency, efficiency, and coordination.	98%

²⁵ Calculated together with the indicator at the target level.

1.3 Strengthening and consolidating the governing bodies of the justice system in accordance with European standards, through the creation and development of capacities, to carry out the activity with independence, efficiency and professional standards, and providing service to the governing institutions of the judiciary complies with the rules and relevant standards.	84%
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SECOND POLICY GOAL "Strengthen transparency, efficiency of the judiciary and access to justice in accordance with constitutional, legal and European standards."

The second policy goal aims to increase the transparency, professionalism, accessibility and efficiency of the judiciary in accordance with legal requirements and European standards. It relates to objective 16 of the Sustainable Development Goals (SDGs), which promotes a peaceful and inclusive society, guarantees sustainable development, provides access to justice for all, and aims to establish effective, accountable and inclusive institutions in all levels.

In particular, this political goal is related to sub-objectives 16.3, "Promoting the rule of law at the national and international level and ensuring equal access to justice for all", 16.6. "Development of effective, accountable and transparent institutions at all levels", and 16.7, "Ensuring responsive, inclusive, participatory and representative decision-making at all levels".

During the reporting period, measures were implemented according to the table below.

Second Policy Goal	Specific Objectives and Measures	Realizimi i Masave			
		OS and measures envisaged for 2021	OS and fully implemented measures	OS and partially implemented measures ²⁶	OS and unimplemented measures ²⁷
Strengthen the transparency, efficiency of the judiciary and access to justice in accordance with constitutional, legal and European standards	Specific Objectives	5	0	4	1
	Measures	51	24	15	12

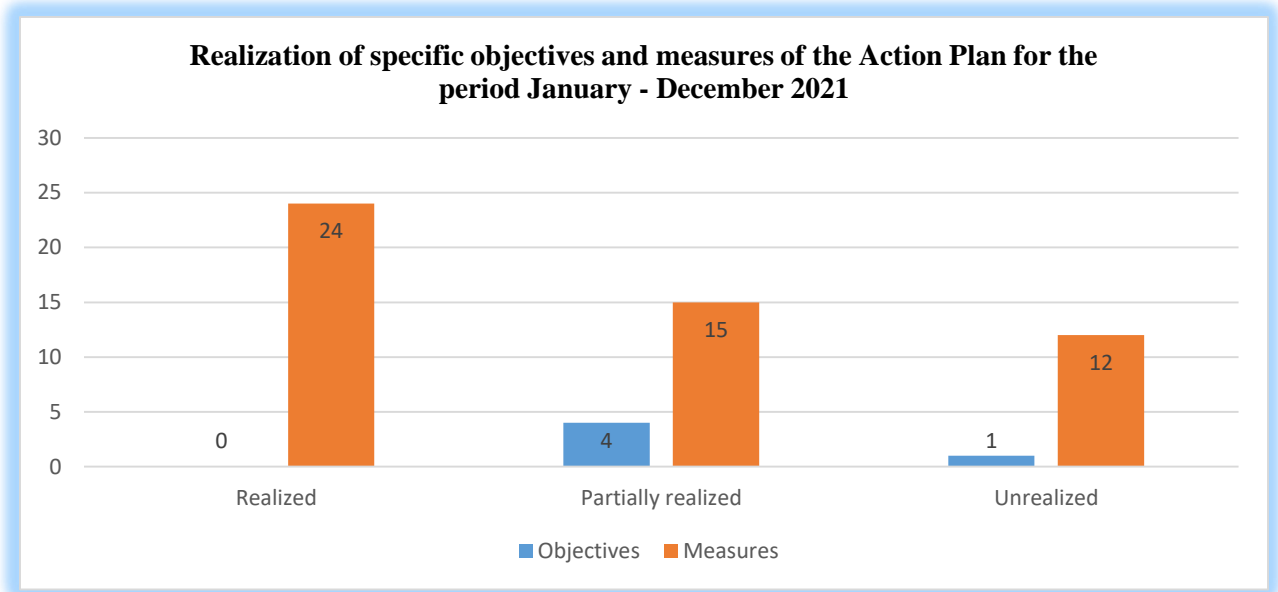
It results that from 5 specific objectives and 51 measures foreseen in the Action Plan 2021 - 2025, for January-December 2021, for the Second Policy Goal:

- 24 fully implemented measures;
- 4 objectives and 15 measures partially implemented;

²⁶ A measure "partially realized" is a measure that has been realized on a scale from 50 to 100 percent.

²⁷ An "unrealized" measure is one that is realized on a scale from 0 to 50 percent.

- 1 objective and 12 unimplemented measures.



Of the 7 performance indicators for the Second Policy Goal:

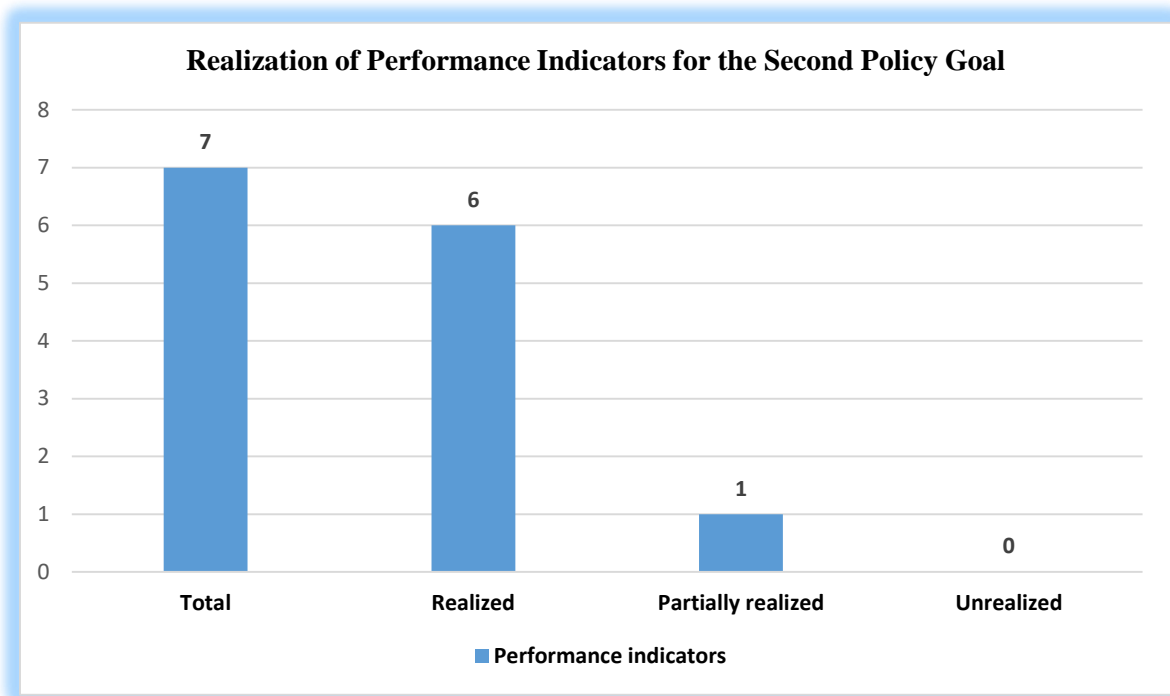
- for 6 performance indicators the target value is reached;
- for 1 performance indicator the target value is partially reached.

Second Policy Goal	Performance Indicators	Realization of Performance Indicators		
		Target value is fully realized ²⁸	Target value is partially realized ²⁹	Target value is not realized ³⁰
	7	6	1	0

²⁸ Is realized on a 100 percent scale

²⁹ Is realized on the scale from 50 to 100 percent.

³⁰ Has not been realized, or indicators for which data have not been collected or cannot be collected.



- ❖ ***Specific Objective 2.1: “Reviewing the legal framework regarding the judiciary as needed to further improve professional competence, accessibility, transparency and efficiency”***

The action plan for Objective 2.1 envisages 13 measures.

2.1.1	Conduct evaluation analysis of necessary amendments to the Code of Civil Procedure (CCP).
2.1.2	Prepare, discuss and approve the package of necessary amendments to the CCP.
2.1.3	Conduct review analysis of the operation and implementation of the amended CCP.
2.1.4	Conducting the assessment analysis of the necessary changes to the Family Code (FC).
2.1.5	Prepare, discuss and approve the package of necessary amendments to the Family Code (FC).
2.1.6	Carrying out the analysis of the review of the functioning and implementation of the amended FC.
2.1.7	Carrying out the analysis of the evaluation of the necessary changes of the law "On administrative courts and administrative disputes".
2.1.8	Preparation, discussion and approval of the package of necessary amendments to the law "On administrative courts and administrative disputes".
2.1.9	Carrying out the analysis of the review of the functioning and implementation of the law "On administrative courts and administrative disputes", as amended.
2.1.10	Carrying out the analysis of the evaluation of the necessary changes of the bylaws related to the judicial system (instructions / orders) and the standard rules for the functioning of the courts.

2.1.11	Preparation, discussion and approval of the package of regulatory acts for the functioning of the courts.
2.1.12	Conducting analysis of the implementation of regulatory acts for the functioning of the courts.
2.1.13	Preparation, discussion and approval of the package of bylaws on civil servants.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 2.1, where we more specifically mention:**

- The analysis of the evaluation of required changes to the Code of Civil Procedure was carried out with inter-institutional involvement, specifically with representatives of the justice system (HJC, HPC, HIJ, SC, GP), under the chairmanship of the Ministry of Justice, and with the support and cooperation of the technical assistance mission EURALIUS mission. Following the analysis, the draft law was prepared for some changes and additions to the Code of Civil Procedure, as well as all accompanying documentation. The draft law has followed all stages of consultation and review in the Assembly and has been approved by law no. 44/2021 "On some additions and changes to law no. 8116, dated 29.3.1996, "Code of Civil Procedure of the Republic of Albania", as amended, published in the Official Gazette dated 14.5.2021.
- The draft law has been prepared for some changes and additions to law no. 49/2012 as amended, as well as all accompanying documentation. The draft law has followed all stages of consultation and review in the Assembly and has been approved by law no. 49/2021 "On some additions and changes to law no. 49/2012 "On administrative courts and adjudication of administrative disputes", as amended, published in the Official Gazette dated 14.5.2021. The initiative in question, since its inception, has been drafted by high-level justice experts in collaboration with the Ministry of Justice and the EURALIUS Mission partners and OPDAT. These legal changes have been submitted by members of the Assembly of the Republic of Albania.
- Following the completion of the necessary analysis to make changes to the Code, the relevant practice will be prepared and discussed through public consultation within the framework of the preparation, discussion, and approval of the package of necessary amendments to the Family Code (FC).

❖ **1 performance indicator has been defined for this objective:**

% of laws and bylaws that have been subject to evaluation analysis by judicial bodies.

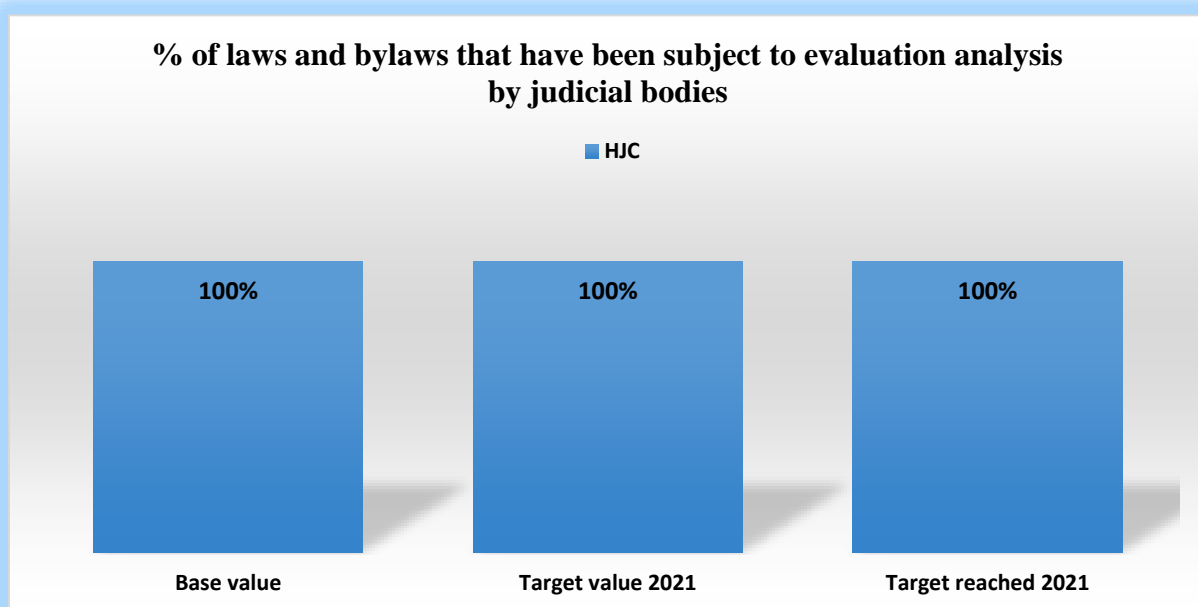
Target value for the performance indicator "*% of laws and bylaws that have been subject to evaluation analysis by judicial bodies*" for 2021 is 100%. The purpose of this indicator is to measure the number of all legal acts that the HJC has analyzed during a year in order to improve the professional skills, accessibility, transparency and efficiency of judicial bodies.

For this reporting period, *January - December 2021*, the HJC conducted 19 evaluation analyzes. For 2021 this indicator is 100% realized.

The realization of the indicator according to the Passport of Indicators is presented as follows:

Base Value	2020	100%
	2021 (target value)	100%
Target Value / Target	2021 (target reached)	Realization 100%

The realization of this indicator is presented in the graph below:



The achievement rate of the specific objective 1.2 for this reporting period is **100% very good** (from 86 to 110 percent of the implemented measures).

Data verifiability

The data reported on performance indicators are based on information reported by the High Inspector of Justice.

Risks for achieving the Objective 2.1

The risk to achieve this specific objective is of medium level due to factors related to human resources and the internal organization of the institution, hence there is a medium probability of occurrence and medium impact.

❖ **Specific Objective 2.2 Strengthening and developing the Constitutional Court's institutional capacities, as well as providing appropriate resources and ensuring its professional functioning in a transparent and effective manner.**

The action plan for Objective 2.2 envisages 6 measures, among which measure 2.2.2. has not been taken into analysis since it starts its implementation in 2022.³¹

To achieve the values of this performance indicator for the years 2021-2025, the following measures are foreseen.

2.2.1	Carrying out analysis on vacancies in the CC, opening calls and filling vacancies.
2.2.3	Infrastructural / logistical improvement of the Constitutional Court based on the findings of the analysis.
2.2.4	Conduct a study and specify the requirements of the Constitutional Court regarding information technology, including online registry and case management, electronic archiving, the need for specialized staff, etc.
2.2.5	Purchase of hardware and software for the Constitutional Court.
2.2.6	Preparation, publication and dissemination of monitoring reports on the implementation of the new methodology for the evaluation of trainers.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 2.2, where we mention more specifically:**

- The Constitutional Court has declared the end of the constitutional mandate for Judges Altin Binaj and Përparim Kalo, who were appointed to this court to fill the premature vacancy caused by the early removal of former judge Mr. Besnik Imeraj, through decision no. 41, dated 22.12.2021, and decision no. 42, dated 22.12.2021.
- The court computer network has been completely renovated, providing the planned software and hardware.

❖ **2 performance indicators have been defined for this objective:**

- % of the number of regulatory acts adopted by the Constitutional Court pursuant to its law
- Report of cases carried by the Constitutional Court (%)

The target value for the performance indicator "*% of the number of regulatory acts adopted by the Constitutional Court pursuant to its law*" for 2021 is the approval of two regulatory acts by the Constitutional Court pursuant to its law.

During the period 2021 the Constitutional Court **has adopted 2 acts:**

³¹ Measure 2.2.2 starts implementation after 2021.

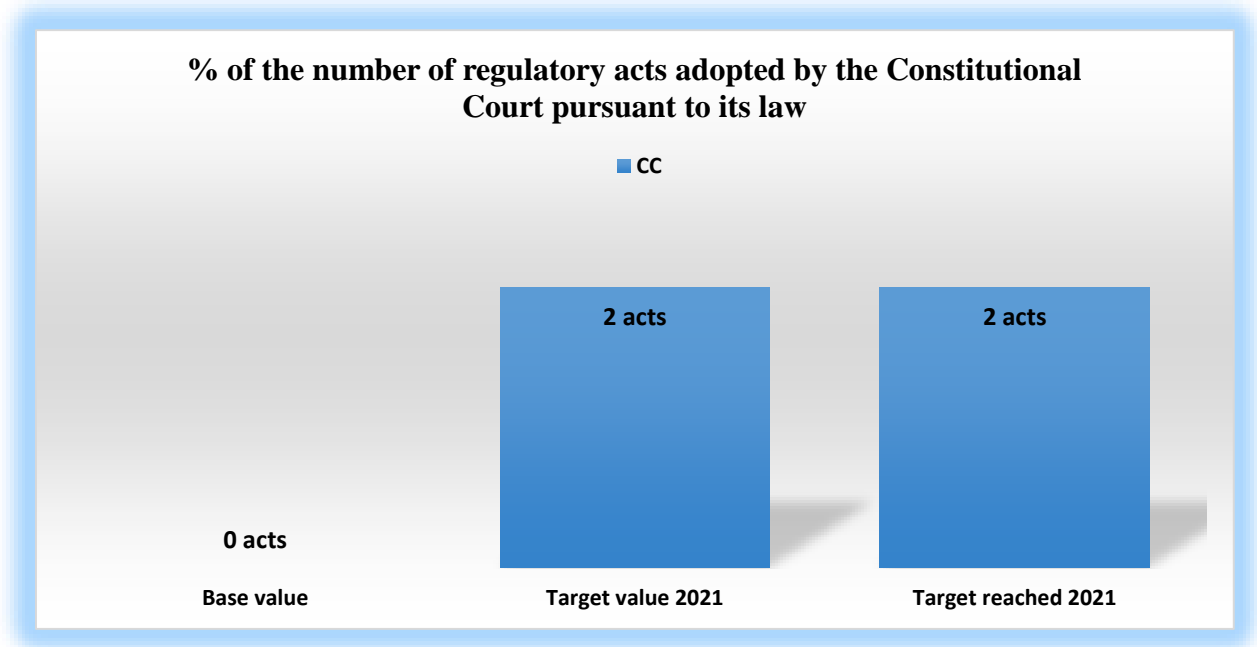
- 1- Approved the Strategic Plan for the activity of the Constitutional Court;
- 2- Approved the Regulation "On court proceedings of the Constitutional Court".

For 2021 the indicator **has reached 100%**.

The realization presentation is as follows:

Base Value	2020	
Target Value/ Target	2021 (target value)	2 acts
	2021 (target achieved)	2 acts approved for 2021, Realised 100%
	2022	0
Target Value/Target	2023	1

The realization is presented as follows:



The target value for the performance indicator "Report of cases carried by the Constitutional Court (%)" for 2021 is 0.5%. The base value is the year 2020 value 0.68%.

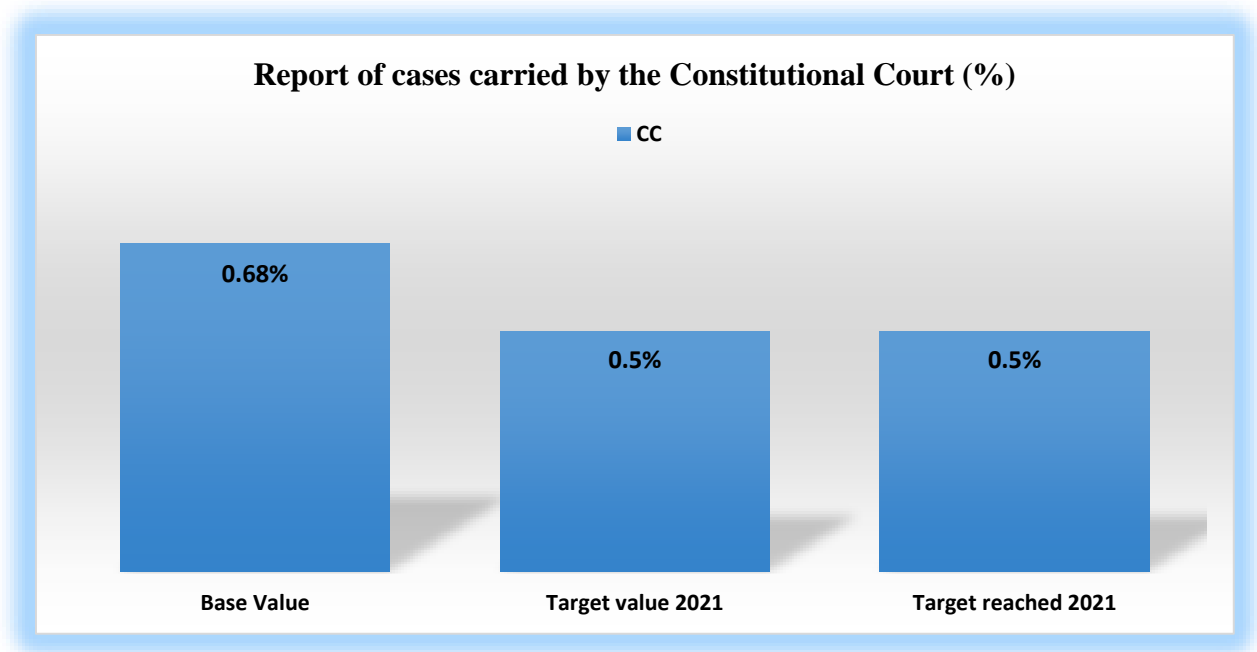
During 2021, the Constitutional Court has issued 201 decisions, pertaining to the claims carried over from 2017; 2018; 2019; 2020 as well as claims registered during 2021.

As a result, 36 cases have been transferred. According to the data of the Judicial Directorate and the Documentation of the Constitutional Court, in 2021 a total of 160 requests were registered.

Presentation of the realization of the indicator:

Base Value	2020	0.68%
Target Value/ Target	2021 (target value)	0.5 %
	2021 (target reached)	0.5%
	2022	0.05%
Target Value/Target	2023	0.04%

The realization of the indicator is presented graphically as follows:



Level of achievement of the objective 2.2

Level of achievement of the Objective 2.2. Institutional strengthening and capacity building of the Constitutional Court (CC), provision of adequate resources and its professional functioning, in a transparent and effective manner in relation to the realization of performance indicators for the period January - December 2021 is 100%.

The calculation is performed according to the following formula:

$$NR\ 2.2 = \frac{TP\ (100\%)+ TP\ (100\%)}{2\ TP} \times 100\% = 100\%$$

Achievement rate of objective 2.2 for this reporting period 100% **very good (86-110 percent of the implemented measures).**

Data verifiability

The data reported on performance indicators are based on information reported by the Constitutional Court, data from the Judicial Directorate and Documentation of the Constitutional Court.

Risks for achieving the Objective 2.2

The risk to achieve this objective is medium level, as there is a high probability of its occurrence and medium impact. The identified problems are related to the institutional and financial capacity of the Constitutional Court to enable the necessary infrastructure and logistics for its proper functioning.

- ❖ ***Specific Objective 2.3. "Increasing the efficiency and professional ability of the training system which ensures the advancement towards European practices and quality in the field of justice by providing an adequate number of magistrates and legal advisers and assistants trained for the justice system in Albania."***

The action plan for Objective 2.3 envisages 15 measures, of which 3 are foreseen to start their implementation after 2021.³²

To achieve the values of this performance indicator for 2021, the following measures are foreseen:

2.3.1	Conducting the analysis of the compliance of the methodology for the assessment of training needs with European standards
2.3.2	Preparation of new methodology for training needs assessment based on the results of compliance analysis.
2.3.4	Conducting the analysis of the compliance of the methodology for the evaluation of trainers with European standards.
2.3.5	Preparation of a new methodology for evaluating trainers based on the results of compliance analysis.

³² Measures 2.3.3, 2.3.11, 2.3.13 are envisaged to start their implementation after 2021.

2.3.6	Preparation, publication and dissemination of monitoring reports on the implementation of the new methodology for the evaluation of trainers.
2.3.7	Conducting the analysis of the compliance of the continuous training methodology with the European standards.
2.3.8	Preparation and unification of the new methodology for continuous training based on the results of the compliance analysis.
2.3.9	Preparation, publication and distribution of monitoring reports on the implementation of the new methodology for continuing education.
2.3.10	Conduct analysis of the need for review of continuing education programs.
2.3.12	Carrying out the analysis of the evaluation of the necessary changes of the law "On the School of Magistrates in the Republic of Albania" and its regulations.
2.3.14	Preparation and approval of the methodology of studies and publications of the School of Magistrates in accordance with European standards.
2.3.15	Creating a database of lecturers and trainers of the School of Magistrates, who have knowledge of EU law.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 2.3, where we more specifically mention:**

- In the framework of increasing the efficiency and professional ability of the training system which ensures the advancement towards European practices and quality in the field of justice by providing an adequate number of magistrates and legal advisers and assistants trained for the justice system in Albania, School of Master's undertook a long process of analysis of training methodology, including the process of needs analysis and the implementation of training activities. The EJTN methodology was one of the comparative tools that was considered to reflect on the agreed models between the European counterpart schools. Preparation for the Continuing Education Program has started with the training needs analysis, a process coordinated by the School Director in cooperation with the Responsible Educator of the Continuing Education Program and the internal pedagogical staff. Through the presidents of the district and appellate courts, as well as the district and appellate district prosecutors, it was coordinated to receive the needs and requests for the topics of the Continuing Education Program of all judges and prosecutors in the country. The program and calendar were carefully designed, respecting an efficient and modern methodology, combining different ways of obtaining information and system needs. The main priority of the HoM has been the quality of training delivery and evaluation of trainings, both from the point of view of experts and participants. Trainers have been selected on the basis of merit and in full transparency, giving priority to increasing the involvement of judges and prosecutors, as well as careful monitoring of the process for the preparation of curricula and training modules by trainers. Furthermore, importance was given to the qualification of the staff of training (or pedagogical) experts for seminars which are completely new in terms of topics, or such that have been organized so far by

the School, but have been partially supported by incoming experts. from international partners.

- The School of Magistrates announced the call to express interest in experts, specialists in the field and facilitators, according to the Thematic Program of the Continuing Education Program for the academic year 2021-2022 by applying by sending the required documentation based on Annex 11 of the Internal Regulation of the School of Magistrates. Also, a database of lecturers and trainers of the School of Magistrates, who have knowledge of EU law, has been created. The quantitative identification of the number of judges and prosecutors to be trained on EU legislation and standards and international practice has been carried out. In this view, a thematic orientation based on levels is studied and by studying the reality and perspective of the transmission of these standards.

❖ **1 performance indicator has been defined for this objective:**

- Annual Quotas for Magistrate Candidates, Counselors and Assistants at the School of Magistrates

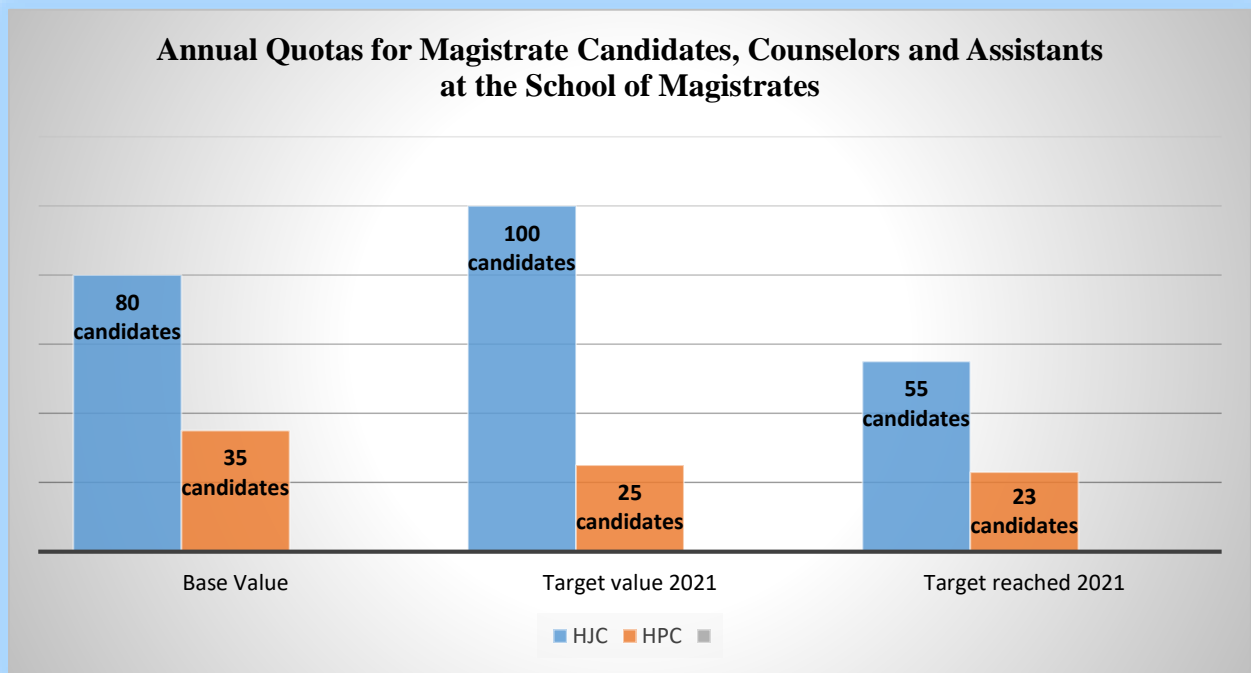
The target value for the performance indicator *"Annual quotas of magistrate candidates, counselors and assistants in the School of Magistrates"* for 2021 is: HJC 100 candidates, HPC 25 candidates. Base value HJC 80, HJC 35. This indicator aims to measure the number of magistrates admitted in a year. During 2021, the H³³C received 23 magistrates, the HJC received 55 (35 magistrates and 20 advisors and legal assistants - decision no. 35 dated 28.01.2021). The indicator for 2021 has reached 74%.

The presentation of the realization of the indicator is presented as follows:

Base Value	2020	HJC80 HPC 35
Target Value/ Target	2021 (target value)	HJC 100 magistrates accepted for one year HPC 25 magistrates accepted for one year
	2021 (target reached)	HJC 55 HPC 23 Realized 74%

The graphical representation of the indicator is presented as follows:

³³ 1 candidate was banned by Decision of HPC to be admitted to the Initial Training Program of the School of Magistrates for 2021-2022, while 1 candidate withdrew from candidacy.



Level of realization of the objective 2.3

The level of realization of Objective 2.3 for the period January-December 2021 is **74%**. The achievement rate of objective 2.3 for this reporting period is **good** (*From 51 to 85 percent of the implemented measures*).

Data verifiability

The data reported on performance indicators are based on information reported by the High Judicial Council and the High Prosecution Council.

Risks for achieving the Objective 2.3

The risk to achieve this objective is low, as it does not pose an obvious risk.

❖ **Specific Objective 2.4 “Improve the judicial system in order to increase the effectiveness and efficiency of all levels of the judicial system, including the High Court, and ensure the provision of transparent justice, without delays and accessible to citizens.”**

The action plan for Objective 2.4 envisages 9 measures, one of which will be implemented after 2021.³⁴

2.4.1	Preparation and approval of realization studies of court infrastructure.
2.4.2	Conduct consistent, independent and comprehensive court assessments to measure performance against established standards.
2.4.3	Conduct analysis on the level of implementation of standards, code of ethics and public reporting on findings.
2.4.4	Approval and implementation of the new court map.
2.4.6	Conducting analysis and preparation of monitoring reports on the implementation of strategic communication documents by the HJC.
2.4.7	Periodic workshop / technical roundtable with heads of institutions (HJC / HPC / PP), to increase inter-institutional cooperation.
2.4.8	Establishment of infrastructure to set up a reception unit at the HIJ.
2.4.9	HIJ capacity building to provide assistance / advice to the public on completing the grievance form

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 2.4, where we more specifically mention:**

- Referring to the capacity building of the Legal Aid and Complaints Sector, as an integral structure of the Legal Services Directorate, which expects and assists in completing the TIP complaint form every day of the week from 09.00-14.00, has attended a series of trainings. organized by ASPA, where we mention:
 - 1- "Organizational behavior in public administration";
 - 2- "Effective communication with the media";
 - 3- "Protection of human rights";
 - 4- "Legal education of public servants, protection of personal data and the right to information in the framework of legal aid"
 - 5- "Participation and public consultation" etc.
- In the framework of drafting and consolidating the document of the Cross-cutting Justice Strategy 21-25, the Ministry of Justice estimated that the inclusion of new justice institutions would increase inter-institutional cooperation and to be engaged in any decision-making process in general as well as in particular that of Justice Reform. The draft

³⁴ Measure 2.4.5 will start its implementation after 2021.

strategic document was discussed at a meeting of the Sectoral Steering Committee for Justice Reform, respectively on January 21 and May 24, 2021, as well as in the framework of concluding the process of drafting the Cross-sectoral Justice Strategy for 2021-2025 on July 23, 2021. , the Roundtable “5 years of Justice Reform: Consolidation of the system through the new Cross-cutting Justice Strategy 2021-2025” was held with the High Judicial Council, the High Prosecution Council, the General Prosecution and a number of other institutions where approved in principle the strategic package.

- The draft proposal of the New Judicial Map, agreed with the Minister of Justice, was launched on 28 December 2021. Currently, the HJC in cooperation with the MoJ have undertaken a public consultation campaign on the draft proposal with stakeholders throughout the country.

❖ **3 performance indicators have been defined for this objective:**

- % of reduction of the average duration of a criminal case (separate values for the first instance and the appellate instance, ordinary jurisdiction only)
- % of the reduction of the average duration of the civil case in the first instance and in the appeal (separate values for each level)
- % of court cases for which basic information is available online and updated.

The target value for the **performance indicator** "% of the reduction of the average duration of a criminal case (separate values for the first instance and the appellate instance, ordinary jurisdiction only)" for 2021 is: Klgj, DT criminal sh1 = 70 and Dt criminal appeal = 260.

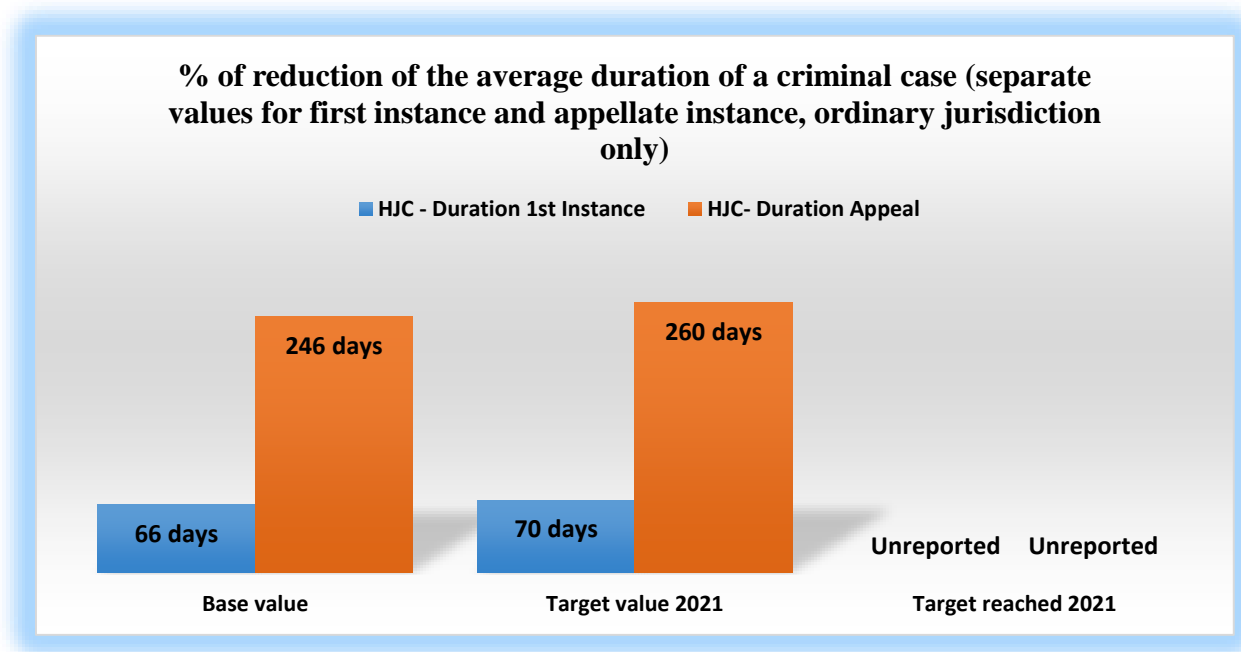
For 2021 the High Judicial Council reports that data are unavailable. They are expected to be analyzed in April 2022, in the framework of the annual analysis of the HJC.

In this context the realization of the indicator for 2021 can not be measured.

Presentation of the realization of the indicator:

Base value	2020	HJC: DT criminal 1 st instance= 66 (day) DT criminal appeal: = 246 (day)
Target value/ Target	2021 (target value)	DT criminal 1 st instance = 70 DT criminal appeal: = 260"
	2021 (target reached)	Can not be measured for 2021

The graphical representation of the indicator is presented as follows:



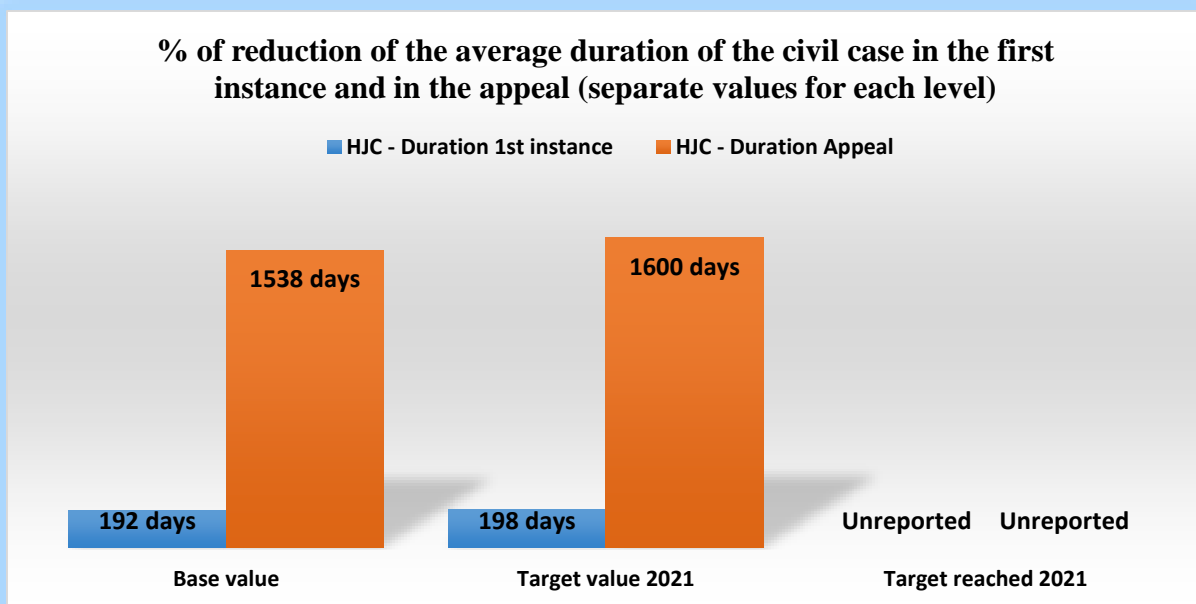
The target value for the **performance indicator** "*% of the reduction of the average duration of the civil case in the first instance and on appeal (separate values for each level)*" for 2021 is: DT civil 1st instance = 198, DT civil appeal: = 1600. For this monitoring period, from the information reported to assess the realization of the target value of this indicator, it results that the indicator has not been realized. It is expected to be analyzed in April 2022.

Presentation of the realization of the indicator:

Base value	2020	Value: HJC: DT civil 1 st instance= 192 (days) DT civil appeal: = 1538 (days)
Target value/ Target	2021 (target value)	DT civil 1 st instance = 198, DT civil appeal: = 1600.
	2021 (target reached)	It cannot be measured for 2021 as the High Judicial Council reports that data are unavailable. It is expected to be analyzed in April 2022, in the

		framework of the annual analysis of the HJC.

The graphical representation of the indicator is presented as follows:

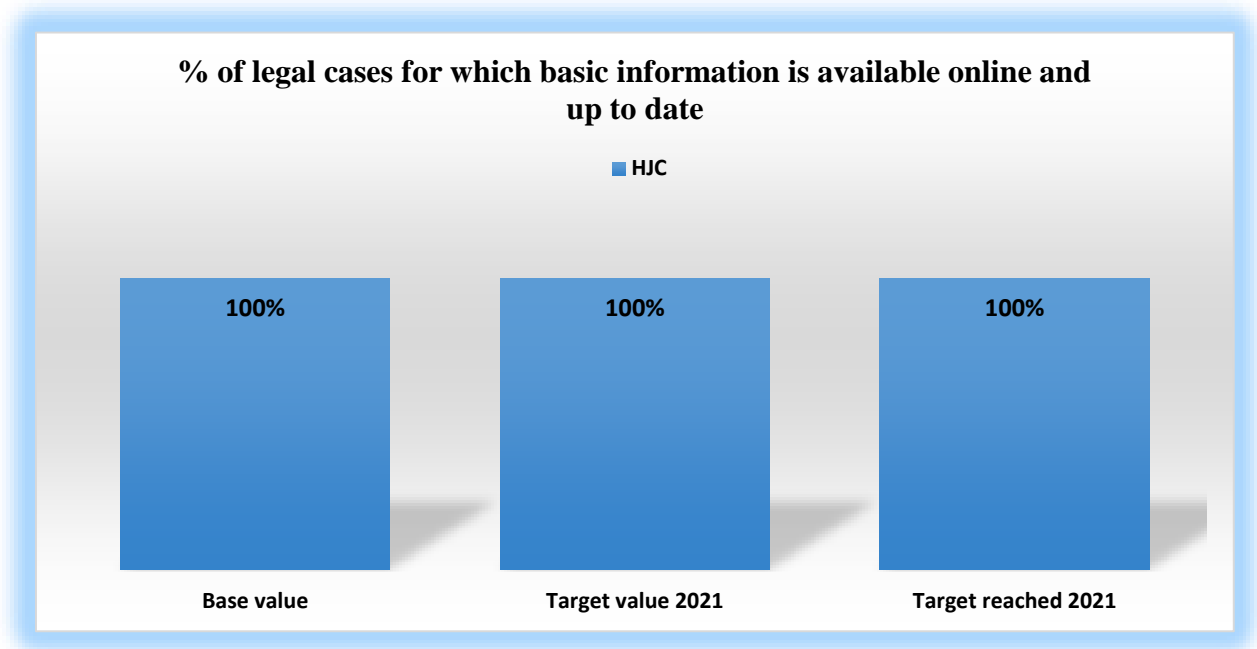


The target value for the **performance indicator** "*% of court cases for which basic information is available online and updated*" for 2021 is 100%. The value reached for the reporting period is 100%.

Presentation of the realization of the indicator:

Base value	2020	100%
Target value/ Target	2021 (target value)	100%
	2021 (target reached)	100%

The realization of the indicator is presented graphically as follows:



Level of realization of the objective 2.4

The level of realization of Objective 2.4 in relation to the realization of performance indicators for the period January-December 2021 is **33% sufficient** (31 to 50 percent of the implemented measures).

The calculation is performed according to the following formula:

$$NR\ OS\ 2.4 = \frac{TP\ (-\%)+ TP\ (-\%)+TP\ (100X\%)}{3\ TP} \times 100\% = \text{can not be measured}^{35}$$

Only if we calculate the value of the performance indicator, the achievement rate of objective 2.4 for this reporting period is **sufficient 33%** (31 to 50 percent of the implemented measures).

. Data verifiability

The data reported on performance indicators are based on information reported by the High Judicial Council, IT Center of the HJC, based on data available on the court website.

Risks for achieving the Objective 2.4

The risk of achieving this objective is high due to factors related to administrative capacity and internal organization by not preparing realization studies of court infrastructure, as well as the emergence of risk related to inter-institutional cooperation to approve and implement the map of judicial re. This risk has a medium probability of occurrence and its high impact.

³⁵ It cannot be measured for 2021 as the High Judicial Council reports that data are unavailable. It is expected to be analyzed in April 2022, in the framework of the annual analysis of the HJC.

❖ ***Specific Objective 2.5 “Efficient access to justice provided through legal aid, alternative dispute resolution and appropriate court fees”.***

To achieve the values of the performance indicator for the years 2021-2025, the following measures are foreseen (13):

2.5.2	Conduct DFLA training needs assessment analysis and develop training plan / curriculum / programs.
2.5.4	Conduct training assessment needs assessment of primary Legal Aid providers and develop a training plan / curriculum / program.
2.5.6	Conduct a lawyer's training needs assessment analysis to provide free secondary legal aid and develop a training plan / curriculum / program.
2.5.8	Establishment of a forum for cooperation of DFLA with other interest groups in the judicial sector and preparation of a plan for its functioning and development.
2.5.9	Drafting, consulting and approving the communication plan of DFLA with other stakeholders in the judicial sector.
2.5.10	Conducting analysis of European best practices in the use of alternative solution mechanisms and preparing proposals for implementation in Albania.
2.5.11	Carrying out interventions in existing laws for the inclusion of alternative dispute resolution mechanisms and drafting plans for their implementation.
2.5.12	Implement alternative dispute resolution systems and conduct analysis.
2.5.13	Conducting mediation training needs assessment analysis / drafting training plan / curriculum / program.
2.5.14	Training of intermediaries in the framework of increasing the quality of mediation service.
2.5.15	Prepare a study regarding the updating of court fees by calculating the new cost table with the new court map and its implementation for the Directorate of Free Legal Aid and the OAG.
2.5.16	Provide adequate and adequate facilities, infrastructure, equipment, means of transport, and sustained budget support for the effective functioning of the DFLA system.
2.5.17	Provide adequate resources for secondary DFLA operators

❖ **For the period January - December 2021, achievements have been marked in Strategic Objective 2.5, where we more specifically mention:**

- The Directorate of Free Legal Aid has in functionality the necessary infrastructure to ensure the full effectiveness of the system. It has also made possible the opening of new Primary Legal Aid Service Centers in Fier, Vlora and Debar (with the support of UNDP). DFLA has taken measures for concluding agreements "On making available facilities without compensation for the opening of Primary Legal Aid Service Centers" with the institutions where these centers are

located. 3 cooperation agreements have been concluded for the availability of facilities for the Centers of Fier, Vlora and Dibër based on Order no. 82 dated 19.02.2021, of the Minister of Justice. By Order no. 396 dated 08.07.2021, of the Minister of Justice, "On the approval and transfer under the administration of the Directorate of Free Legal Aid of the Center of Free Legal Aid Service" makes possible the transfer of Tirana Center, as the second center supported by the budget of state. The Free Legal Aid Center has provided coverage with lawyers, providers of secondary legal aid in 100% of the territory of the Republic of Albania by regions, where 124 lawyers have signed a contract with DFLA for the provision of secondary legal aid.

- DFLA has conducted a detailed analysis on the need assessment to strengthen the capacity of human resources (staff training), and has drafted a training plan based on the results of the analysis.

- DFLA has conducted a detailed analysis on the assessment of the need to train Secondary Legal Aid providers after doubling the number of lawyers who have entered into a contract for the provision of secondary legal aid service for 2021, to 124 lawyers.

- Dedicated training for secondary legal aid referred to the expertise for each of the special categories provided by law has been developed. This training was conducted as a result of a collaboration between UNDP, ADA, DhAsh, MD and FLAD. The training was consulted in 2 sessions during which specific topics related to service delivery were discussed, seen from the point of view of practice.

- The National Chamber of Mediators reports that with the assistance and support provided by a German project through the use of a coaching session by two foreign experts, it has become possible to conduct analysis to obtain European best practices using the mediation mechanism for the solution of conflicts.

❖ **2 performance indicators have been defined for this objective:**

-% of applications received to receive free primary legal aid.

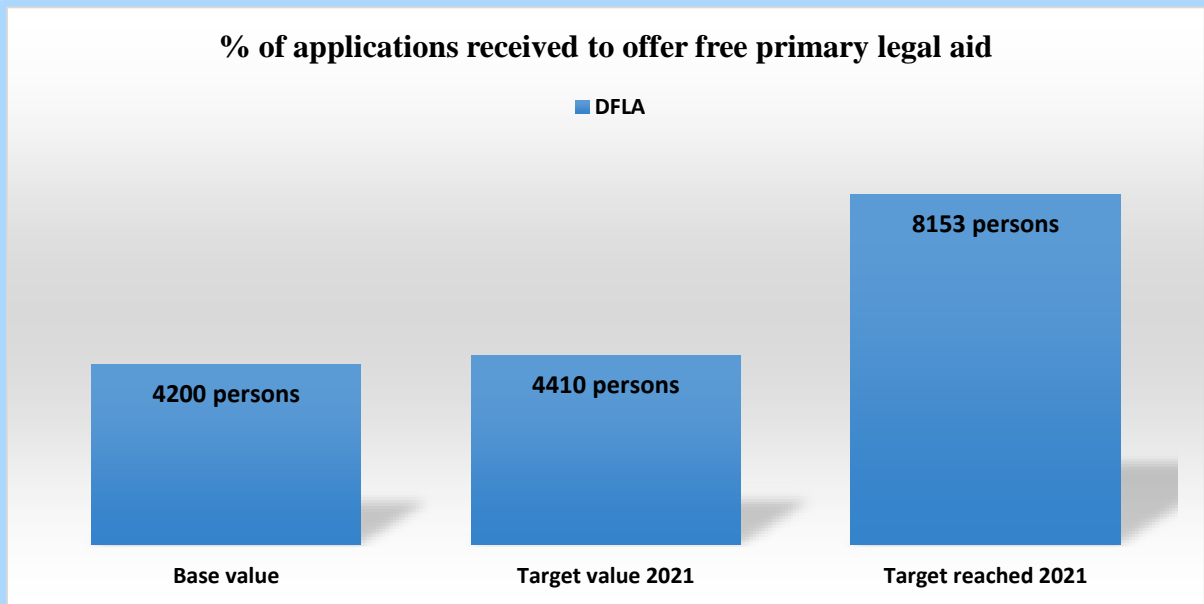
-% of applications received to receive free secondary legal aid.

The target value for the performance indicator "*% of applications received to receive free primary legal aid*" for 2021 is an increase of 5% compared to the base value. The base value will be the year 2020, so 4200 people have received primary legal aid guaranteed by the state. During 2021, the Directorate of Free Legal Aid reports that 32 legal aid service providers which are located in over 95% of the territory of the country¹⁰ (ten) legal aid service centers. **For the period January-December 2021, 8153 cases of receiving primary legal aid were reported.** So, the target for 2021 has been exceeded by **increasing by 94.12%**.

Presentation of the realization of the indicator:

Base value	2020	4200 persons have received primary legal aid guaranteed by the state.
Target value/Target	2021 (target value)	5% increase compared to the base value
	2021 (target reached)	8153 cases of receiving primary legal aid increasing by 94.12%. Realized to the extent of 194%.

The realization of the indicator is presented graphically as follows:



This indicator has exceeded its realization for 2021.

The target value for the performance indicator "*% of applications received to receive free secondary legal aid*" for 2021 is: Increase 15% compared to the base value. Base value 157 (number of persons who have received secondary legal aid).

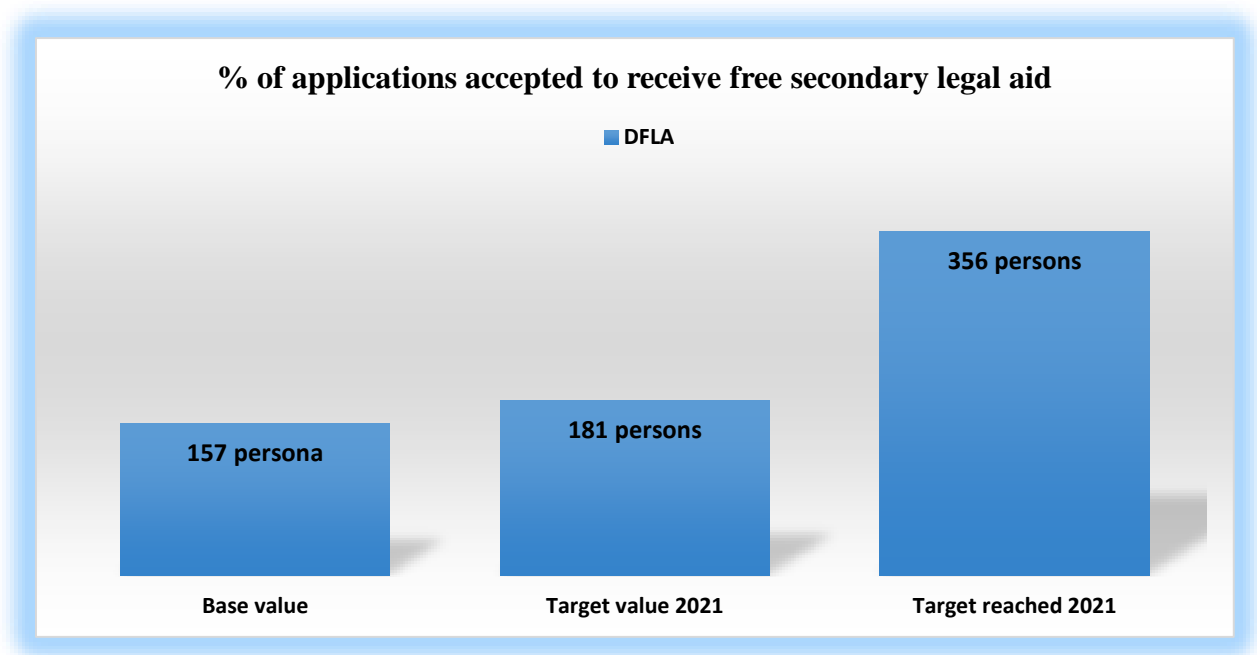
During 2021, it results that 92% of the citizens have received secondary legal aid. Acceptance of the request for secondary legal aid 356. For 2021 the number of persons who have received

secondary legal aid referring to the basic value has increased by 127%. Year 2021 / total 849 court decisions.

Presentation of the realization of the indicator:

Base value	2020	157 (number of persons who have received secondary legal aid)
Target value/Target Base value	2021 (target value)	15% increase compared to the base value
	2021 (target reached)	The indicator has reached 127%
	2020	

The realization of the indicator is presented graphically as follows:



Level of realization of the Objective 2.5

The level of realization of Objective 2.5 in relation to the realization of performance indicators for the period January-December 2021 is **160%**.

The calculation is performed according to the following formula:

$$NR\ 2.5 = \frac{TP\ (194\%) + TP\ (127\%)}{2\ TP} \times 100\% = 160\%$$

Based on the implementation of the reported measures, the achievement rate of objective 2.5 for this reporting period *has been exceeded (111 and above)*.

Data verifiability

The data reported on performance indicators are based on information reported by the Directorate of Free Legal Aid, statistics, etc.

Risks for achieving the Objective 2.5

The risk of achieving this objective has a "medium" impact on the achievement of the objective, as the risks associated with insufficient human resources are identified, bringing a burden on the institution of DFLA, which may result in failure to implement the foreseen measures in time. This risk can be improved by sending to the Ministry of Justice the proposal to change the current structure of the DFLA in order to increase the number of employees of the Primary Legal Aid Service Centers as well as to meet the needs with IT staff and procurement specialist / lawyer.

Realization of the specific objectives of the second policy goal

Based on the data reported by the institutions responsible for the administration and processing of performance indicator data, the table below presents the degree of achievement of 11 specific objectives of the second policy goal.

The realization of the strategic goal for the second policy goal *is 94%*.

Objective	Realization
2.1 Reviewing the legal framework regarding the judiciary as needed to further improve professional competence, accessibility, transparency and efficiency.	100%
2.2 Strengthening and developing the Constitutional Court's institutional capacities, as well as providing appropriate resources and ensuring its professional functioning in a transparent and effective manner.	100%
2.3 Increasing the efficiency and professional capability of the training system to ensure advancement toward European practices and quality in the field of justice by providing a suitable number of magistrates, legal advisers, and assistants trained for the Albanian justice system.	74%

2.4 Improving the judicial system to strengthen its effectiveness and efficiency at all levels of the judicial system, including the Supreme Court, and ensuring the provision of transparent, delay-free and accessible justice for citizens.	Can not be measured
2.5 Efficient access to justice provided through legal aid, alternative dispute resolution and appropriate court fees.	160%

THIRD POLICY GOAL *“A Criminal Justice System based on modern European principles of justice, which guarantees resocialization, reintegration and rehabilitation, as well as respect for human rights and freedoms and gender equality within an integrated approach and solid practices of crime prevention ”.*

The third goal of the policy is to establish a criminal justice system based on modern European principles of justice, which guarantees re-socialization, reintegration, rehabilitation, respect for human rights and freedoms and gender equality within an integrated approach and solid practices of crime prevention.

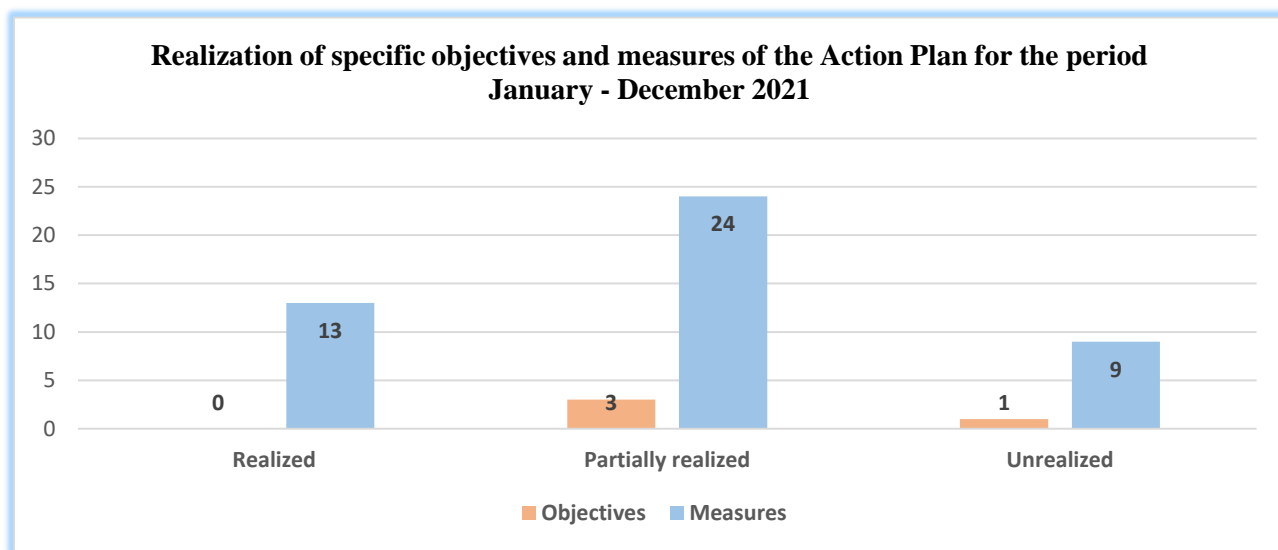
It relates to objective 16 of the Sustainable Development Objectives, which promotes a peaceful and inclusive society, guarantees sustainable development, provides access to justice for all, and aims to build effective, accountable and inclusive institutions at all levels. In particular, the third policy goal is related to sub-objectives 16.3, "Promoting the rule of law at the national and international level and ensuring equal access to justice for all", 16.6, "Development of effective, accountable and transparent institutions in all levels ", and 16.7, " Ensuring responsive, inclusive, participatory and representative decision-making at all levels ”.

Third Policy Goal	Objectives and Measures	Measure Realization			
		OS and measures envisaged for 2021	OS and measures fully implemented	OS and measures partially implemented ³⁶	OS and measures not implemented ³⁷
“A Criminal Justice System based on modern European principles of justice, which	Specific Objectives	4	0	3	1

³⁶ A "partially realized" measure is one that has been realized on a scale of 50 to 100 percent.

³⁷ An "unrealized" measure is one that is realized on a scale from 0 to 50 percent.

guarantees resocialization, reintegration and rehabilitation, as well as respect for human rights and freedoms and gender equality within an integrated approach and solid practices of crime prevention ”.	Measures	46	13	24	9
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It results that from 4 specific objectives of 46 measures foreseen in the Action Plan 2021 - 2025, for January-December 2021, for Policy Goal 3 were implemented 0 S.O and 13 measures, result 3 S.O and 24 measures partially implemented and result in unrealized 1 S.O and 9 measures.

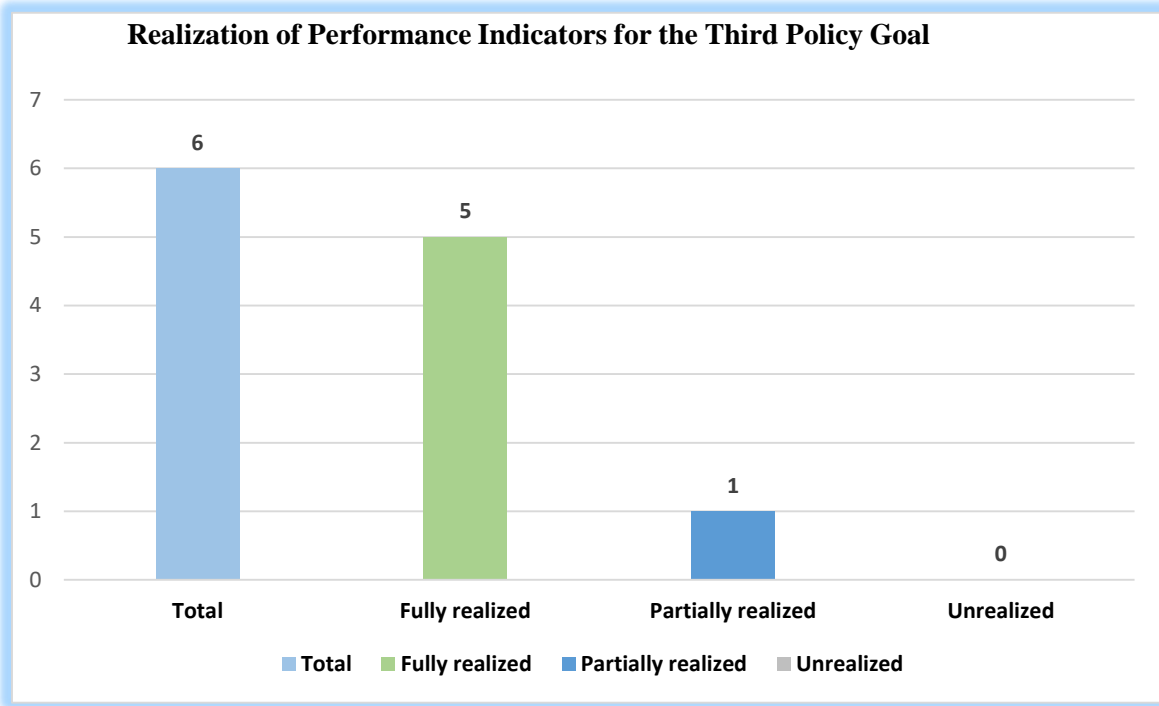
From the 6 performance indicators analyzed for 2021 for the purpose of policy 3:

- the target value is fully reached for 5 performance indicators;
- the target value for 1 performance indicator has been partially reached.

Third political goal	Performance indicators	Realization of Performance Indicators		
		Target value is fully realized ³⁸	Target value is partially realized ³⁹	Target value is not realized ⁴⁰
	6	5	1	0

³⁸ Realized on a 100 percent scale

³⁹ Realized on the scale from 50 to 100 percent.



Indicator in the Level Purpose: *% of complaints of persons serving sentences in the IECD regarding human rights violations*, ie at the level of purpose. The base value will be 62%. The **target value** for the performance indicator for 2021 is 55%. The indicator aims to measure the impact of institutions of execution of criminal sentences in terms of respect for the fundamental rights and freedoms of convicted persons who are serving sentences in these institutions (IECD). The indicator is created for the first time.

From the information reported and analyzed to perform the assessment of the realization of the target value of this indicator, it results that the indicator has reached 4.76%. The indicator has a downward trend. The indicator is 100% realized. In the penitentiary system, through the work implemented by the respective sectors, the work towards respecting the fundamental rights and freedoms of convicted persons who are serving their sentences at the IECD has significantly improved. Cross-sectoral work will be continued in the framework of fulfilling the rights and humane treatment of convicted persons who are serving their sentences at the IECDs, based on the entire legal and sub-legal infrastructure in force that regulates such a vision and mission.

Base value	2020	62%
	2021 (target value)	55%

Target value/ Target	2021 (target reached)	4.76%

Specific Objective 3.1 "The Criminal Code and the Code of Criminal Procedure have been updated aiming at an integrated approach of justice institutions and a restorative approach to justice, built on prevention, re-socialization, reintegration and rehabilitation by replacing the existing punitive approach".

❖ . The action plan for Objective 3.1 envisages 14 measures.⁴¹

3.1.1	Conducting the analysis study for possible interventions in the Criminal Code.
3.1.2	Preparation of a detailed study on European best practices, in view of the changes in the CC, consultation with relevant institutions on best practice for crime prevention and dissemination of analysis.
3.1.3	Preparation of a package of proposals for changes in the Criminal Code based on the findings of the analysis.
3.1.4	Consultation of the package of proposals with stakeholders (workshop) and drafting of consultation reports / finalization of the package and approval.
3.1.7	Conducting a status quo study and intervention analysis for the Code of Criminal Procedure (CPC).
3.1.8	Preparation of a detailed study on European best practices, in view of the changes in the CPC, consultation with relevant institutions on best practice for crime prevention and dissemination of analysis.
3.1.9	Preparation of a package of proposals for changes in the Code of Criminal Procedure based on the findings of the analysis.
3.1.10	Consultation of the package of proposals with stakeholders (workshop) and drafting of consultation reports / finalization of the package and approval.
3.1.11	Carrying out analysis and preparation of monitoring reports regarding the implementation of the amended Code of Criminal Procedure.
3.1.13	Establishment and functioning of the Thematic Group on Criminal Justice.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 2.3, where we more specifically mention:**

- By order of the Minister of Justice, work began on the revision of the current Criminal Code in order to draft a new Criminal Code. For the realization of this process, a working group was set up with external experts in order to draft a new Criminal Code characterized by sustainability, foresight, as well as adaptation to the dynamism of existing social relations, in accordance with

⁴¹ Measures 3.1.5, 3.1.6, 3.1.6, 3.1.12 will start to be implemented after 2021.

international acts, with the jurisprudence of the Court. European Court of Human Rights, with the jurisprudence of the domestic courts (Supreme Court and the Constitutional Court), the doctrine elaborated over the years, as well as the best models of European criminal law. In order to achieve this objective, the group of experts conducted a detailed study on the need to draft the Criminal Code, the problems encountered in theory and practice and the need to align with the best European and international standards.

- In addition to drafting the analysis for the intervention in the criminal legislation, the group of experts has also drafted the methodology on drafting the new Criminal Code. Also, the adoption of the Criminal Code is set as one of the objectives of chapter 23 of the acquis of the European Union in the National Plan of European Integration for 2021-2023 and 2022 - 2024, in order to align it with a series of directives of the European Union.

- The study of the status quo and the analysis of the intervention for the Code of Criminal Procedure (CPC) was carried out in 2020-2021 with an inter-institutional involvement, specifically with representatives of the justice system (HJC, HJC, HIJ, GJL, PP), chaired by the Ministry of Justice, with the support and cooperation of the Euralius technical assistance mission. The initiative in question, since its inception, has been drafted by high-level justice experts in cooperation with the Ministry of Justice and the partners of this reform EURALIUS and OPDAT. These legal changes have been submitted by members of the Assembly of the Republic of Albania.

❖ **1 performance indicator has been defined for this objective:**

Extent of amendments to the Criminal Code and the Code of Criminal Procedure that reflect international criminal justice standards.

The target value for the performance indicator *"Rate of changes in the Criminal Code and the Code of Criminal Procedure that reflect international standards of criminal justice"* for 2021 is: Criminal Code 100%, Code of Criminal Procedure 0%. The indicator aims to measure the extent of changes to the Criminal Code and the Code of Criminal Procedure that reflect international standards. The indicator is measured through the analysis of the MoJ in relation to the assessment of changes in CrC and CrPC. Value reached for 2021 CrC 10%, CrPC 100%.

Presentation of the realization of the indicator:

Base value	2020	CrC 3%; CrPC 1%
Target value/ Target	2021 (target value)	CrC 100 % CrPC 0 %
	2021 (target reached)	CrC 10 % CrPC 100 %

Realization e indikatorit në mënyrë grafike paraqitet si më poshtë vijon:



Level of realization of the objective 3.1

Level of realization of the Objective 3.1 in relation to the realization of performance indicators for the period January - December 2021 is **100%**.

The achievement rate of objective 3.1 for this reporting period is *very good 80-110%*.

Data verifiability

The data reported on performance indicators are based on information reported by the Ministry of Justice to monitor the implementation of the action plan for the period January - December 2021.

Risks for achieving the Objective 3.1

The risk of achieving this objective is low, has a low probability of occurrence and low impact, as it does not pose an obvious risk.

Specific Objective 3.2 "An efficient and proactive prosecution system that operates according to European standards in order to effectively investigate and prosecute corruption and organized crime."

❖ The action plan for Objective 3.1 envisages 15 measures.⁴²

3.2.1	Improving the structural management and administration of the prosecution through efficient planning and management of human resources and budget.
3.2.2	Conducting a status quo study and analysis of the intervention in the organic law of the prosecution.
3.2.3	Preparation of a package of proposals for changes in the organic law of the prosecution based on the findings of the analysis.
3.2.4	Consultation of the package of proposals with stakeholders (workshop) and drafting of consultation reports / finalization of the package and approval of the organic law of the prosecution, as amended.
3.2.8	Conducting training needs analysis to increase the capacity of prosecutors / magistrates for the legal and sub-legal framework / drafting training modules.
3.2.10	Preparation of regular inter-institutional analyzes on the efficiency of money laundering investigations, drafting analysis reports on the identification of problems and preparation of a package of recommendations.
3.2.11	Consolidation of human resources for the full functioning of the SPAK.
3.2.12	Consolidation of human resources for the full functioning of NBI.
3.2.13	Conducting training needs analysis to increase the capacity of SPAK prosecutors, NBI investigators, preparation of curricula and training modules
3.2.14	Development and increase of institutional capacities of SPAK (trainings / seminars).
3.2.15	Development and increase of institutional capacities of NBI (trainings / seminars).

For the period January - December 2021, achievements have been recorded in Strategic Objective 3.2, where we specifically mention:

- To avoid the effects of reducing the number of prosecutors from the vetting process, the Assembly of the Republic of Albania, at the request of the Prosecutor General has added 30 positions for judicial police officers in the prosecution structure, accompanied by the relevant fund from the Ministry of Finance. Also, by analyzing the requests and needs of the prosecutions of the general jurisdiction, structural interventions have been carried out for the most efficient functioning of the prosecutions.
- Pursuant to the legal obligation to attend continuing training according to law 96/2016 "On the status of prosecutors and judges in the Republic of Albania" was conducted analysis to increase the capacity of Prosecutors who are trained periodically in the School of Magistrates according to topics selected by them. As for the judicial police officers, immediately after their appointment, their training is conducted at the Security Academy, where for 2021, two groups have been trained. The first round of the transparent and

⁴² Measures 3.1.5, 3.1.6, 3.1.6, 3.1.12 will start to be implemented after 2021.

meritocratic recruitment process for NBI investigators resulted in the appointment of 28 investigators, who, after an intensive three-month training program, are now operational.

❖ **1 performance indicator has been defined for this objective:**

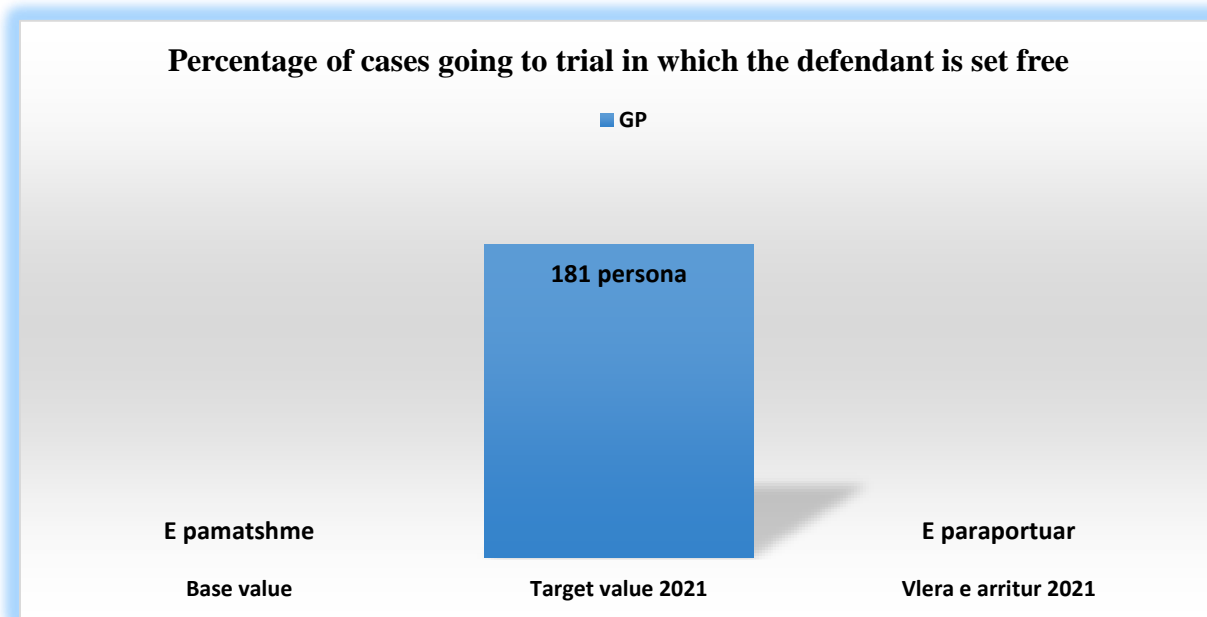
- The percentage of cases that go to trial in which the defendant is released.

The target value for the performance indicator "Percentage of cases that go to court in which the defendant is released" for 2021 is: 97.50%. From the defendants tried in the first instance, those for whom a verdict of innocence or dismissal has been given are singled out. The value reached for the year is 69%. From the data of the Statistical Office in the General Prosecution, it results that during 2021, for the criminal offenses of corruption in the subject matter competence of the prosecution of the general jurisdiction, 69% of the persons under investigation / defendant were prosecuted at large. In this figure are also criminal offenses of corruption that on June 1, 2021 have passed into the jurisdiction of the Special Prosecution.

Presentation of the realization of the indicator:

Base value	2020	
Target value/ Target	2021 (target value)	97.50%
	2021 (target reached)	69%
	2022	97.50%
Target value/Target	2023	97.55%

Realization of the indicator graphically is presented as follows:



Level of realization of the objective 3.2

Level of realization of Objective 3.2 in relation to the realization of performance indicators for the period January - December 2021 is **69%**. The achievement rate of objective 3.2 for this reporting period is *good*.

Data verifiability

The reported data on performance indicators are based on the information reported by SPAK to monitor the implementation of the action plan for the period January - December 2021.

Risks for achieving the Objective 3.2

No risk is identified.

Specific Objective 3.4 "An effective and efficient probation service that utilizes operational standards, supervisory methodologies and individualized case management, supports resocialization, reintegration and rehabilitation and works in line with EU best practices and standards".

❖ The action plan for Objective 3.4 envisages 11 measures.

3.4.1	Conducting analysis regarding the level of implementation and the need for changes in the legal framework regarding the DPSH and its organizational structure to adapt to European standards.
3.4.3	Conducting a human resource training needs analysis at the DFSP and preparing a training plan / curriculum and training programs (basic and continuing training).
3.4.4	Training of DPSF employees to increase performance in performing functions (basic and continuous training).
3.4.5	Consolidation and finalization of twinning / cooperation agreements with European institutional partners.
3.4.6	Conduct analysis of the functioning of the case management system and prepare recommendations for improvement.
3.4.7	Design and installation of modern information technology as well as the case management system, creating connections with the integrated electronic justice system.
3.4.10	Drafting a package of specific bylaws, regulations, guidelines, standards / package consultation and approval.
3.4.15	Carrying out the analysis regarding the need for cooperation of the DPSH with the relevant justice institutions and drafting cooperation agreements for work in the probation service in the pre-sentence phase.
3.4.17	Preparation of a joint communication program with the general population.
3.4.18	Preparation of cooperation programs with the HJC, HJC, PP, SHM to inform about new approaches and opportunities for a modern probation service according to European standards.
3.4.19	Increase staff capacity to ensure a rate of 50 interns per staff in line with European standards and to provide adequate staff for local offices, and the pay structure was revised to ensure adequate payment throughout the organization according to capabilities and responsibilities in accordance with the official salary scheme.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 3.4, where we more specifically mention:**

- The Assembly of Albania, with the special commitment of the Ministry of Justice has approved the new penitentiary package of laws, which is a complete legal package, which aims to regulate the management of the penitentiary system in Albania, in the spirit of European and international conventions good that regulate this field. One of these laws is Law no. 78/2020 "On the organization and functioning of the Probation Service", which provides 8 bylaws for the regulation and proper functioning of the Probation Service. Of these bylaws, 6 of them have been approved, and 2 acts are in process.

- The general regulation of the Probation Service was drafted, which was subsequently approved and entered into force by Decision of the Council of Ministers no. 421, dated. 08.07.2021 "On the approval of the general regulation of the Probation Service".

- Sector for monitoring institutions of dependence in the criminal field: Pursuant to law no. 78/2020 "On the organization and functioning of the Probation Service" have been adopted bylaws: (i) General Regulation of the Probation Service (DCM no. 421, dated 08.07.2021) (ii) Order no. 452, dated 31.12.2020 Internal Probation Service Regulation (discipline regulation) (iii) Order no. 453, dated 31.12.2020 On the approval of the model of the evaluation report for the juvenile in conflict with the law, the person under investigation, the defendant, the person under supervision and the periodic evaluation report (iv) Order no. 454, dated 31.12.2020 On the approval of the format of the evaluation report for non-compliance with the alternative measure of avoiding the criminal prosecution of a juvenile in conflict with law (v) Order no. 455, dated 31.12.2020 of the Minister of Justice on the Detailed Rules for the data contained in the individual treatment plan and the manner of its drafting. (vi) Order no. 456, dated 31.12.2020 of the Minister of Justice on the Format, content and ways of creating and administering registers.

- Meanwhile, 2 bylaws are in the process of approval as follows: (i) Order of the Minister of Justice on the format of the evaluation report on the time, place, manner and circumstances of non-compliance, as well as the personal situation of the juvenile. (ii) Order of the Minister of Justice on Cooperation Procedures for the implementation of alternatives to imprisonment in accordance with the rules of the European Convention.

❖ **Performance 2 performance indicators have been defined for this objective:**

-% of the number of criminal decisions for offenses punishable by up to 5 years which include alternative sentences

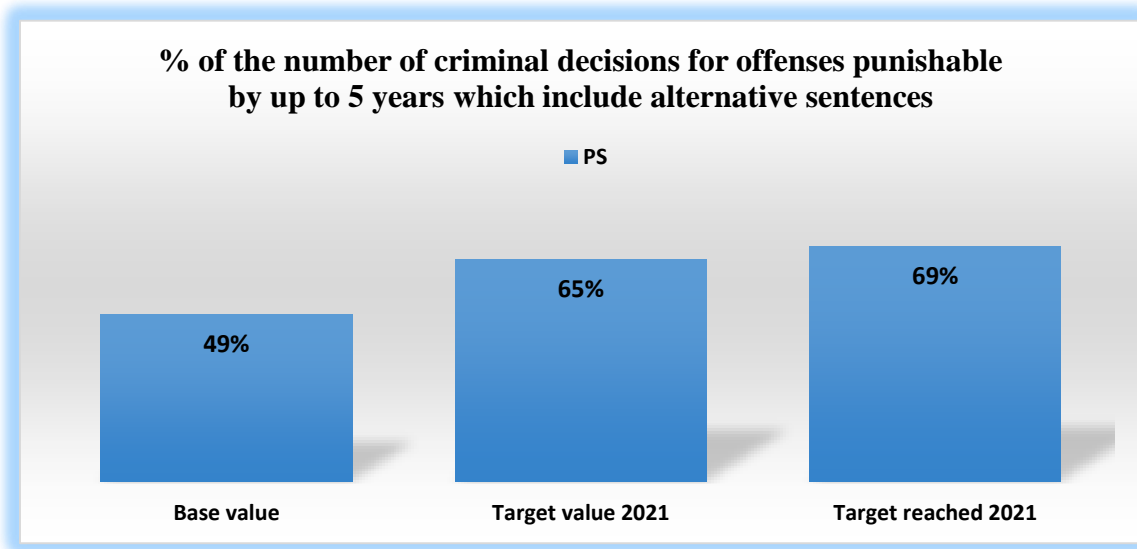
- Report of persons under the supervision of the Probation Service (or some other form of parole) who have successfully completed the probationary period.

The target value for the performance indicator "*% of the number of criminal decisions for offenses punishable by up to 5 years which include alternative sentences*" for 2021 is: 65%. The value reached for 2021 is 69%. So the value has exceeded the target value for 2021.

❖ Presentation of the realization of the indicator:

Base value	2020	49%
Target value/ Target	2021 (target value)	65%
	2021 (target reached)	69% Realized 100%

Realization of the indicator is graphically presented as follows:

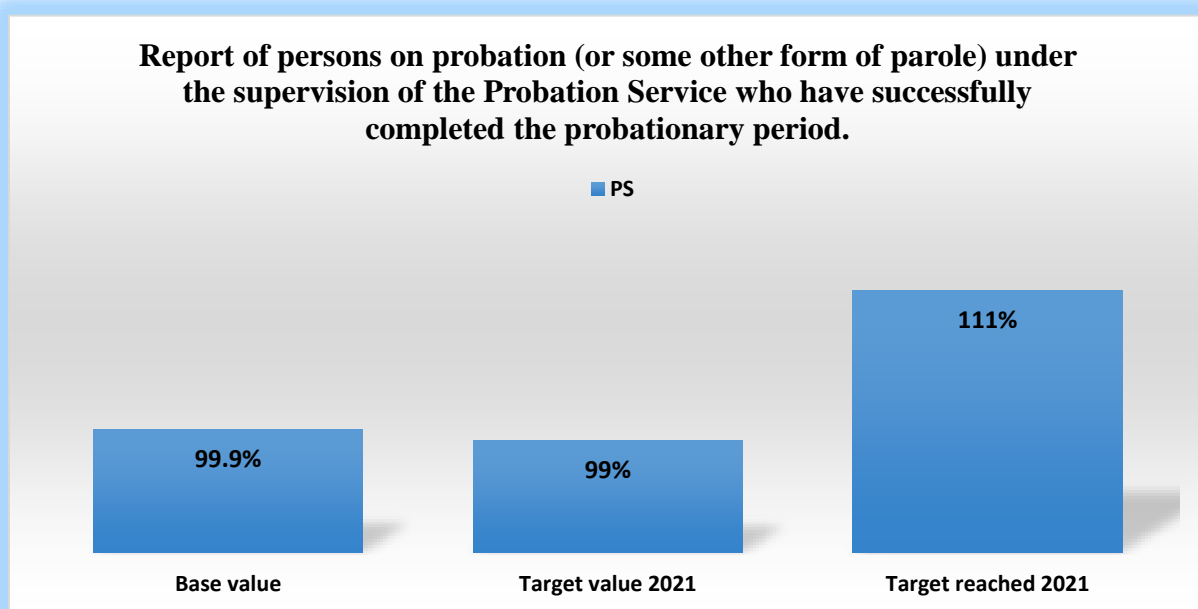


The target value for the **performance indicator** - "The ratio of persons under the supervision of the Probation Service (or some other form of parole) who have successfully completed the probationary period" for 2021 is: 99%. Base value: Year 2020 / 99.9% (only one person committed another criminal offense during the period of parole) This indicator is important for measuring the quality of work of the Probation Service in relation to convicts on probation. From the data reported by the Probation Service, the value reached for 2021 is 111%.

The realization of the indicator is presented as follows:

Base value	2020	99.9% (only one person committed another criminal offense during the period of parole)
Vlera e synuar/ Targeti	2021 (targeti i synuar)	99.9%
	2021 (targeti i arritur)	111%

Realization of the indicator graphically is presented as follows:



Level of realization of the objective 3.4

Level of achievement of Objective 3.4 *"An effective and efficient probation service that uses operational standards, supervisory methodologies and individualized case management, supports resocialization, reintegration and rehabilitation and works in line with EU best practices and standards"* in relation to the realization of performance indicators for the period January - December 2021 **is 105%.**

The calculation is performed according to the following formula:

$$\text{NR 3.4} = \frac{\text{TP (100\%)} + \text{TP (111\%)}}{2 \text{ TP}} \times 100\% = 105\%$$

The achievement rate of objective 3.4 for this reporting period is **105 very good (85 to 110 percent of the implemented measures)**.

Data verifiability

The reported data on performance indicators are based on the information reported by the Probation Service to monitor the implementation of the action plan for the period January - December 2021.

Risks for achieving the Objective 3.4

The risk of achieving this objective is high, there is a high probability of its occurrence and high impact, as risks are reported related to the internal organization (management, roles and responsibilities) and there is a lack of ongoing training to strengthen human capacities.

Specific Objective 3.5 "Development of the penitentiary system based on European standards, which ensures full respect for human resources and uses individual development plans".

❖ The action plan for 2021 for Objective 3.5 envisages 14 measures.

3.5.1	Carrying out the analysis regarding the need for drafting legislation / bylaws / regulations according to the changes of the penitentiary legislative package.
3.5.2	Drafting / consulting and approving the package of necessary legal changes and specific regulations (General Regulation of Prisons / Code of Ethics / Security service / prison police / employment of prisoners) (3 consultations)
3.5.4	Develop and approve the scheme and standards for (i) regular psychological supervision for all staff (ii) performance appraisal for IECDs and pilot schemes in 4 IECDs.
3.5.7	Preparation of program modules for the prevention of recidivism (i) for sex offenders and violent criminals (ii) for drug, alcohol and pilot addicts in 8 IECDs.
3.5.8	Training of staff in relation to programs for the prevention of recidivism.
3.5.9	Design and consolidation of the concept paper for the Strategy for improving the functioning of the prison system (plan of measures for the education of prisoners / social services / pre-release planning / post-release support).
3.5.10	Consultation / finalization and approval of the strategic action plan and presentation at a round table.
3.5.11	Drafting, Consolidation and finalization of the memorandum of cooperation with MSHMS for the care and treatment of irresponsible offenders and in the care of

	patients convicted with mental problems and those in detention and memorandum with other institutions.
3.5.12	Drafting, consulting and approving the protocol for the functioning of the Special Care Units in prisons, in order to provide a more suitable environment and to prepare the necessary instructions for its implementation.
3.5.13	Conduct analysis analysis of the legislative framework, case management and institutional capacity to identify areas of risk and understand system weaknesses.
3.5.14	Identification of the risk assessment tool to be approved in the prison system in Albania and piloting in 4 IECs.
3.5.15	Consolidate and finalize the internal operational document for the procedures to be followed in relation to internal regimes, individual treatment, available programs or programs to be developed at the time these prisoners are sent to the penitentiary institution.
3.5.16	Training of prison system officials to increase their performance in the system regarding (i) Operation of special care units on the road (ii) risk analysis / assessment (iii) applicable legal / sub-legal framework.
3.5.17	Consolidate and improve inter-institutional mechanisms for addressing Violent Extremists (1-7 coordination meetings).

❖ For the period January - December 2021, achievements have been recorded in Strategic Objective 3.5, where we specifically mention:

- The General Directorate of Prisons in cooperation with the Ministry of Justice after conducting the analysis regarding the need for drafting legislation, has undertaken all processes to draft bylaws according to the amendments to the penitentiary legislative package. All regulations have also been drafted, including the approval of the General Regulation of Prisons by a Decision of the Council of Ministers. The drafting / consultation and approval of the package of necessary legal changes and specific regulations (General Regulation of Prisons / Code of Ethics / Security Service / prison police / employment of prisoners) has been completed.
- A joint cooperation agreement was reached between the Minister of Justice and the Minister responsible for health for "Treatment of prisoners with mental health disorders". Also, a working group was set up between the MoJ and MSHMS "On the establishment of an inter-institutional working group to monitor the implementation of the cooperation agreement" On the treatment of persons with mental health disorders, medical measures "and a joint action plan to improve of conditions and treatment of persons with mental health disorders with medical measure.
- SKVs have been established in IEC Durrës, Fier, Malësie Madhe Reç, Peqin, Rrogozhinë, Ali Demi, Jordan Misja, Lezhë, Elbasan.

- The identification of new cases of prisoners with mental health problems has continued and due to the lack of infrastructure, special rooms have been created to accommodate prisoners. GDP has conducted detailed analyzes and on-site verifications in each IECD for this target group.
- GDP has undertaken the initiative of restructuring and reallocation of professional human assets, and during this process is intended to establish a structure that will cover the process of evaluation, analysis and production of analytical findings related to the effectiveness of the institution.

❖ **1 performance indicators have been defined for this objective:**

- Report of persons for no. beds, e.g. as a measure of prison overcrowding.

Target value for the performance indicator “*Report of persons for no. beds, e.g. as a measure for prison overcrowding*” is 83%. The base value is 88%. From the data reported by the General Directorate of Prisons, it results that the value reached for 2021 -14% (average overcrowding / 12 months x 100 = - 14%). This indicator is closely related to the entrances to the institution and the current infrastructure that the system has.

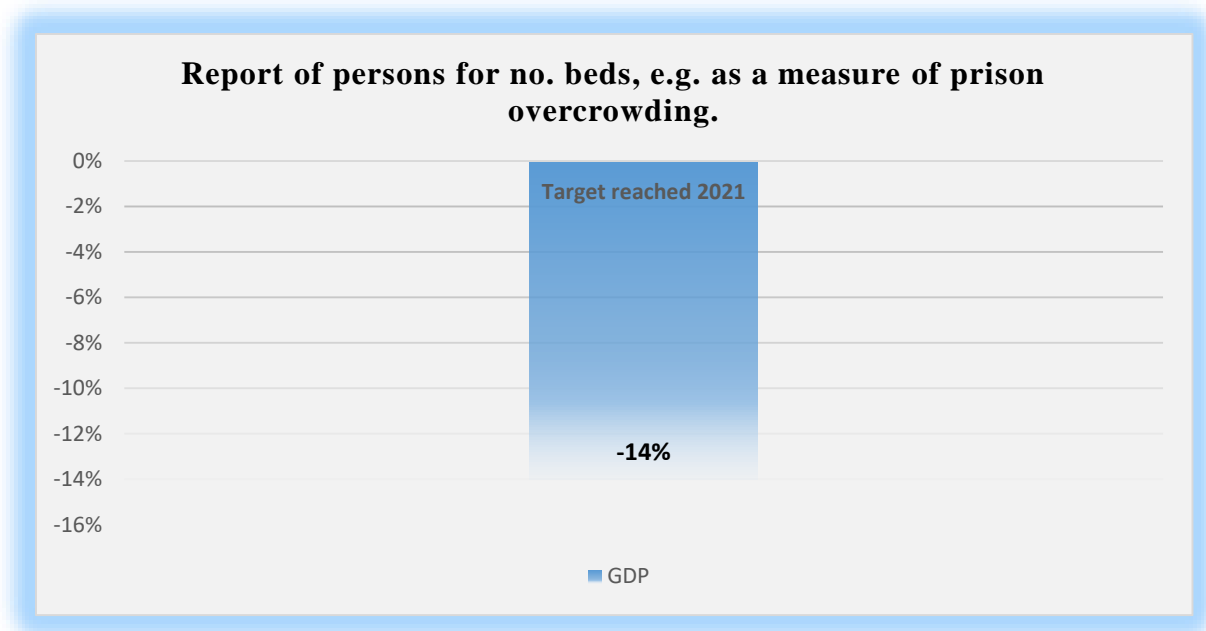
Staff through organizational work / transfer processes, etc. will continue to manage the issue of overcrowding. Conduct case by case a careful study of the distribution and accommodation of prisoners in the IECD, taking into account:

Elimination of overcrowding in prisons, in addition to the reasons previously reported, has come as a result of: Conducting case by case a careful study of the distribution and accommodation of prisoners in the IECD, taking into account: Guaranteeing the right according to the criteria of their place of residence in an IECD as close as possible to their place of residence; Needs for the realization of the criminal investigation and trial procedure at the lowest possible cost (time and costs) as well as for a lower security risk; Capacity of the population rate in the nearest detention facilities.

The realization of the indicator is presented as follows:

	2020	88%
Target value/ Target	2021 (target value)	55%
	2021 (target reached)	-14%
		Reliazed 100%

Realization of the indicatoris presented graphically as follows:



Level of realization of the objective 3.5

Level of realization of Objective 3.5 *"Development of the penitentiary system based on European standards, which ensures full respect for human resources and uses individual development plans"* regarding the realization of performance indicators for the period January - December 2021 is **100%**.

The achievement rate of objective 3.5 for this reporting period is **100%** (*from 86 to 110 percent of the implemented measures*).

Data verifiability

The reported data on performance indicators are based on the information reported by the General Directorate of Prisons to monitor the implementation of the action plan for the period January - December 2021.

Risks for achieving the Objective 3.5


The risk of achieving this objective has a "medium" probability of occurrence and a "low" impact, as identified risks associated with the planning of support systems for the functioning of IECs and the treatment of convicts.

Realization of specific objectives of the third goal of the strategy

Based on the data reported by the institutions responsible for the administration and processing of performance indicator data, the table below presents the degree of achievement of 4 specific objectives of the third policy goal.

The realization of the Third Policy Goal is 95%.

Objective	Realization
3.1 The Criminal Code and the Code of Criminal Procedure have been updated aiming at an integrated approach of justice institutions and a restorative approach to justice, built on prevention, re-socialization, reintegration and rehabilitation by replacing the existing punitive approach.	100%
3.2 An efficient and proactive prosecution system that operates according to European standards in order to effectively investigate and prosecute corruption and organized crime.	69%
3.4 An effective and efficient probation service that utilizes operational standards, supervisory methodologies and individualized case management, supports resocialization, reintegration and rehabilitation and works in line with EU best practices and standards.	105%
3.5 Development of the penitentiary system based on European standards, which ensures full respect for human resources and uses individual development plans.	100%

 **FOURTH POLICY GOAL** *"Coordination, efficient and effective management of the justice system in all institutions of the sector"*

The fourth policy goal aims at efficient and effective coordination and management of the sector in all justice institutions. It is linked to objective 16 of the Sustainable Development Goals, which promotes a peaceful and inclusive society, guarantees sustainable development, provides access to justice for all, and aims to build effective, accountable and inclusive institutions at all levels. .

In particular, this objective is related to sub-objectives 16.3 *"Promoting the rule of law at the national and international level and ensuring equal access to justice for all"*, 16.6 *"Development of effective, accountable and transparent institutions at all levels "* and 16.7 *" Ensuring responsive, inclusive, participatory and representative decision-making at all levels "*.

During the reporting period, the measures were implemented according to the table below.

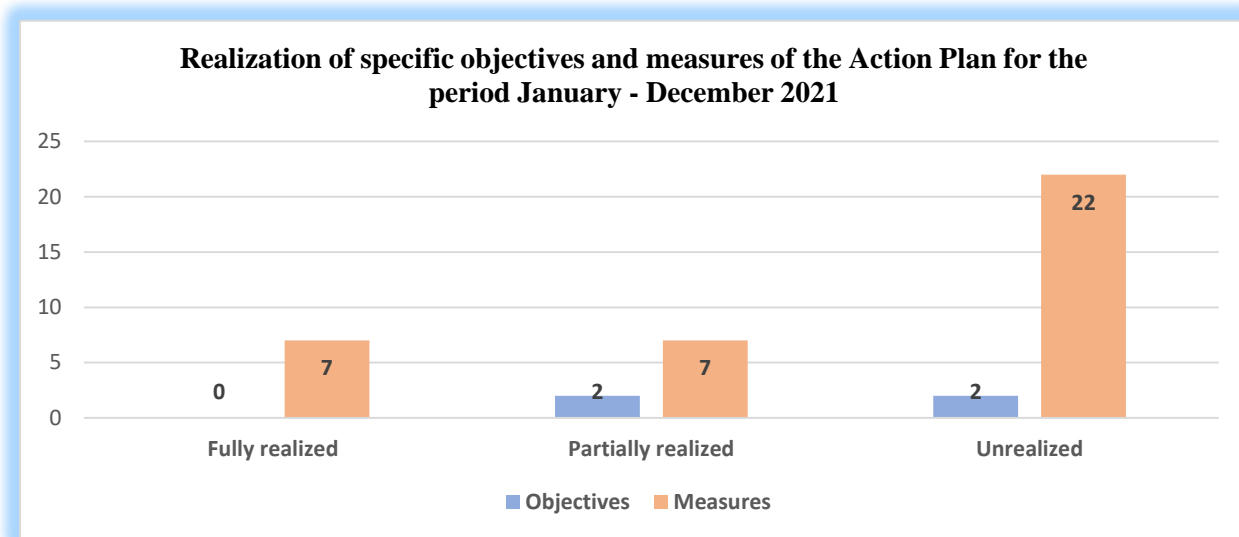
Fourth Policy Goal	O.S and Measures	Implementation of Measures			
		O.S and measures envisaged for 2021	O.S and fully implemented measures	O.S and partially implemented measures ⁴³	O.S and unrealized measures ⁴⁴
Coordination, efficient and effective management of the justice system in all institutions of the sector.	O.S	4	0	2	2
	Masa	36	7	7	22

It results that from 4 Strategic Objectives and 36 measures foreseen in the Action Plan 2020-2025, for January-December 2021 it results that for Policy Goal 4:

- 7 measures have been fully implemented,
- 2 Strategic Objectives / 7 measures are partially realized
- 2 Strategic Objectives / 22 measures are unimplemented. Specifically: (O.S 4.1, O.S 4.2, measures 4.1.1, 4.1.2, 4.1.6, 4.1.7, 4.1.8, 4.1.10, 4.1.11, 4.1.12, 4.1.13, 4.1.14, 4.1.15).

⁴³ A "partially realized" measure is one that has been realized on a scale of 50 to 100 percent.

⁴⁴ An "unrealized" measure is one that is realized on a scale from 0 to 50 percent



From the 5 performance indicators taken into analysis for 2021 for the purpose of policy 4 it results that:

- the target value for 3 performance indicators has been *fully reached*
- the target value for 2 performance indicators has been *partially reached*

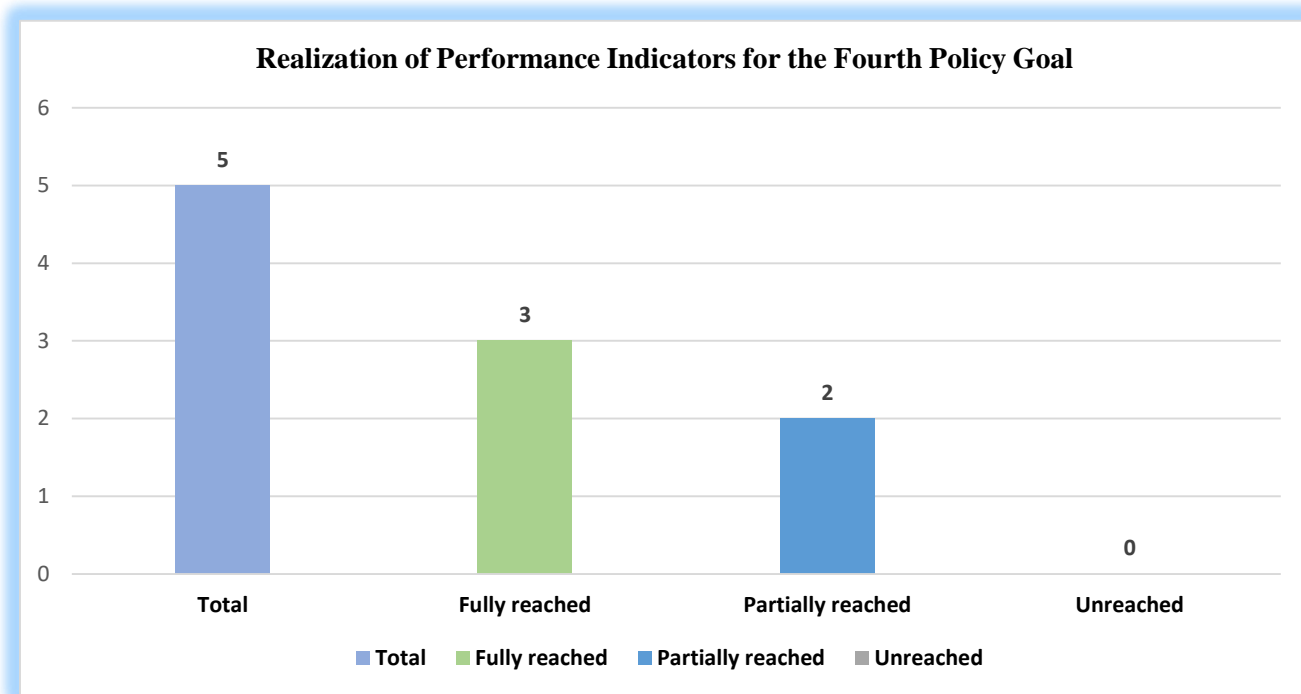
Fourth Policy Goal	Performance Indicators	Realization of Performance Indicators		
		Target value fully reached ⁴⁵	Target value partially reached ⁴⁶	Target value not reached ⁴⁷
	5 ⁴⁸	3	2	0

⁴⁵ That is realized on a 100 percent scale.

⁴⁶ That is realized on the scale from 50 to 100 percent.

⁴⁷ That has not been realized and indicators for which data have not been collected or it has not been possible to collect.

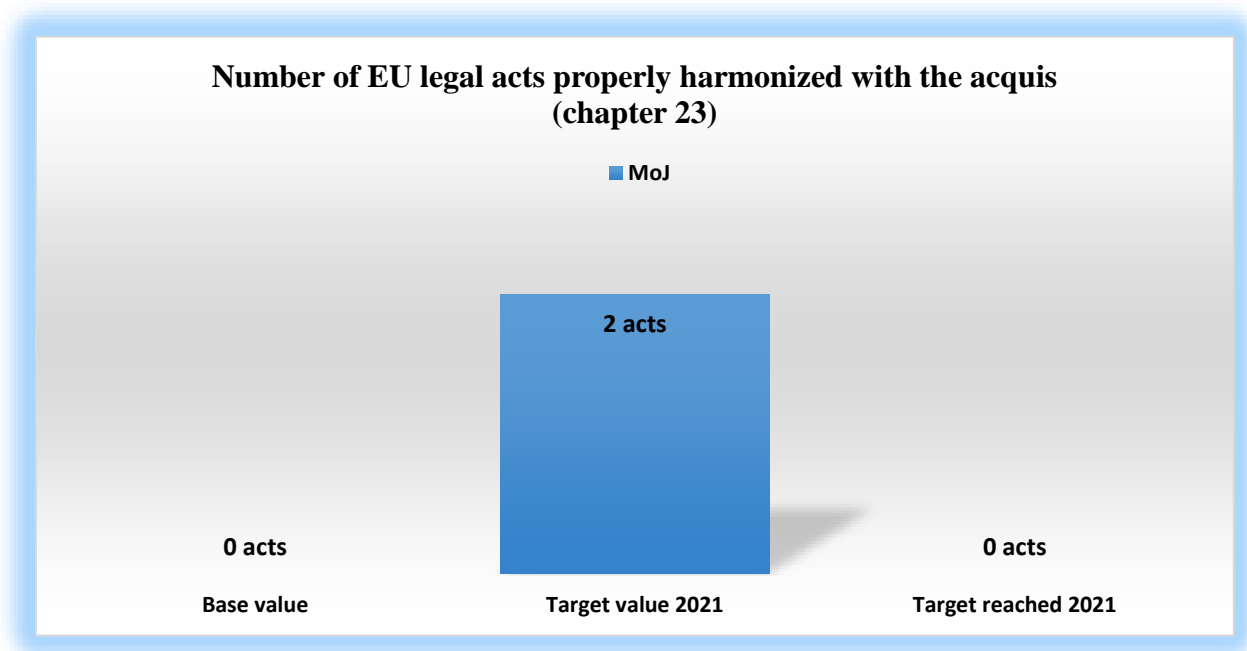
⁴⁸ Specific Objective Indicator 4.1 cannot be measured for 2021.



Level indicator Purpose: "Number of EU legal acts properly harmonized with the acquis (chapter 23)", ie level level. The target value for the performance indicator for 2021 is 2 harmonized EU legal acts. From the information reported and analyzed to assess the realization of the target value of this indicator, it results that the indicator has reached 0%, as during 2021 no EU legal act has been harmonized.

Base value	2020	0
Target value/ Target	2021 (target value)	2
	2021 (target reached)	0

Realization of the indicator graphically as follows:



Specific Objective 4.1 “Full development of integrated electronic justice system (e-justice) with unified identifiers, updated case management systems, electronic registration based on the Internet for all three areas (criminal, administrative, civil) and links to relevant national registries and databases ”.

❖ The action plan for 2021 referring to Objective 4.1 envisages 12 measures.

4.1.1	Designing the program for digitalization of justice institutions.
4.1.2	Establishment and implementation of the case management system program in courts / HJC / HPC / HIJ.
4.1.6	Database design, development and installation.
4.1.7	Establishment of the prosecution case management system with the current technological and legislative standards and maintenance of the system software.
4.1.8	Maintenance of the court case management system / GP / HJC / HJC / HIJ.
4.1.9	Preparation of the necessary legal package for the functioning of the Information Technology Center.
4.1.10	Establishment of the Information Technology Center of the Justice System and providing the necessary support for the functioning of its activity.
4.1.11	Training of the judiciary / prosecutors / inspectors and administrative staff on the use of the new case management system.

4.1.12	Drafting and approval of the strategic plan for information technology in courts and justice institutions.
4.1.13	Investments and maintenance for the respective case management system and equipment and software for the respective courts / HJC / HJC / HIJ.
4.1.14	Investments and maintenance for the case management system and the respective equipment and software for the Ministry of Justice and its subordinate institutions.
4.1.15	Maintenance of the case management system of the Ministry of Justice and its subordinate institutions.

❖ **For the period January - December 2021 are reached achievements in Strategic Objective 4.1 where more specifically we mention:**

- In order to start the process of organization and internal functioning of the Center, a series of decisions have been approved as follows:

- Decision no. 1 dt. 19.10.2021 "On the announcement of the establishment of the Board of Directors of the Information Technology Center for the Justice System"

- Decision no. 2 dt. 19.10.2021 "On the declaration of the Establishment of the Information Technology Center for the Justice System"

- Decision no. 3 dt. 19.10.2021 "On the Announcement of the Vacancy in the Position of Executive Director, in the Information Technology Center for the Justice System"

- Decision no. 4 dt. 17.12.2021 "On the Approval of the Minutes of the meeting of the Board of Directors of the Information Technology Center for the Justice System"

- Decision no. 5 dt. 17.12.2021 "On the appointment of Mr. Ervin Miso to the position of Executive Director, at the Information Technology Center for the Justice System"

- Decision no. 6 dt. 17.12.2021 "On the approval of the Guide for the Development of the new Case Management System".

- Referring to the preparation of the legal package necessary for the functioning of the Information Technology Center, the measure was fulfilled with the drafting and approval of the decision of the Council of Ministers no. 972, dated 2.12.2020, "On the organization, functioning and determination of the competencies of the Information Technology Center for the Justice System" (which constitutes the act of functioning of the Center). The decision aims to define rules on the organization and competencies of the Information Technology Center, as the body that will implement the state policies of the information technology system for the judiciary in function of the policies on the justice system. Through this decision, the Center is established and their bodies and competencies are defined in the comprehensive coordination of all institutions of the justice system for the establishment of state databases for the justice system. Such an initiative serves the administration of technology systems that are expected to be set up after the radical reform of the justice system. The definitions made in this decision are drafted keeping in particular focus the separation of powers, but also in order to fulfill the legal delegation defined by the law on the governance of the judicial system.

❖ **For Specific Objective 4.1, 1 indicator is foreseen:**

The target value for the performance indicator "% of courts / prosecutors for which the new case management system has been set up and is operating at full capacity" aims to assess the full functioning of the new case management system in court and prosecutor. The indicator can not be measured for 2021.

❖ The presentation of the realization of the indicator according to the Passport of Indicators is presented as follows:

	2020	
Target value/ Target	2021 (target value)	0
	2021 (target reached)	The indicator cannot be measured for this reporting period as it starts to apply after 2021.

Level of realization of the objective 4.1

Level of realization of Objective 4.1 “Full development of integrated electronic justice system (e-justice) with unified identifiers, updated case management systems, electronic registration based on the Internet for all three areas (criminal, administrative , civil) and links to relevant national registries and databases” regarding the implementation of performance indicators for the period January - December 2021. The indicator can not be measured for this reporting period as it starts to apply after 2021.

Data verifiability

The data reported on performance indicators are based on information reported by the High Judicial Council, ITC to monitor the implementation of the action plan for the period January - December 2021.

Risks for achieving the Objective 4.1

The risk of achieving this objective is high, as it has a high impact due to factors related to the establishment, organization and operation of ITC, as well as the non-implementation and maintenance of the new case management system according to standards. current technological and legislative.

Objective Spesifik 4.2 “Improving coordination, performance management and communication systems through the IPSIS methodology”.

❖ The action plan for Objective 4.2 envisages 10 measures.

4.2.1	Full functioning and taking measures for continuous training for technical secretariats and thematic groups in the justice sector in implementation of the GMIP mechanism.
4.2.2	Conduct in-depth analysis of the compliance of the strategic framework / institutional capacity of the justice sector with IPSIS standards.
4.2.3	Training of the policy and strategic planning sector in implementation of the National System Data Plan (NSDP 2020-2017) and IPSIS.
4.2.4	Conducting a statistical gap analysis of the Justice sector and proposing an improvement plan in line with the NSDP.
4.2.5	Statistics sector capacity building to increase their performance.
4.2.6	Undertake the study of crime perception and use as a contribution to the prevention program and review of criminal policies and legislation.
4.2.7	Conduct regular annual surveys of perception of access to justice, surveys of court users.
4.2.8	Undertake independent communication and transparency assessment in the justice sector and develop an improvement plan.
4.2.9	Drafting a capacity development plan and supporting sector institutions in developing their communication capacities.
4.2.10	Undertaking a survey on satisfaction and perception of communication quality and transparency in the sector.

❖ **1 performance indicators have been defined for this objective:**

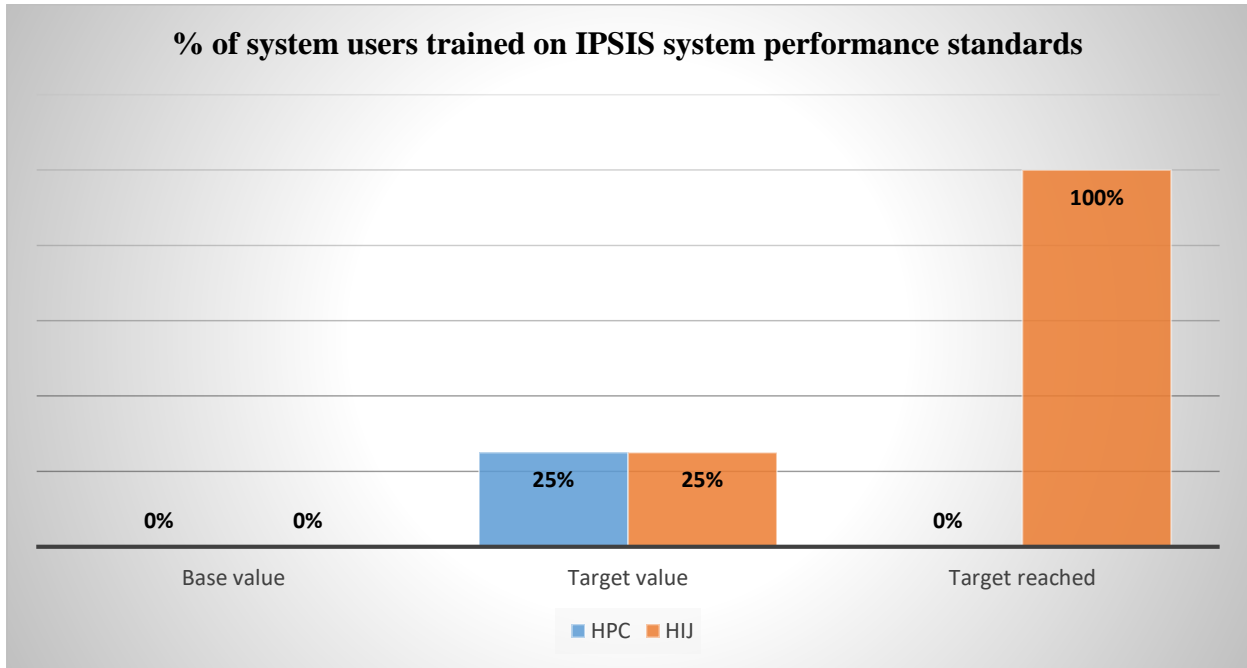
- % of system users trained on IPSIS system performance standards.

The target value for the performance indicator "*% of system users trained on IPSIS system performance standards*" is 25% for the HJC/ HPC/ HIJ". The base value is 0. From the reported data it results that for 2021 25% of the staff have been trained.

❖ The presentation of the feasibility of the indicator according to the Passport of Indicators is presented as follows:

	2020	0%
	2021 (target reached)	25%
		HIJ 25%

Target value/ Target	2021 (target achieved)	Realised to the extent of 100%



Level of realization of the objective 4.2

The level of realization of Objective 4.2 "Improvement of coordination, performance management and communication systems through the IPSIS methodology" in relation to the realization of performance indicators for the period January - December **2021 is 100%**.

The achievement rate of objective 4.2 for this reporting period is **100%**.

Data verifiability

The data reported on performance indicators are based on information reported by the High Inspector of Justice, the High Prosecution Council, the High Judicial Council to monitor the implementation of the action plan for the period January - December 2021.

Risks for achieving the Objective 4.2

The risk of achieving this objective is of medium level, displaying problems and risks related to the drafting of a plan for ongoing training in order to develop and increase performance.

Specific Objective 4.3 "Development of the capacities of the Ministry of Justice, as well as increasing its support for its subordinate institutions"

❖ The action plan for Objective 4.3 envisages 6 measures.

To achieve the values of this performance indicator for the years 2021-2025, the following measures are foreseen;

4.3.1	Conduct a need assessment to improve the legal and regulatory framework of the Ministry of Justice.
4.3.2	Drafting and implementation of the strategic plan and capacity development of state bailiffs (training).
4.3.3	Trainings to improve human resource management skills.
4.3.4	Conduct analysis of the situation of internal financial control in the prison service, including internal control of the MoJ for the supervision of the unit and prepare a detailed risk assessment in relation to financial administration in prisons.
4.3.5	Conduct analysis of the review of the current organizational and legal framework for prison inspections in line with European practices.
4.3.6	Preparation of inspection reports of bailiffs / notaries based on approved methodologies.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 4.3, where we more specifically mention:**

- Based on DCM no.138, dated 12.03.2014 "On the Rules of Organization and Functioning of the Albanian School of Public Administration and Training of Civil Servants", as amended, the Human Resources Sector in November sends e-mails to all employees, who, after the approval of their superiors, in order to meet the needs for achieving work objectives and functional tasks, follow the training topics of interest. All training topics submitted to the HR Sector are sent to ASPA, in order to contribute to the drafting of the training calendar for the following year.

- Regarding the participation of the employees of the Ministry of Justice for trainings for the improvement of the Human Resource Management skills, 2 employees have been trained.

- Pursuant to Order no. 41, dated 01.02.2021 "On the approval of the annual program of notaries for 2021" is planned the inspection of 30 notaries. For the year 2021, it turns out that 19 general inspections for notaries and 2 inspections for bailiffs have been carried out. (Please note that this does not include cases of resignations, receipt of archives or cases of non-exercise of activity). Reports based on approved methodologies on inspections performed have not all been completed, approximately 7 - 8 inspection reports are in process.

❖ **3 performance indicators have been defined for this objective:**

-% of MoJ human resources administration staff and subordinate institutions trained in managerial and coordination skills.

-% of MoJ employees trained in the field of inspection

-% of legally required inspections for public notaries performed by the MoJ

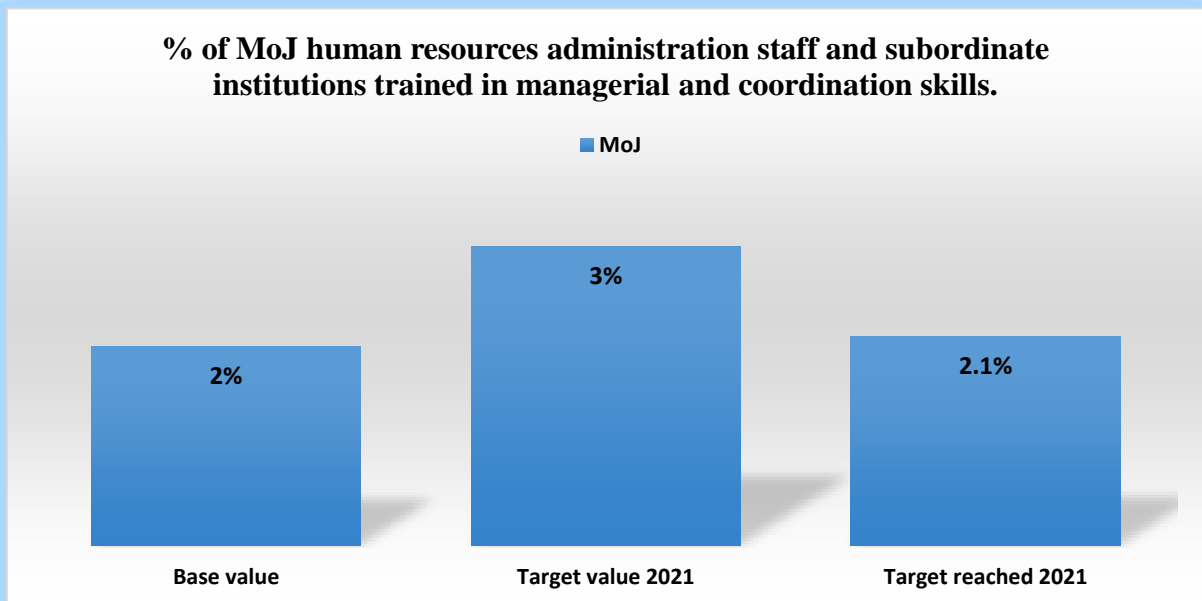
The target value for the **performance indicator** "% of employees of the human resources administration of the MoJ and subordinate institutions trained in managerial and coordination skills" for 2021 is: 3%.

During 2021, referring to the target value for 2021, the achieved value is 2.1%. The indicator is realized at the rate of 70%. This indicator aims to measure the quality of work by the Ministry of Justice.

The realization of the indicator is presented as follows:

Base value	2020	2%
Target value/ Target	2021 (target value)	3%
	2021 (target reached)	2.1% Realised 70 %

Realization of the indicator graphically is presented as follows:



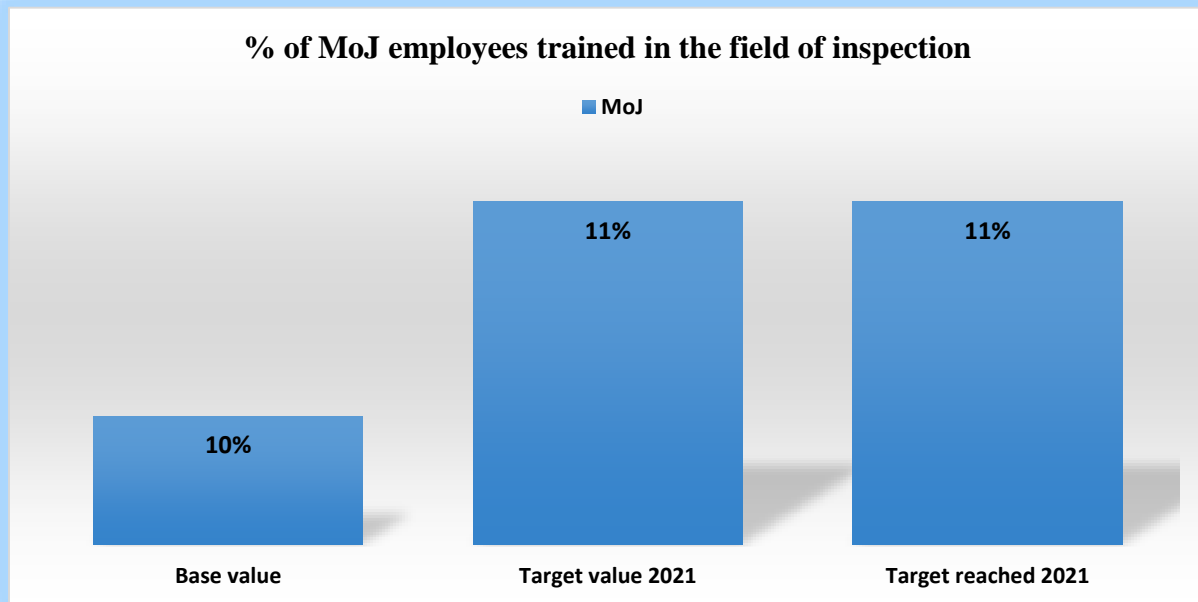
The target value for the **performance indicator** "% of MoJ employees trained in the field of inspection" for 2021 is: 11%. The base value refers to 2020, ie 10%.

Referring to the target value for 2021, 25% of employees have been trained. In the framework of strengthening the capacities of human resources, training on the field of inspection will be continued. The indicator is realized at 100%.

Paraqitja e realizueshmërisë së treguesit paraqitet si vijon:

Vlera bazë	2020	10%
Vlera e synuar/ Targeti	2021 (targeti i synuar)	11%
	2021 (targeti i arritur)	25% Realizuar 100 %

Realization of the indicator graphically is presented as follows:



The target value for the **performance indicator** "% of legally required inspections for public notaries performed by the MoJ" for 2021 is: 25%. Pursuant to Order no. 41, dated 01.02.2021 "On the approval of the annual program of notaries for 2021" is planned the inspection of 30 notaries, of which 19 were performed.

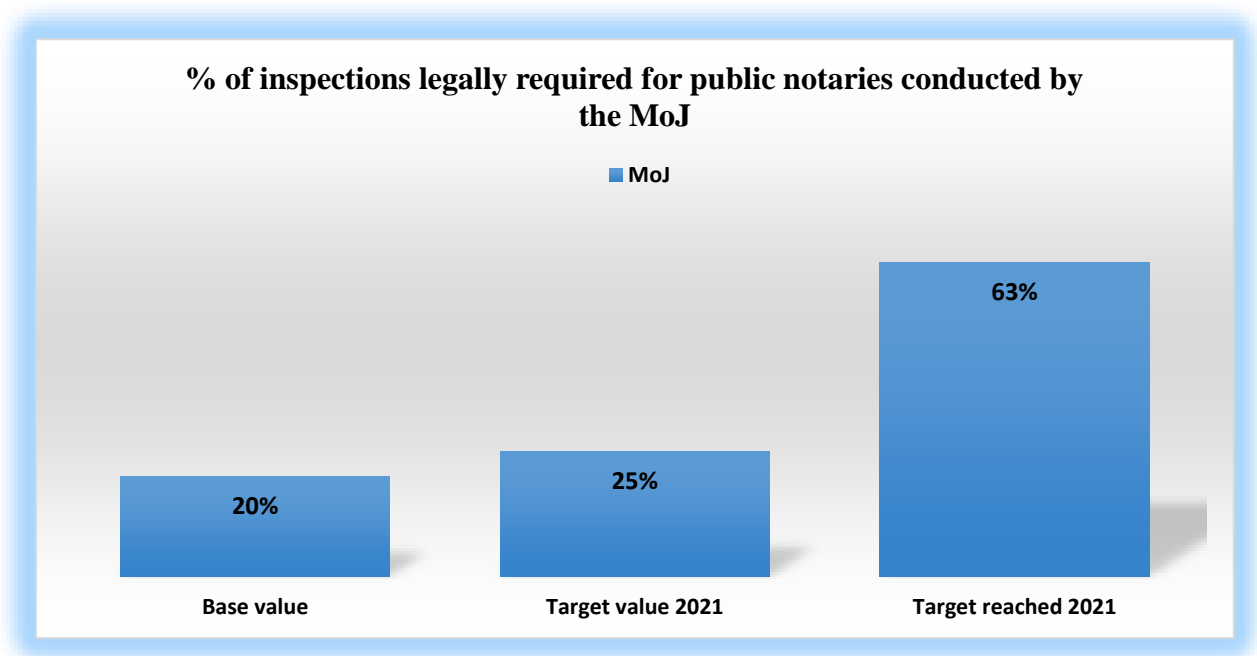
During 2021, the target achieved is 63%. Value is exceeded from the target value for 2021. The indicator is realized at 100%.

This indicator aims to measure the quality of work by the Ministry of Justice.

The realization of the indicator is presented as follows:

Base value	2020	25%
Target value/ Target	2021 (target value)	25%
	2021 (target reached)	63% Realised to the extend of 100 %.

Realization of the indicator graphically is presented as follows:



Level of realization of the objective 4.3

Level of realization of Objective 4.3 "Development of capacities of the Ministry of Justice, as well as increasing its support for its subordinate institutions" regarding the realization of performance indicators for the period January - December 2021. The calculation is performed according to the formula of following:

$$NR\ 4.3 = \frac{TP\ (70\%)+ TP\ (100\%)+ TP\ (100\%)}{3\ TP} \times 100\% = 90\%$$

The achievement rate of objective 4.3 for this **reporting period is 90 very good (56 to 110 percent of the implemented measures)**.

Data verifiability

The data reported on performance indicators are based on information reported by the Information Technology Center for the Justice System, Ministry of Justice to monitor the implementation of the action plan for the period January - December 2021.

Risk for the realization of the Objective 4.3

The risk of achieving this objective is of medium level due to the risks related to the internal environment related to the organization and cooperation as well as other issues related to the regulatory environment. So there are medium risk opportunities and its low impact.

Specific Objective 4.4 “Updating the legal framework and capacities of the MoJ and improvements in the field of international legal cooperation and preparing Albania for EU membership through the harmonization of Albanian legislation with the EU acquis and other integration acts with The EU and its member states in the field of justice.

❖ The action plan for the Objective envisages 8 measures.

To achieve the values of this performance indicator for the years 2021-2025, the following measures are foreseen:

4.4.1	Preparation, consultation and approval of the legal package regarding the revision of the law on international cooperation in criminal matters.
4.4.2	Providing capacity development training with the implementation of new legislation.
4.4.3	Carrying out the assessment of the institutional capacities of the MoJ in relation to the harmonization of the legislation with the EU acquis and the drafting of the capacity development plan.
4.4.4	Trainings of the employees of the Ministry of Justice in the field of harmonization of the legislation.
4.4.5	Prepare a plan / map with milestones and objectives for the negotiation process.
4.4.6	Capacity building of the Ministry of Justice to manage IPA III funds.
4.4.7	Capacity building of subordinate institutions of the Ministry of Justice (penitentiary system, probation service, legal aid) to manage IPA III funds.
4.4.8	Capacity building of independent justice institutions (HJC, HPC, HIJ, GP, SoM) to prepare and manage IPA III funds.

❖ **For the period January - December 2021, achievements have been recorded in Strategic Objective 4.4, where we more specifically mention:**

- The Law No. 10193 dated 3.12.2009 "On Jurisdictional Relations with Foreign Authorities in Criminal Matters" has been revised and approved, as amended 97/21 dated 7.7.2021.
 - Also during 2021, services / trainings were provided in the framework of capacity development with the new legislation for 35 civil servants in the fields of administrative and civil procedures and harmonization of legislation.
 - The Ministry of Justice as the leading institution for the Political Criterion and Chapter 23 "Judiciary and Fundamental Rights", has as an objective within the negotiation process:
 - Preparation for the development of EU-Albania Bilateral Meetings; updating and improving legal deficiency analysis (LGA) documents, compliance tables (TOC) and institutional and administrative deficiency analysis (IAGA). Chapter 23, in cooperation with the Ministry of Foreign Affairs and the SEI project.
 - Preparation for drafting a roadmap for the rule of law in cooperation with all contributing institutions.
 - Drafting a plan of measures in implementation of the recommendations of the report of the European Commission for Albania for 2020.
 - Monitoring of PKIE 2021-2023;
 - Drafting of PKIE 2022-2024;
 - Strengthening the capacities of the staff of the Directorate of Integration and Negotiations, as well as the members of GNPIE for the Political Criterion and Chapter 23;
- The following objectives mentioned above during 2021 have been achieved as follows:
- Training from the Project "Support to the EU Integration Process of Albania" (SEI), as well as ASPA, in preparation for the bilateral EU-Albania meetings were conducted.
- Workshop "Rule of law in the Negotiation Process" organized by the SEI Project;
 - Training "Approximation of national legislation with the EU acquis", organized by the SEI Project;
 - Workshop "Towards EU Accession Negotiations Priorities of European Integration", organized by the SEI Project;
 - Webinar "Preparation of National Plan for European Integration 2022-2024", organized by the SEI Project and ASPA;
 - Conference "Towards EU Accession Negotiations: Preparing for bilateral screening", organized by the SEI Project "Support to the EU Integration Process of Albania";
 - Also during the months of June-October 2021, MoJ was assisted by the IOM project during the drafting of compliance tables (TOC).
 - The plan of measures in March 2021 has been drafted to address the recommendations of the EC report for Albania of 2020 and its monitoring has continued
 - The monitoring process of PKIE 2021-2023 has continued.

- During 2021, trainings were conducted for the employees of the Ministry of Justice in the field of harmonization of legislation.

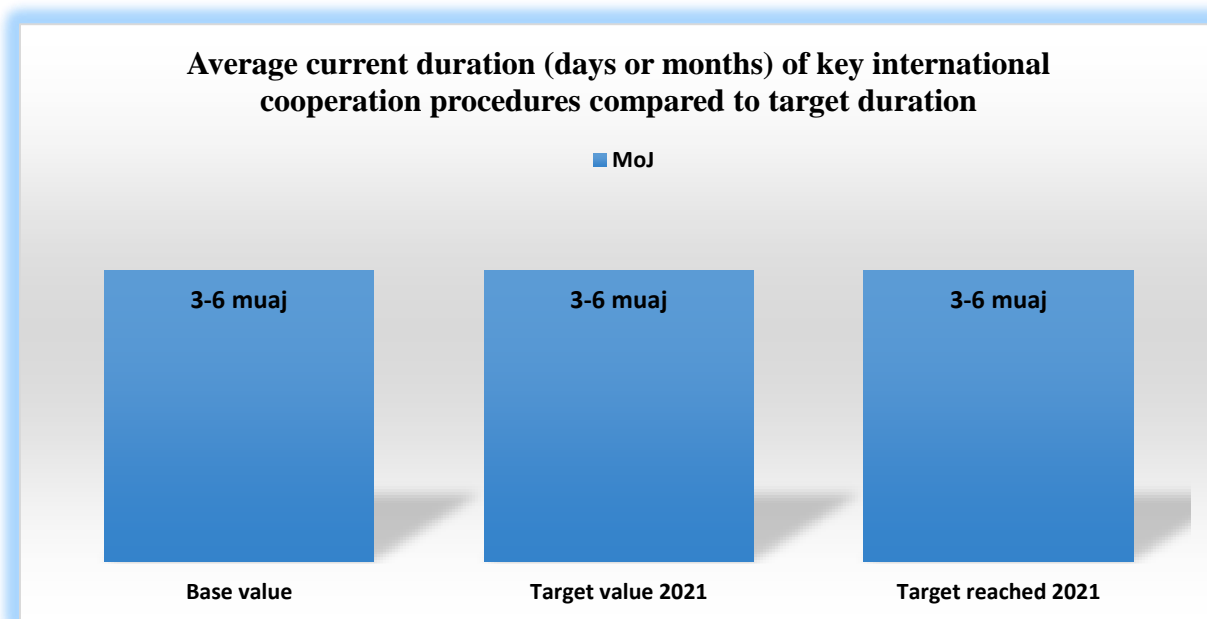
❖ **Për 1 performance indicator has been defined for this objective:**

Current average duration (days or months) of key international cooperation procedures compared to the intended duration. The target value for the performance indicator "Average current duration (days or months) of key international cooperation procedures compared to the target duration" for 2021 is: 03-06 months. The indicator is 100% realized. The Law No. 10193 dated 3.12.2009 "On Jurisdictional Relations with Foreign Authorities in Criminal Matters" was amended and approved, amended 97/21 dated 7.7.2021

The realization of the indicator is presented as follows:

Base value	2020	3-6 months
Target value/ Target	2021 (target value)	3-6 months
	2021 (target reached)	3-6 months

Realization e treguesit në mënyrë grafike paraqitet si më poshtë vijon:



Level of realization of the objective 4.4

Level of implementation of Objective 4.4 *“Update of the legal framework and capacities of the MoJ and improvements in the field of international legal cooperation and preparation of Albania for EU membership through harmonization of Albanian legislation with the EU acquis and other acts of integration with the EU and member states in the field of justice”* in relation to the realization of performance indicators for the period January - December 2021 is 100%.

The achievement rate of objective 4.4 for this reporting period is 100% very good (56 to 110 percent of the implemented measures)

Data verifiability

The data reported on performance indicators are based on information reported by the Ministry of Justice to monitor the implementation of the action plan for the period January - December 2021.

Risk for the realization of the Objective 4.4

The risk of achieving this objective is low, has a low probability of occurrence and low impact, as it does not pose an obvious risk.

Realization of specific objectives of the fourth goal of the strategy

Based on the data reported by the institutions responsible for the administration and processing of performance indicator data, the table below presents the degree of achievement of 4 specific objectives of the third policy goal.

The realization of the Fourth Policy Goal is **73%**.

Objective	Realization
4.1 Full development of an integrated electronic justice system (e-justice) with unified identifiers, updated case management systems, internet-based electronic registration in all three areas (criminal, administrative, civil) and links to relevant national registers and databases.	- ⁴⁹
4.2 Improve coordination, performance management and communication systems through the IPSIS methodology.	100 %
4.3 Develop the capacity of the Ministry of Justice, as well as increase its support for its subordinate institutions.	90 %
4.4 Updating the legal framework and capacities of the MoJ and improvements in the field of international legal cooperation and preparing Albania for EU membership through the harmonization of Albanian legislation with the EU acquis and other acts of integration with the EU and states member in the field of justice.	100 %

⁴⁹ Cannot be measured for 2021. Begins realization in the following years.

III. PROGRESS ON OBJECTIVES RESULTS AND IMPACT

3.1 Evaluation of key achievements using indicators

Based on the information on the target values of the implemented measures, of the performance indicators, the realization of the objectives for January - December 2021 is as follows.

Realizimi sipas masave	Realizimi sipas treguesve
Dobët – 4 objectives	Dobët – 0 objectives
Mjaftueshëm - 0 objectives	Mjaftueshëm – 0 objectives
Mirë - 8 objectives	Mirë - 3 objectives
Shumë mirë - 3 objectives	Shumë mirë - 9 objectives
Tejkaluar – N/A objectives	Tejkaluar – 2 objectives

3.2 Assessing challenges, gaps and inefficiencies

Based on the results of the monitoring conducted for the period 1 January - 31 December 2021, it turns out that the areas that have shown ineffective performance accompanied by problems for this reporting period are specific objectives distributed in the four policy goals.

In addressing the performance by institutions it results that:

- 1- Raising awareness and taking concrete measures by the responsible institutions included in the Action Plan to pay attention to the progress for the feasibility of the measures that are not implemented, the progress for the measures in the implementation process, as well as the indicators that have not reached the values of targeted or partially achieved for the reporting period.
- 2- Recommendation for the preparation of an internal work plan by the institutions included in the action plan within the implementation of the measures resulting in a responsible / contributing institution to have progress within the deadlines set out in the Action Plan.
- 3- Delays in sending the contribution from the institutions included in the Action Plan in the framework of responding to the request sent by the Ministry of Justice. In this context, out-of-time reporting directly affects the late drafting of the monitoring monitoring report.
- 4- The main problem remains the quality of contributions, which are often returned to be implemented as required and in accordance with the IPSIS format and standard.
- 5- The lack of good cooperation with the financial sectors of the contact points also has an increased impact on the difficulties of reporting, more specifically the lack of information related to budget execution.

3.3 Main conclusions

This monitoring report is in line with the structure of sectoral and cross-sectoral strategic documents for the good governance agenda within the IPSIS programming. The report provides information on the implementation of the policy goals, the specific objectives of the strategy, the feasibility of the indicators according to the target values and those achieved. The report gives a specific information on the feasibility of the priority measures of the action plan, problems encountered during the implementation, challenges of the institutions as well as an identification of the necessary corrective measures for the following periods.

The monitoring report January - December 2021, contains statistical and analytical data based on measurable and verifiable evidence, on direct reporting of implementing institutions, on published reports and information, consultation with all factors (process implementers and evaluators) and data on the progress report of indicators on a comparative basis for each strategy objective.

At the end of this process, in the reporting of the next period it is suggested that the institutions take into consideration:

- to report in time in response to the reporting request sent by the Ministry of Justice, as non-timely reporting for this monitoring period by several contact points has affected the performance of a real and accurate analysis of the implementation of the action plan.
- It is recommended to report accurate and verifiable data, in any case the values given must be justified.
- to continue and improve the performance of the implementation of measures in the framework of the realization of the target values for 2021;
- to improve the achievement of the target values in the indicators for the objectives
- to report the information on the budget used for the action plan measures, the budget spent for the implementation of the measures covered by the donors (information which is not available from all contact points at the reporting institutions); the budget spent for the implementation of the measures covered by the state budget and to establish a better cooperation for reporting purposes with the structures / technical staffs of finance / budget at the reporting institutions, as within the reporting this is a responsibility of the contact points . It turns out that there are still institutions responsible for the implementation of this action plan, which have not reported information on the budget used (refer to the annex to the draft report).

IV. RISKS AND STEPS TO BE ADDRESSED

4.1 Risk assessment using indicators

In this monitoring report, January - December 2021, a risk assessment was performed for each objective in accordance with the risk analysis brought by the responsible institutions or in the absence of this analysis, the assessment that the staff itself has made the risk in accordance with the level of feasibility of objectives.

Among the risks that were mainly identified, are related to institutional capacity, financial capacity, regulatory environment, partnership and institutional interaction, communication, work processes but also other external factors.

Low risk objectives are: 4 objectives (objective: SO 2.3, 3.1, 3.2, 4. 4).

Medium risk objectives are: 6 objectives (objective: SO 1.1; 1.2; 1.3; 2.1; 2.2; 3.5; 4.3).

High risk objectives are: 5 objectives (objective: SO2.4, 2.5, 3.4, 4.1, 4.2).

4.2 Next steps and recommendations

At the end of this monitoring report for the period January-December 2021, the findings that this document provides, the analytical data that the institutions have reported and the analysis performed, are addressed to take the following steps in fulfilling the measures of which turn out to be unrealized for this monitoring period. In addressing the performance improvement by the institutions it is recommended that for each of them concrete measures should be taken for progress in the subsequent reporting on:

- Lack of specific human resources (institutional capacity)

Specifically, the following steps should be taken on measures 1.3.2 *"Completion of procedures for the appointment of magistrate and non-magistrate inspectors at HIJ and the completion of recruitment of staff of the Office of the High Inspector of Justice"*; 3.2.12 *"Consolidation of human resources for the full functioning of NBI"*; 3.4.19 *"Increase staff capacity to ensure a rate of 50 interns per staff in line with European standards and to provide adequate staff for local offices, and the pay structure was revised to ensure adequate pay in it the entire organization according to capabilities and responsibilities in accordance with the official salary scheme.*

- Preparation of necessary interventions for the infrastructural and logistical improvement of the institutions referring to the measures foreseen for implementation

Specifically, the following steps should be taken on measures 1.3.5 *"Preparation of necessary interventions for the infrastructural and logistical improvement of HIJ for the provision of work / logistics facilities for the entire number of HIJ employees"*; 3.4.7 *"Design and installation of modern information technology and case management system, establishing links with the integrated electronic justice system"*; 4.1.1 *"Designing the digitalization program of justice*

institutions; **4.1.2** “Establishment and implementation of the case management system program in courts / HJC / HPC / HIJ” **2.4.8** “Establishment of infrastructure to set up a unit for public reception at HIJ” **4.1.11** “Training of the judicial body / prosecutors / inspectors and of the administrative staff on the use of the new case management system ”.

- Delays in performing procedures / phases on specific steps such as finalizing the review of the legal framework of certain institutions are reasons and causes that have led to failure to achieve the objectives set for the reporting period

Specifically, the following steps should be taken on measures **1.2.7** “Finalizing the review of the legal framework related to the administration of justice based on the component related to the HPC, consultation and adoption of acts”); **2.1.5** “Preparation, discussion and approval of the package of necessary amendments to the Family Code (FC)”); **4.3.7** “Carrying out the analysis of the review of the current organizational and legal framework for prison inspections in line with European practices”.

- Strengthening inter-institutional cooperation

Specifically, the following steps should be taken on measures **2.5.8** “Establishment of a forum for cooperation of DNJF with other interest groups in the judicial sector and preparation of a plan for its functioning and development” **3.4.5** “Consolidation and finalization of twinning / cooperation agreements with European institutional partners”, **3.4.18**“ Preparation of cooperation programs with the HJC, HPC, GP, SoM to inform about new approaches and opportunities for a modern probation service according to European standards”, **3.5.18** “ Drafting, Consolidation and finalization of the memorandum of cooperation with MSHMS for the care and treatment of irresponsible offenders and in the care of patients convicted with mental problems and those in detention and memorandum with other institutions ”, **3.2. 4** “Consultation of the package of proposals with stakeholders (workshop) and drafting of consultation reports / finalization of the package and approval of the organic law of the prosecution, as amended”.

- Taking measures for continuous training by the institutions included in the Action Plan

Specifically, the following steps should be taken on measures **4.2.1** “Full functioning and taking measures for continuous training for technical secretariats and thematic groups in the justice sector in implementation of the GMIP mechanism” **4.3.2** “Design and implementation of strategic plan and capacity development of state bailiffs (training) ”

Key steps in continuing to achieve low-achievability objectives:

Objective 1.1: Continue the implementation and finalization of the process of transitional re-evaluation of judges and prosecutors in an effective and efficient manner in accordance with the provisions of the Constitution and the law.

Objective 1.2: To approve the evaluation procedure of prosecutors to complete the component related to the HJC in order to prepare the analysis of the implementation of the reform in the justice system based on the component related to the HJC.

Objective 1.3 The High Inspector of Justice during 2022, should continue with the procedures for the recruitment of non-magistrate inspectors as well as for raising requests to the relevant councils, for the command of magistrate inspectors at the Office of the High Inspector of Justice.

Objective 2.2 Opening calls and filling vacancies in the Constitutional Court.

Objective 2.4 Feasibility of the measures of the High Judicial Council in order to improve the judicial system in order to increase the effectiveness and efficiency of all levels of the judicial system, including the High Court, and to ensure the provision of transparent justice, without delay and accessible to citizens.

Objective 3.2 Finalize the draft package of proposals with stakeholders (workshop) and draft consulting reports / finalize the package and approve the organic law of the prosecution, as amended.

Objective 3.2 Consolidation of human resources for the full functioning of NBI.

Objective 3.4 Take measures to consolidate and finalize twinning / cooperation agreements with European institutional partners.

Objective 4.1 Finalize and fully operationalize the digitalization program of justice institutions.