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Meeting: 1514th meeting (December 2024) (DH)

Item reference: Updated Action Plan (18/10/2024)

Communication from Albania concerning the group of cases LULI AND OTHERS v. Albania (Application No. 64480/09)

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Réunion : 1514^e réunion (décembre 2024) (DH)

Référence du point : Plan d'action mis à jour (18/10/2024)

Communication de l'Albanie concernant le groupe d'affaires LULI ET AUTRES c. Albanie (requête n° 64480/09) (*anglais uniquement*)

DGI

18 OCT. 2024

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH



REPUBLIKA E SHQIPËRISË
STATE ADVOCATE
OFFICE OF GENERAL STATE ADVOCATE

No. 973/10 Prot.

Tirana, on 18 10 2024

To: Ms. Dimitrina Lilovska – Head of Division
Department for the Execution of Judgments of the ECHR
DGI - Directorate General of Human Rights and Rule of Law

Council of Europe
67075 Cedex
Strasbourg
France

Ref: On the Execution of ECtHR judgment on “Luli and others group v. Albania” (Application No. 64480/09)

Dear Madam,

In the framework of the cooperation between the Government of Albania and the Department of Execution of Judgments of the European Court of Human Rights, please find attached the updated information on the execution of individual measures regarding Luli and others v. Albania group of cases (Application No.64480/09).

Expressing my highest consideration,

Yours sincerely,

ODISE MOÇKA

GENERAL STATE ADVOCATE



UPDATE INFORMATION ON THE INDIVIDUAL AND GENERAL MEASURES

Application	Case	Judgment of	Final on	Indicator for the classification
64480/09+	LULI AND OTHERS (LEAD)	01/04/2014	01/07/2014	Complex problem
43391/18 17766/19	BARA AND KOLA v. ALBANIA	12/10/2021	28/02/2022	
10508/02	GJONBOÇARI AND OTHERS	23/10/2007	31/03/2008	

A. INTRODUCTION

The cases in this group concern the excessive length of proceedings before civil courts and administrative bodies and the lack of an effective remedy.

Under Article 46 in the Luli and others judgment the European Court noted that the excessive length of proceedings was becoming a serious deficiency in domestic legal proceedings in Albania and that general measures at national level were undoubtedly called for in the execution of the judgment introducing a domestic remedy as regards undue length of proceedings. The issue of the unreasonable length of proceedings and significant delays before the Supreme Court despite the context of the far-reaching reform of the justice system raised by the case of *Bara and Kola* (43391/18) is also followed in this group.

The Albanian authorities submitted updated information for this group of cases most recently on 20 October 2022 and 8 November 2022.

In its last examination in its 1451st meeting, the Committee of Ministers for Human Rights, after examining the information provided by the Albanian authorities, invited the latter to provide information on the developments in the pending domestic proceedings in the cases of Luli and Others and Gjonbocari and Others, and on the state of proceedings in the Bara and Kola case and to take measures to accelerate any pending proceedings.

As regards general measures the Committee invited the authorities:

- to provide thorough statistical information on judicial appointments and length of proceedings as well as to provide their assessment on the need to design specific additional measures for resorbing previously accumulated backlog;
- to provide information on the progress with the judicial re-organisation, as well as on developments with the referrals in criminal proceedings from higher to lower courts;
- to provide further details on the grounds for dismissal of requests for finding a breach of the reasonable time requirement and acceleration of proceedings; thorough statistical overview on the use and examination of the remedy; and overview of the practice of domestic courts;

- to provide their assessment as to whether additional measures are necessary to allow domestic courts, including the Supreme Court, to examine promptly requests for finding a breach of the reasonable time requirement, as well as to provide statistical information on the duration of their examination.

As follows, the Government is submitting updated information on the latest developments on individual and general measures in this group of cases.

B. INFORMATION RELATED TO INDIVIDUAL MEASURES

In the updated action plan "**Luli and Others v. Albania**" sent on 20 October 2022, the authorities provided information to the Committee of Ministers on the execution of other individual measures in the case "Luli and Others v. Albania", as regards progress in the domestic judicial proceedings.

1. The appeal proceedings initiated by Luljeta Çelkupa are still pending before the Durrës Court of Appeal. With letter no.13581/1 dated 6.10.2023 on the request of the State Advocate Office, the Durres Court of Appeal (currently Court of Appeal of General Jurisdiction) informed that the case is still under examination before this court. As we have already informed, the proceedings are suspended due to the fact some of the parties have passed away and the Court has requested the heirs of the deceased parties the inheritance certificates.

The State Advocate has requested continuously information on the status of the proceedings bringing into the attention of the Durres Court of Appeal, the need to bring the proceedings rapidly to an end¹.

2. The case "**Gjonboçari and Others v. Albania**"- From the electronic system for case management of the Supreme Court results that the status of the case is *in process* after the study phase but there is not yet planned for trial in the calendar. However, the Government recalls its position already submitted in its previous submission in relation to this set of proceedings that the ECtHR Judgment no.10508/2 "Gjonbocari k. Albania" dated 23 October 2007 is implemented, through the execution of the Supreme Court's Decision no.502 dated 06 March 2003 and with the issuance of the relevant formal requirements of the decisions no. 58 dated 31.08.2007 of former Regional Office of Restitution and Compensation of Property of Vlora. In view of the above mentioned, we consider that in this case no further individual measures are necessary.

Update:

The European Court of Human Rights on 19 March 2024 issued the Decision Gëzim BOÇARI against Albania, application no. 75984/11. The application concerns the length of proceedings concerning the execution of a domestic judgment and the Court's judgment in the case of Gjonbocari and Others v. Albania (no. 10508/02, 23 October 2007). The Court declared the application inadmissible as manifestly ill-founded in accordance with Article 35 §§ 3 and 4 of the Convention.

The Court noted that the applicant was awarded just satisfaction for the length of the enforcement proceedings at issue in its judgment of Gjonbocari and Others. Following that judgment, the Vlora

¹ Last letter no.4969 dated 3.10.2023.

Agency complied with the Supreme Court's judgment of 6 March 2003 and issued a decision on the applicant's claim for the restitution of property. As to the manner in which the domestic authorities have enforced the Supreme Court's judgment at issue, the Court does not discern any factors which would indicate that the authorities were responsible for the delays or otherwise failed to enforce the domestic judgment.

For these reasons, the Government request to the Committee to close the supervision of the case "Gjonboçari and Others v. Albania"

3. State of proceedings in "**Bara and Kola v. Albania**" (application no. 43391/18 and 17766/19). The applications concern the excessive length of administrative and criminal proceedings and the effectiveness of a new remedy introduced in 2017 in respect of the excessive length of proceedings.

1) Application no. 17766/19: **Kola v. Albania**

On 14.01.2022 the Supreme Court examined the cassation appeal of the applicant and quashed the decision of the Shkodra Court of Appeal on the grounds that it lacked sufficient reasoning in relation to the applicant's conviction with life imprisonment². The Supreme Court remitted the case for re-examination in the Shkodra Court of Appeal with another formation.

The Government will update on the state of the proceedings in the Shkodra Court of Appeal as soon as more information is available.

2) Application no. 43391/18: **Bara v. Albania**

The case was pending before the Administrative Court of Appeal after the decision of the Supreme Court to remit the case to the Administrative Court of Appeal for a fresh hearing.

On 27.3.2023, the Administrative Court of Appeal after a fresh hearing decided to uphold the judgment of the Tirana Administrative Court of First Instance of 4.7.2016.

From the electronic system for case management of the Supreme Court confirmed also by letter of the Supreme Court no.4826/1 dated 13.10.2023 results that the applicant did not file a cassation appeal for the judgment of the Administrative Court of Appeal.

The Government considers that no further individual measures are necessary to remedy the violation found by the Court in the judgment "Bara v. Albania" and request the Committee of Ministers to close the supervision of individual measures in respect of the case "Bara v. Albania".

² The Supreme Court held that in determining the sentence, the Shkodra Court of Appeal has not respected the principle of proportionality, giving the maximum penalty for a criminal offense that has a penalty margin from 20 years to life imprisonment without giving any specific reason for its decision-making.

Conclusion: *The Government will update the Committee of Ministers on the outcome of the proceeding before the Durrës Appeal Court as soon as more information is available.*

Update:

4. On 29 September 2022, the European Court of Human Rights delivered the judgment “Lacej and Others v. Albania” (Application no. 22122/08). The applicants complained that the length of the civil proceedings in question had been incompatible with the “reasonable time” requirement.

The Court having regard to its case-law on the subject, has found a breach of Article 6 § 1 of the Convention, considering that in the instant case the length of the proceedings, in particular before the Supreme Court, was excessive and failed to meet the “reasonable time” requirement.

The European Court of Human Rights awarded to the applicants 3.850 Euro for non-pecuniary damages and costs and expenses.

The State Advocate, according to the legislation in force, has initiated the procedures for the translation, publication, and execution of the judgment. The judgment was published in the Official Gazette no.140 dated 25/10/2022. On 30.12.2022, the Ministry of Finance has paid to the applicants the amount of 464,695 ALL (3850 euro).

Based on the above-mentioned considerations, the Government request the Committee to close the supervision of the case “Lacej and Others v. Albania” (Application no. 22122/08).

5. On 22 June 2023, the European Court of Human Rights delivered the judgment “Zeqo and Seat sh.p.k. v. Albania” (Applications no. 61445/12 and 53157/15). The applicants complained that the length of the civil proceedings in question had been incompatible with the “reasonable time” requirement. The Court having regard to its case-law on the subject, found a breach of Article 6 § 1 of the Convention, considering that in both applications the length of the proceedings was excessive and failed to meet the “reasonable time” requirement. The European Court of Human Rights awarded to the applicants 1,950 Euro for non-pecuniary damages and costs and expenses.

The State Advocate, according to the legislation in force, has initiated the procedures for the translation, publication and execution of the judgment. The judgment was published in the Official Gazette no.111 dated 27/07/2023. On 22.09.2023 the Ministry of Finance has deposited into a private frozen bank account, the amount of 213,330 ALL (1950 euro) for the payment of just satisfaction for the applicant.

Based on the above-mentioned considerations, the Government request the Committee to close the supervision of the case “Zeqo and Seat sh.p.k. v. Albania”.

6. On 6 July 2023, the European Court of Human Rights delivered the judgment “Mulla v. Albania” (Application no. 72348/11). The applicant complained that the length of the civil proceedings in question had been incompatible with the “reasonable time” requirement. The Court having regard to its case-law on the subject, found a breach of Article 6 § 1 of the Convention, considering that the length of the proceedings was excessive and failed to meet the “reasonable time” requirement. The European Court of Human Rights awarded to the applicants 1,700 Euro for non-pecuniary damages and costs and expenses.

The State Advocate, according to the legislation in force, has initiated the procedures for the translation, publication and execution of the judgment. The judgment was published in the Official Gazette no.116 dated 3/08/2023. On 22.09.2023 the Ministry of Finance has deposited into a private frozen bank account, the amount of 185,980 ALL (1700 euro) for the payment of just satisfaction for the applicant.

Based on the above-mentioned considerations, the Government request the Committee to close the supervision of the case “Mulla v. Albania (Application no. 72348/11”.

C. INFORMATION RELATED TO GENERAL MEASURES

C.1 Excessive length of proceedings

- Information on judicial appointments and progress with the country's judicial reorganization and administration of justice

The implementation of the justice reform continued, resulting in good progress overall³. The vetting process has advanced steadily and continues to produce tangible results.

The total number of the assesses to be vetted ex officio is 805. By the end of 2023, the Independent Qualification Commission, as the first instance of vetting has re-evaluated about 90% of the ex-officio list of magistrates.

By the end of December 2023, the Independent Qualification Commission had issued a total of 720 decisions, out of which:

- 315 confirmations in duty for 152 judges, 149 prosecutors, 2 former inspectors in the former-High Inspectorate of Justice; 2 inspectors in the High Judicial Council, and 10 assistants/legal advisors;
- 245 dismissals from office for 139 judges, 1 former judge in the High Court, 103 prosecutors, 1 inspector in the High Judicial Council and 2 legal advisers;
- 101 decisions on termination of the vetting proceedings for 60 judges, 27 prosecutors, 1 former prosecutor, 12 legal advisers and 1 former-inspector in the former-High Inspectorate of Justice (Article G of the Annex to the Constitution);
- 8 decisions on the cessation of the process for 3 judges, 1 prosecutor and 4 legal advisers in the Supreme Court (Article 56 of Law No 84/2016 “On the transitional re-evaluation of judges and prosecutors in the Republic of Albania”);
- 49 decisions on discontinuity of the process for 25 judges, 16 prosecutors and 1 former-Chief Inspector and 2 former inspectors in the former-High Inspectorate of Justice 3 legal advisers (Article 95 of the Code of Administrative Procedures and Article 64 of Law No 96/2016 “On the status of judges and prosecutors”);
- 2 decisions on the suspension from duty of 2 prosecutors.

³ EC Report on Albania, 2023

For the period 1 January – 31 December 2023, the Independent Qualification Commission has given a total of 119 decisions, of which:

- 67 decisions for confirmation in office for 27 judges and 38 prosecutors and 2 legal advisers;
- 29 decisions on dismissal from office for 11 judges, 1 former judge in the High Court and 17 prosecutors;
- 11 decisions on termination of the process for 4 judges, 5 prosecutors, 2 legal advisers (Article G of the Annex to the Constitution);
- 11 decisions on discontinuity of the process for 3 judges, 1 former judge, 4 prosecutors and 3 legal advisers.
- 1 decision on the suspension from duty of 1 prosecutor

In comparison, in 2023, **119** magistrates have been re-evaluated by IQC, while in 2022, have been re-evaluated 118 magistrates (*there is an increase with one more decision*).

Update:

By the end of July 2024, as the first instance of the vetting process, the IQC had completed 783 vetting cases, out of 805, or 97,2 % of the ex officio list. The IQC is committed to finalize the process in accordance with the timeline provided by the Constitution of Albania.

As a result of the process carried out by the IQC, 45,7% of the vetting dossiers processed resulted in confirmation in duty; 33,3% of vetting dossiers processed resulted in dismissals; around 13,1% of vetting dossiers resulted in the termination of the process, and the remaining percentage of magistrates have been retired, or the process has ceased, based on the provisions of the Law “On the status of the magistrates”, as well as those suspended for one year with the obligation to undergo training.

-Measures taken to fill out the judicial vacancies, including the Supreme Court and the Constitutional Court

The High Judicial Council (HJC) has advanced with the appointments of judges to vacant positions and recruitment of new magistrates.

The appointments to the Constitutional Court have been completed with all nine judges now in office, of whom eight with full nine-year mandate. The last vacancy in the Constitutional Court was filled in December 2022.

The Supreme Court became operational in 2022 and is capable to adjudicate all categories of cases. During 2023, the HJC completed the promotion procedures for 3 vacant judge positions in the

Supreme Court, ensuring that all 19 judges are in place, as foreseen by the legal framework in force. Furthermore, the HJC has initiated another promotion procedure to fill the vacancies due to the retirement of one judge.

Progress was made in addressing judicial vacancies through the swearing-in of 40 new judges who completed the School of Magistrates. These appointees underwent scrutiny about their assets and integrity in accordance with legal provisions in force.

Since its establishment, the High Judicial Council has increased the number of the judges in the justice system by adding 108 new judges.

As already stated in our previous submissions, the HJC has implemented additional mechanisms to address judicial vacancies such as increasing the number of candidates admitted to the initial training, the promotion procedure, delegation scheme, the temporary transfer of judges and examination of the requests submitted by the president of the courts regarding the appointment of different judges for the examination of certain cases⁴.

During 2023, the High Council of Justice has appointed 11 judges through the promotion procedure:

- a. 3 magistrates (judges) in the Supreme Court;
- b. 3 magistrates (judges) in the Court of Appeal of General Jurisdiction;
- c. 3 magistrates (judges) in the Special Court of First Instance for Corruption and Organized Crime;
- d. 2 magistrates (judges) in the Administrative Court of Appeal.

The promotion process is based on the principle of meritocracy.

In addition, the HJC appointed 5 judges through the delegation scheme and reviewed 169 requests for adjudication of court cases in different courts.

Based on the information submitted by the High Judicial Council⁵, it is expected that for the next three years, based on the quotas already approved from the HJC, 120 new magistrates will be included in the justice system. However, these data are based on projection because the appointment of the judges to the vacant positions is a very complex process which is dependent on other criteria and factors, such as the transitional re-evaluation of judges, the number of judges expected to reach retirement age, the number of judges undergoing disciplinary proceedings, or possible resignations.

⁴ Refer to the updated information submitted in November 2022

⁵ Letter of the High Judicial Council dated 23/10/2023.

Update:

The HJC continued to fill vacancies in ways such as promotion, temporary transfers with consent, and lateral transfer. Furthermore, the HJC appointed 32 new judges, who graduated from the School of Magistrates, in the academic year 2023-2024⁶.

Also, the procedure of verifying candidates for the initial training for magistrates (judges), in the School of Magistrates, for the academic year 2024-2025⁷, has been initiated and the process is ongoing.

With the approved number of employees, on 01.04.2024, the ratio of judges to administrative staff was 1: 3.2 (so 1 judge with 3.2 support staff), while with the number approved on 22.07.2024, the ratio is 1 judge with 3.4 support staff. This distribution aims to comply with the standards provided by Law no. 98/2016, which are in accordance with European standards for the number of employees (non-judge) that courts should have in relation to judges.

-Measures taken to increase efficiency and reduce backlog of cases

After implementing the New Judicial Map, the High Judicial Council was focused on enhancing the efficiency of the judicial system. A strategic plan aimed at reducing backlogs in various courts was devised, targeting mainly courts of general jurisdiction and administrative levels.

By Order no. 42, dated 20.07.2023 "On the establishment of the working group for drafting the strategy for reducing the number of backlog cases in Courts", the HJC established a working group composed of members of the HJC and judges, with the aim to determine the root causes contributing to case backlogs and draft tangible, efficient measures to address them in line with CEPEJ standards.

The working group is composed of members of the High Judicial Council and judges. In addition, representatives from the Council of Europe and from other projects assisting in the justice reform in Albania were invited to participate in the working group. The working group held its first meeting in 26.7.2023 and it is assisted by four subgroups with representatives from the HJC, the district courts of general jurisdiction, the Court of Appeal of General Jurisdiction, administrative courts of first instance, the Administrative Court of Appeal, the Council of Europe, and the projects EWMI/INL and EU4 Justice.

These sub-working groups are focused on the following activities:

- Collecting statistical data in relation to the overall objectives of the working group.
- Assessing and analysing the backlog in the First Instance Court of General Jurisdiction, the Court of Appeal of General Jurisdiction, the Administrative Courts of First Instance, and the Administrative Court of Appeal.

⁶ Decisions no. 437-468 dated 31.07.2024

⁷ Decision no. 264, dated 24.05.2024

reform, in terms of consolidating and completing the legal and institutional framework, as well as in the full alignment of EU directives and standards.

(ii) Strengthening independence, impartiality and accountability in the justice system; The strategy emphasizes the importance of the separation of powers and the elimination of external influences that may affect the decisions of courts and prosecutors. At the national level, efforts are focused on improving the legal and institutional framework that ensures the autonomy of the judiciary and on establishing strong accountability mechanisms to ensure that those who violate the principles of independence and impartiality are held accountable. In the international dimension, it aims to harmonize the justice system with international standards and best practices, including improving cooperation with international organizations and increasing professional and institutional exchanges to ensure that the justice system is compatible with international commitments and achieve a high level of integrity and impartiality.

(iii) Increasing the efficiency of institutions in the justice system; through this document, it is also intended to improve the capacity of the Supreme Judicial Council (HCJ) and the courts, including the Supreme Court, to implement measures that will increase their operational efficiency. Also, it aims to improve the capacities of the General Prosecutor's Office and the High Council of Prosecutors (KLP), as well as prosecutor's offices, to implement strategies that will optimize the efficiency of their work. Another key aspect is the improvement of the capacity of the Special Anticorruption Prosecution and the National Bureau of Investigation. The use of information and communication technology is also a key factor in increasing the efficiency of courts and prosecutions in accordance with international standards.

(iv) Strengthening the quality of justice; The strategy envisages strengthening the quality of justice by providing the financial, human and infrastructural resources necessary for the effective functioning of the justice system. This includes improving the performance of magistrates in courts and prosecutors, strengthening the capacity of the School of Magistrates to improve training and judicial training curricula, and ensuring public access to court decisions.

(v) Justice closest to citizens; Creating a justice system that is more accessible, transparent and oriented towards the needs of citizens. Improving the relationship between citizens and the justice system, ensuring that citizens have a better understanding of judicial processes and have easier opportunities to access justice services. Increasing public awareness and education about the justice system and institutions, making citizens feel more informed and empowered to seek justice.

-Implementation of the New Judicial Map: The adoption of the New Judicial Map in 2022 has been one of the major projects of the High Judicial Council aiming to improve the efficiency of courts in Albania and optimize human and financial resources.

After the adoption of the judicial map, the HJC took approved a total of 51 sub-legal normative acts consisting in the adoption of rules for the functioning of domestic courts after the reorganization process, establishing of restructuring Commissions, transferring judges due to the suppression of their positions.

Furthermore in 2023, the HJC was actively involved in completing the implementation process of the new judicial map, which was structured in three phases. The first phase involved the launch of operations for the Court of Appeal of General Jurisdiction on 01.02.2023.

The second phase involved beginning of the operation for thirteen courts of first instance of general jurisdiction on 01.05.2023, and the subsequent third phase initiated the operations of two administrative courts of first instance on 01.07.2023. With the aim to ensure access to justice, the HJC has established "Service Offices" at the former courts of appeal and previous district courts, aiming to provide administrative services related to court protocol and archives, as well as communication of information of the public and the media.

The implementation of this important reform has yielded initial tangible results in the Court of Appeal of General Jurisdiction. As reported by the HJC, according to statistical information collected from February 1 to September 8, 2023, it results that the Court of Appeal of General Jurisdiction has held a total of 9062 court hearings and pronounced a total of 4801 court judgments.

In addition, the HJC has undertaken an awareness campaign, which includes the publication of informative materials such as posters and brochures on the official website of the HJC, respective courts, on social networks and in court premises.

a) Transparency and awareness raising measures.

In addition to the measures already taken by the High Judicial Council to ensure access to the judicial system and create transparent communication with the public and the media, on November 2, 2022, through Decision No. 454, the High Judicial Council adopted the "Communication Plan for Courts 2022-2024." This communication plan is accompanied by an "Action Plan" with specific measures and tools for the communication of the judiciary with the public, media, and other branches of governance, international partners, judges, and even court staff.

Within the framework of the "New Judicial Map," this communication plan has been instrumental for the courts to orient their activities towards communication and increasing public and media information about the reorganization of the judicial system. This communication plan has served the courts to communicate in a structured manner and to facilitate legal education for the public. This plan is followed by a concrete action plan for the period 2022-2024. In addition, in its commitment to enhance transparency, the Council approved the "Standard Guidelines for relations with the public and the media." This guide aims to strike a balance between the media's mission of delivering information with integrity and professionalism and the courts' obligation to provide transparency and uphold legal standards that protect human rights without restricting media freedom.

Specifically, throughout the implementation of the three phases of the "New Judicial Map," the HJC has undertaken an awareness campaign, which has included publishing posters and brochures on the official website of the High Judicial Council, courts, and social media.

Additionally, in the context of ensuring citizens' access to justice, the HJC has facilitated the opening of "Service Offices," that operate near the buildings of the former courts with the

necessary number of employees for providing information and administrative services and for preserving the archives of the merged courts.

The Service Offices are considered as reception offices for providing necessary services and public information. They are part of the court's organizational structure and facilitate the administrative work of the main court.

Significant progress has been made also in relation to *court infrastructure*. A working group was established by a joint order approved by the Ministry of Justice, the HJC, the General Prosecutor's Office, to address challenges related to reorganization of courts and prosecutors' offices.

This working group conducted on-site inspections of relocated buildings and created a project task document for constructing a joint building for specific courts and prosecutions in Tirana. An agreement between the HJC and the General Prosecutor's Office aimed at effectively using inherited buildings resulting from the reorganization. Budget requests for construction and reconstructions were submitted by the HJC to the Committee for Legal Affairs, Public Administration, and Human Rights.

The efforts focused on optimizing the functioning of justice institutions within the reorganization process, ensuring suitable infrastructure, and utilizing buildings efficiently within the new judicial map.

Update:

In order to provide the most effective justice and to increase public trust in the judicial system, the HJC has approved the regulation for the professional training of judicial civil servants which aims to create a body of judicial administration with high professional skills and ethical, in function of better administration of the judicial process.

b) New Case Management System (ICMIS)

The Information Technology Centre for the Justice System (ITC) operates under the jurisdiction of the HJC. The mission of the ITC is to establish standards and policies in line with the general state policies for the information technology system concerning the justice system. Its aim is to ensure the effective operation of information and data processing technology systems (including equipment and programs), thereby guaranteeing the fulfilment of the justice system's institutional needs. During 2023, the ITC focused on augmenting its administrative staff by appointing three specialized employees in the field. It is anticipated that the ITC will achieve its full operational capacity, by the year 2024.

The ITC, in collaboration with the HJC, leads the development of the new integrated case management system (ICMIS), aiming to modernize court processes for enhanced efficiency. The estimated 11 million euros needed for this project, detailed in the Council of Europe and EU Delegation's guide, faced budgetary constraints in 2023. Despite the current lack of funds, the HJC and ITC have advanced with the preparatory work, by drafting the standard communication rules between the information technology system of the different justice institutions, which has been shared with EU delegation. Moreover, a working group was established with the aim of drafting a roadmap of the new case management system for the entire justice institution.

Following statistical information provided by the HJC, as regards the average duration of domestic proceedings, clearance rate and backlog of cases.

Update:

As already informed, the ICT and HJC are developing a New Case Management System (ICMIS) for courts, detailed in the "Roadmap for the New Case Management System" guide. Partnering with various stakeholders, they aim to modernize and enhance digital transformation in the justice sector. The HJC has established the necessary capacities and legal framework for ICMIS and, following EU recommendations, approved interoperability rules. Moreover, within the framework of providing the appropriate human resources at the ICT, 4 specialists have been recruited and currently are in duty. One more specialist remain to be recruited, in order for the ICT structure to be fully completed.

On 31.05.2024 a high-level strategic meeting was organized and agreements reached focused on the interoperability modalities/protocols on how the new ICMIS will intercommunicate and exchange information and data with other relevant state databases and systems.

On the basis of this agreements, the Inter-institutional Working Group (IWG) , in consultation with the experts of the European Delegation, CEPEJ and UNOPS, is preparing the Roadmap for the Digitalisation of the Justice System in the Republic of Albania . The interoperability between the databases of the justice systems will be realized through APIs, which will enable real-time data exchange between the databases of the justice institutions. Meanwhile, IBIS, as an independent node, will be a software solution which will serve as a gateway for the communication of the two main databases of the justice institutions with the government portal e-albania.

In parallel Albania is taking the necessary steps to ensure the budget is available for the justice system to establish the modern Integrated Case Management System, ensuring its roll-out and allowing, as elaborated above, digital cooperation between courts and electronic submission of documents in light of a smooth adaptation to the existing and future digital judicial cooperation procedures in the EU'.

Updated statistical information as regards the average duration of domestic proceedings, clearance rate and backlog of cases can be found in the Annual Report of the HJC (attached to this document).

INFORMATION ON DISPOSITION TIME FOR CRIMINAL ADMINISTRATIVE AND CIVIL CASES FOR ALL DOMESTIC COURTS

The table below contains information on the time disposition time (DT) for 2022 and for the first six months of 2023. DT is one of the CEPEJ indicators and a basic indicator of the efficiency of courts.

Courts	Indicator DT for 2022			Indicator DT for the 6 months of 2023
	DT Civil	DT Criminal	DT Administrative	DT for the cases
District Court Berat	222.5	93.4		285
District Court Dibër	167.6	163.9		87.6
District Court Durrës	212.7	118.9		339.7
District Court Elbasan	209.5	169.3		719.2
District Court Fier	114.6	56.5		249.1
District Court Gjirokastrë	119.5	177.3		198.7
District Court Kavajë	262.8	69.6		
District Court Korçë	166.6	79.0		337.8
District Court Krujë	137.2	105.7		
District Court Kukës	176.6	183.0		412.5
District Court Kurbin	97.2	40.2		
District Court Lezhë	68.0	109.9		322.7
District Court Lushnjë	107.1	43.9		
District Court Mat	71.3	54.5		
District Court Përmet	193.5	121.1		
District Court Pogradec	257.3	93.4		
District Court Pukë	78.5	97.0		
District Court Sarandë	300.3	64.2		363.5
District Court Shkodër	185.4	65.9		226.6
District Court Tiranë	260.9	87.2		525.8
District Court Tropojë	78.3	48.2		

District Court Vlorë	202.4	115.2		328
Special Court against Corruption and Organised Crime		26.6		
First Instance Administrative Court Durrës			882	
First Instance Administrative Court Gjirokastrë			46.4	
First Instance Administrative Court Korçë			15.7	
First Instance Administrative Court Shkodër			201.7	
First Instance Administrative Court Tiranë			141	
First Instance Administrative Court Vlorë			273.1	
Court of Appeal Durrës	888.5	277.1		
Court of Appeal Gjirokastrë	359.2	164.4		
Court of Appeal Korçë	860.4	269.2		
Court of Appeal Shkodër	503.9	342.1		
Court of Appeal Tiranë	5995.3	916.4		3691.8
Court of Appeal Vlorë	1025.5	475.3		
Special Court of Appeal against Corruption and Organised Crime		40.8		
Administrative Court of Appeal Tiranë			8680.4	
Supreme Court	2851.2	902.5	1584.1	2548.3

INFORMATION ON THE NUMBER OF CASES IN EXAMINATION

Courts	Cases under examination at the end of 2022			Cases under examination in the 6 months of 2023
	Civil	Criminal	Administrative	
District Court Berat	984	351		1197
District Court Dibër	259	304		355
District Court Durrës	2179	1116		4077
District Court Elbasan	1748	1635		4577
District Court Fier	923	432		2286
District Court Gjirokastrë	262	394		793
District Court Kavajë	496	247		
District Court Korçë	817	572		2325
District Court Krujë	282	247		
District Court Kukës	211	339		911
District Court Kurbin	228	80		
District Court Lezhë	250	473		1731
District Court Lushnjë	360	153		
District Court Mat	93	78		
District Court Përmet	106	74		
District Court Pogradec	351	198		
District Court Pukë	34	34		
District Court Sarandë	937	191		1225
District Court Shkodër	114	573		1952
District Court Tiranë	16577	2698		21603
District Court Tropojë	53	30		
District Court Vlorë	1582	773		2388
First Instance Special Court against Corruption and Organised Crime	152			112
First Instance Administrative Court Durrës			2542	2525
First Instance Administrative Court			199	222

Gjirokaštër				
First Instance Administrative Court Korcë			124	113
First Instance Administrative Court Shkodër			652	535
First Instance Administrative Court Tiranë			2568	2824
First Instance Administrative Court Vlorë			1269	1396
Court of Appeal Durrës	2052	892		
Court of Appeal Gjirokaštër	307	177		
Court of Appeal Korcë	594	343		
Court of Appeal Shkodër	1313	820		
Court of Appeal Tiranë	13896	6174		35927
Court of Appeal Vlorë	3186	1616		
Special Court of Appeal against Corruption and Organised Crime		34		23
Administrative Court of Appeal Tiranë			21166	22264
Supreme Court	17334	4463	10030	28820
TOTAL	68556	25663	38550	140181

INFORMATION ON PREVIOUSLY ACCUMULATED BACKLOG

In the first three columns of the table below, the backlog refers to the end of 2021. This backlog indicates the cases that were not adjudicated that year and were waiting to be adjudicated in the following year, i.e., in 2022. As it results from the table, civil cases predominantly dominate the backlog for this year. As for 2023, there is an increase of about 7% compared to the previous year. This increase creates an additional initial workload that will have to be disposed of during 2023 together with the new cases that will be registered in courts during the year.

Courts	Number of cases accumulated from 2021 in 2022			Number of cases accumulated from 2022 (in the 6 months of 2023)
	Civil	Criminal	Administrative	Cases in total
District Court Berat	980	291		1335
District Court Dibër	128	104		468
District Court Durrës	1690	674		4037
District Court Elbasan	1446	1148		3383
District Court Fier	696	449		1829
District Court Gjirokastrë	332	494		836
District Court Kavajë	412	192		
District Court Korçë	689	433		1938
District Court Krujë	277	227		
District Court Kukës	127	201		633
District Court Kurbin	236	90		
District Court Lezhë	372	304		1031
District Court Lushnjë	321	120		
District Court Mat	157	70		
District Court Përmet	78	53		
District Court Pogradec	235	145		
District Court Pukë	39	34		

District Court Sarandë	816	186		1128
District Court Shkodër	733	253		1783
District Court Tiranë	17591	1783		19410
District Court Tropojë	61	29		
District Court Vlorë	976	918		2355
First Instance Special Court against Corruption and Organised Crime		181		152
First Instance Administrative Court Durrës			2189	2542
First Instance Administrative Court Gjirokastrë			184	199
First Instance Administrative Court Korçë			89	124
First Instance Administrative Court Shkodër			881	652
First Instance Administrative Court Tiranë			1667	2568
First Instance Administrative Court Vlorë			1263	1269
Court of Appeal Durrës	2074	828		
Court of Appeal Gjirokastrë	244	95		
Court of Appeal Korçë	550	282		
Court of Appeal Shkodër	1484	702		
Court of Appeal Tiranë	11991	5656		33729
Court of Appeal Vlorë	2981	1253		
Special Court of Appeal K.K.O		24		33
Administrative Court of Appeal Tiranë			18415	21166
Supreme Court	18768	5334	11964	31827
TOTAL	66484	22553	36652	134427

INFORMATION ON CLERANCE RATE FOR ALL THE DOMESTIC COURTS, INCLUDING THE SUPREME COURT

The clearance rate is reflected in the table below. Referring to the CR indicator, it can be seen that there is an increase of about 3.4% in the first half of 2023 of clearance rate compared to 2022. The courts with the lowest CR in 2022 are the Administrative Court of Appeal and the Tirana Court of Appeal (currently the Court of Appeal of General Jurisdiction). Therefore, these courts have resolved fewer cases than they have received, and the backlog has increased. The same situation is also presented in the first half of 2023. Whereas other courts, such as: Berat, Gjirokastër, the Special Courts have CR>100, which shows that the backlog is decreasing.

Courts	Clearance Rate for the year 2022 (in %)			Clearance rate for the 6 months of the year 2023
	CR Civil	CR Criminal	CR Administrative	CR in %
District Court Berat	99.8	95.8		109.8
District Court Dibër	81.2	77.2		108.3
District Court Durrës	88.4	88.6		99.1
District Court Elbasan	91	87.9		66.1
District Court Fier	92.8	100.6		88
District Court Gjirokastër	109.6	114.1		103
District Court Kavajë	89.1	95.9		
District Court Korçë	93.3	95		86.7
District Court Krujë	99.3	97.7		
District Court Kukës	83.8	83		74.4
District Court Kurbin	100.9	101.4		
District Court Lezhë	110	90.3		73.7
District Court Lushnjë	96.9	97.5		
District Court	115.5	98.5		

Mat				
District Court Përmet	87.7	91.4		
District Court Pogradec	81.1	93.6		
District Court Pukë	103.3	100		
District Court Sarandë	90.4	99.5		92.7
District Court Shkodër	84.6	90.8		94.9
District Court Tiranë	104.6	92.5		87.2
District Court Tropojë	103.3	99.6		
District Court Vlorë	82.5	106.3		98.8
First Instance Special Court against Corruption and Organised Crime		101.4		102.8
First Instance Administrative Court Durrës			74.9	103
First Instance Administrative Court Gjirokastrë			99.1	95.9
First Instance Administrative Court Korçë			98.8	100.9
First Instance Administrative Court Shkodër			124.1	126.5
First Instance Administrative Court Tiranë			86.9	94.8
First Instance Administrative Court Vlorë			99.6	84.2
Court of Appeal Durrës	102.7	94.8		
Court of Appeal Gjirokastrë	83.2	82.7		

Court of Appeal Korçë	85.1	88.4		
Court of Appeal Shkodër	121.9	88.1		61.8
Court of Appeal Tiranë	30.8	82.6		
Court of Appeal Vlorë	84.7	77.4		
Special Court of Appeal against Corruption and Organised Crime		96.8		106
Administrative Court of Appeal Tiranë			24.4	40.6
Supreme Court	282.7	193.3	613	368.2

-Functioning of the Supreme Court

As mentioned above, the HJC finalised the promotion of judges to the Supreme Court and now all 19 judges are in place. With the last three appointments during 2013, the Supreme Court now operates at full capacity.

The number of legal advisors has increased and currently there are 28 legal advisors in the Legal Service Unit. Each of them has the duty to draft and present 25 reports for court cases that are assigned to them.

Currently, the Supreme Court is working for the unification of practices, through the review of cases adjudicated in panels of five (5) members.

For the period, from 1 January 2023-31 December 2023, the Supreme Court has delivered in total 7,848 decisions, of which 2,931 decisions by the Administrative College, 2,689 decisions by the Civil College and 2,228 decisions by the Criminal College.

The clearance rate of the Supreme Court for more than two years is nearly 425% . During 2023 1,846 new cases were registered and 7,848 were solved. The number of cases per judge is 4 times more than the CPJ indicator. Referring to these data, each judge this year had a workload of nearly 440 decisions which is a record number, considering that the Supreme Court reviewed on average

no more than 250 cases per year per judge. This demonstrates the high responsibility and commitment of the Supreme Court in reducing the backlog.

The Supreme Court estimates to eliminate the backlog in the next two years⁹.

Currently, at the Supreme Court, the Criminal College is reviewing cases from 2018, the Civil College is finalizing the review of cases from 2015 and starting to review cases from 2016, and the Administrative College is reviewing cases from 2017. Exceptions to this chronologic order are priority category of cases, which are examined under an accelerated procedure which includes speedy examination of suspended cases, family and property cases, security measures, or cases filed by vulnerable groups of the society.

The Supreme Court has also put emphasis on improving the quality of the judgments. During 2023 the different colleges of the Supreme Court have worked for the unification of the practice for 13 judgments.

As already informed in our previous submissions, another measure to reduce the backlog of cases in the Supreme Court has been the adoption of Instruction no.1 dated 26.5. by the Council of Ministers for the withdrawal by the public administration institutions from appeal requests submitted in the Supreme Court that have been partially or completely executed or lost their relevance. During 2023, there have been 468 withdrawal requests from recourse to the Supreme Court, 384 of which from public institutions.

However, the big number of cases accumulated over the years at the Supreme Court remains a concern and continues to negatively impact the efficiency of judicial system. In this regard, a wide range of legal and administrative measures have been adopted aiming to reduce the backlog and ensure uniform interpretation of the law. Such as amendments to the Code of Civil Procedure and the Code of Criminal Procedure aiming to expedite civil and criminal proceedings; new rules governing appeals to the Supreme Court; rules to ensure coherence of the domestic case-law and unification of judicial practice, a clear methodology aimed at reviewing the most urgent and earliest cases; establishment of a filtering system which speeds up processing of cases; the possibility of examination by a three-judge panel for specific cases etc..

The Supreme Court has also improved working methods by unifying procedural acts and continuously reviewing administrative practices to improve efficiency and coordination. In this aspect, standard models of procedural acts have been drafted to facilitate the work of the administration and legal advisors, but also of the justice system operators (models of the recourse submitted by the parties; legal advisor's report; forms of judicial decisions, which do not need detailed and lengthy reasoning; forms of judicial decisions, according to the nature of the case, etc.).

In addition, the working methods of the administrative staff is being continuously revised in order to improve and increase coordination and efficiency and reduce time limits for case management.

⁹ Statement to the media of the President of the Supreme Court, December 2023

A new organizational structure of the Supreme Court was adopted, in which the supporting services are structured with the aim to providing efficient support to the judicial body's activity, as well as to offer qualitative and professional judicial service to the public and justice system operators.

Special attention was given to the establishment and functioning of the Documentation Center as well. The Center ensures the publication of the Supreme Court's judgments in the Bulletin of the Supreme Court. The Documentation Center makes analysis of the Supreme Court's judgment and ensures the publication of judgments and extracts of the main judgments. It also studies the judicial practice of domestic and international courts, and provides judges, assistant magistrates, and non-magistrates, legal advisors information on interpretation of legislation by the domestic courts. The Center has recruited new employees and has organized several trainings with experts from homologous supreme courts to benefit from their experience on the efficient operation of the Center.

Work has also been done in case management of judicial files. Procedures and administrative practices of the administrative staff's work are constantly being reviewed, with the objective of improving it, increasing the efficiency of the work, reducing the time related to the management of judicial files, as well as better coordination with the units (such as the order for publishing trial dates and notifying the parties; the order for the immediate publication of judicial decisions; the determination of the monthly number of files for treatment by legal advisors; the establishment of the working group for the preparation of periodic judicial information.

Another measure taken by the Supreme Court is the speedy publication of court judgments aiming to increase transparency to the public. This has been achieved through the improvement and simplification of the official website of the Supreme Court, facilitating access and the publication of decisions, announcements, and accurate information about judicial activity. The Court has also opened accounts on social media networks to improve communication with citizens and has published informative brochures.

Moreover, cooperation with international partners and implementation of the projects like the one with the assistance of USAID has helped address the backlog of cases, including processing of old files for examination and review.

-Functioning of the Constitutional Court

2023 was an extremely engaging year for the Constitutional Court. The judiciary body, now completed with its 9 members has dealt with important issues concerning the resolution of constitutional disputes, conflicts of competencies between state authorities, the constitutionality of normative acts, and of course, the respect of individual freedoms and rights within the framework of individual constitutional complaints.

The examination of the constitutional requests in the Constitutional Court takes approximately 8 months and the Constitutional Court currently has no backlog of cases.

The total number of applications filed with the Constitutional Court in 2023 is 452 out of which 367 were requests registered in 2023, while 85 requests were registered in 2022.

The total number of decisions rendered by the Constitutional Court during 2023 is 353, of which, 70 final decisions (on the merit of the case) and 283 inadmissibility decisions (out of which: 38 decisions rendered by the Meeting of Judges and 245 by the Panel of Judges)

Making a comparison on the activity of the Constitutional Court during 2021-2023, it results that:

- In 2021 - 147 requests; 201 decisions in total, of which 41 were final.
- In 2022 - 291 requests; 238 decisions in total, of which 43 were final decisions.
- In 2023 - 367 requests; 353 decisions in total, of which 70 were final.

Therefore, in 2023 there was almost a doubling of the number of requests and decisions delivered by the Constitutional Court.

C.2 Frequent referral of cases from higher to a lower court, concerning criminal cases.

According to the data provided by the Supreme Court, for the year 2022 out of 1805 cases examined by the Criminal College of the Supreme Court, 209 cases were returned for retrial to lower courts.

-Data from First instance Courts:

During 2022-2023 the total number of cases returned for trial is 47

-Data form Appeal Court of General Jurisdiction:

During 2022-2023 the total number of cases returned for trial is 34

-Data from Special Court of Appeal for Corruption and Organised Crime:

During 2022-2023 the total number of cases returned for trial is 3

The Government notes that the number of cases returned form retrial should be analyzed in the framework of the increase in the number of cases examined by the domestic courts during these two years, in comparison with previous years.

C.3 Efficiency of domestic remedies for just satisfaction

The Albanian Government notes that there has been a significant increase in the requests to the Supreme Court, with the object of "Finding a violation of reasonable time and acceleration".

The data for 2022-2023 are as following:

- During 2022 there were 76 registered requests for finding of violation
- During 2023 (data till November 2023) there were 51 registered requests for finding of violation

During January 2022-November 2023 the Supreme Court has examined 95 requests for “Finding a violation of reasonable time and acceleration”. The Supreme Court has accepted 4 requests for finding a violation of reasonable time requirement for 2022-2023.

As regards the data from the other domestic court, during 2022-2023 there have been a total number of 10 requests submitted in the first instance courts for awarding just satisfaction for violation of reasonable time requirement¹⁰. In 4 of them the courts have awarded just satisfaction for the claimants and in the other three it has ruled for the cessation of the trial because of the non-appearance of the parties or because of lack of jurisdiction. There are in examination two other requests for awarding just satisfaction in Tirana Court of General Jurisdiction and Lushnja District Court.

During January 2022-November 2023 in the Appeal Court of General Jurisdiction there have been 6 requests with the object of “Finding a violation of reasonable time and acceleration” and two for awarding just satisfaction.

The Appeal Court of General Jurisdiction has examined three of them. In two of the judgements after examining the case in the merits, it has rejected the applicant's requests and in one of the judgements it has ruled for the cessation of the proceedings.

CONCLUSION

The Albanian Government will inform the Committee of Ministers, as soon as possible, on future developments on general and individual measures as soon as more information is available.

¹⁰6 requests in Tirana Court of General Jurisdiction (letter no.6805/1 dated 6.11.2023)

JUDICIAL SYSTEM DURING 2023

During 2023, the judicial system experienced a decrease in workload, with the total number of cases under review being 5.1% lower than in 2022. One of the contributing factors to this was the reduction in the number of new cases registered. In 2023, citizens approached the courts less frequently, resulting in a 9.5% decrease in newly registered cases compared to the previous year. Most courts operated with a reduced capacity of judges, under 70%, while nationally, only 60.5% of the judiciary's personnel were effectively in office during 2023.

The workload in the courts was handled by only 247 judges, or 8.94 judges per 100,000 inhabitants. This ratio is 60% lower than the European norm (22.2 judges per 100,000 inhabitants). The average workload per judge nationwide in 2023 was nearly 566 cases per judge, marking an increase of 5 cases compared to the previous year (561 in 2022).

The courts have made efforts to maintain the pace of resolving cases, and the average case clearance rate nationwide shows variation.

- The Supreme Court continues the upward trend in the clearance rate for civil and administrative cases, surpassing the 100% threshold for all three categories, reviewing 3.7 times more cases than new registrations.
- The case clearance rate for the General Jurisdiction Court of Appeals is not satisfactory. It is observed that, compared to the previous year, there has been a decrease in the clearance of cases. Data shows that the clearance rate for civil cases has decreased by 38%, and for criminal cases, it has decreased by 12.1%.
- The Administrative Court of Appeals achieved a higher clearance rate. The indicator for this court in 2023 is 43%. Although the clearance rate has increased by 55% compared to the previous year, it still remains below 100%.
- The Special Court of Appeals for Corruption and Organized Crime (GJPAKKO) achieved a clearance rate of 103.3%.
- For the First Instance Courts of General Jurisdiction, the clearance rate for civil cases in 2023 shows varying values. Overall, the average indicator for civil cases has decreased by 5%, while for criminal cases, it has increased by 2%.
- The Special First Instance Court for Corruption and Organized Crime achieved a case clearance rate of 100.9%.
- In the first instance administrative jurisdiction courts, the case clearance rate is observed to be below 100%, with Tirana at 91.25% and Lushnja at 87.87%.

However, due to the short time since the implementation of the New Judicial Map, these findings should be taken with caution, to be objectively evaluated in the coming years.

As following some of the key findings on the functioning of the domestic courts, as reflected in the Report of the High Judicial Council for 2023.

The Supreme Court of Albania

- The Supreme Court began 2023 with a total of 31,827 cases awaiting trial.
- It operated with 86% of its judges and 81% of the judicial administration staff as stipulated in its organizational structure.
- In 2023, the Supreme Court registered 2,145 new cases.
- Each judge had an average of 2,084 cases and managed to adjudicate 486 cases during 2023.
- During the reporting year, the Supreme Court managed to:
 - Resolve 7,914 civil, administrative, and criminal cases;
 - Continue the increasing trend in the clearance rate of civil and administrative cases and surpassed the 100% threshold for all three categories.
- The year 2023 ended with a reduced backlog by 18%. As of January 1, 2024; - 26,058 cases remain pending in the Supreme Court (the backlog of 2023).

The Special Court of Appeal for Corruption and Organized Crime

- The Special Court of Appeal for Corruption and Organized Crime (GJPAKKO) began 2023 with a backlog of 34 cases awaiting trial.
- During 2023, 297 new cases were registered, which is 17 fewer compared to 2022.
- Operating with 91% of its judges and facing a higher case load compared to 2022, the Special Court of Appeal for Corruption and Organized Crime (GJPAKKO) has managed to improve its performance compared to the previous year.
- In 2023, GJPAKKO has:
 - Maintained a low backlog of carried-over cases (11% of the total caseload);
 - Reduced the average output per judge by 22% due to an increase in the number of judges;
 - Achieved a positive case clearance rate of 103.3%;
 - Maintained an average duration for case resolution at 30.7 days.
- GJPAKKO will begin 2024 with 25 cases carried over from the previous year.

The Special First Instance Court for Corruption and Organized Crime

- The Special First Instance Court for Corruption and Organized Crime began its work in January 2023 with 152 cases awaiting trial (backlog), 29 fewer cases compared to the backlog at the start of 2022.
- A total of 2,775 new cases were registered in the court, 716 or 25% more compared to the previous year.
- The increase in the effective number of judges in 2023, compared to the previous year, has led to improvements in the court's overall efficiency indicators:
 - The average workload per judge (WR) is 325 cases;
 - The average output per judge (ER) is 311 cases;
 - The case clearance rate (CR) is 100.9%;
 - The average time needed to resolve a case (DT) overall is 16 days.
- At the end of the reporting year, 126 cases remain pending for review in this court.

General Jurisdiction Court of Appeal

- The total backlog in the General Jurisdiction Court of Appeal has reached 37,662 cases, 20.1% higher compared to 2022.
- During the reporting year, 14,507 new cases were registered (331 more cases than in 2022).
- The average workload per judge (WR indicator) has increased by 56% compared to the previous year.
- Efficiency indicators for 2023:
 - The output of appeal judges has increased by 8.2%.
- As of 2023, 37,662 cases remain pending for review in the General Jurisdiction Court of Appeal.

The Administrative Court of Appeal

- The Administrative Court of Appeal began 2023 with 21,166 cases awaiting trial (backlog), 13% more than in 2022.
- A total of 3,470 new cases were registered, which is 171 fewer than the previous year.
- Judges at the Administrative Court of Appeal faced an average workload of 2,968.2 cases per judge.
- Efficiency indicators showed a slight improvement, although the increase in backlog and the extension of trial deadlines were avoided.
 - The average efficiency rate per judge (ER) is 190.4 cases (14% higher compared to 2022).
 - The case clearance rate (CR) increased to 43%, up from 24% in 2022.
 - The average time to resolve a case is currently 5,326.20 days (14.6 years). This duration has decreased by 38.6% compared to the previous year.
- At the end of 2023, 23,056 cases remain pending trial (8.9% more than at the beginning of the year).

The First Instance Administrative Courts

- The year 2023 began with 7,352 cases (backlog) awaiting trial in the First Instance Administrative Courts, a value approximately 17% higher compared to the previous year. The backlog is primarily concentrated in the First Instance Administrative Court of Tirana, accounting for 80% of the total (5,884 cases) and 20% (1,468 cases) in the First Instance Administrative Court of Lushnje.
- During the reporting year, 15,435 new cases were registered, of which 12,913 were in the First Instance Administrative Court of Tirana and 2,522 in the First Instance Administrative Court of Lushnje.
- The trials were conducted by 65% of the anticipated judges.
- The First Instance Administrative Courts have recorded:
 - A reduction in the average workload of judges to 872 cases per judge, compared to 955 cases per judge in 2022.
 - A decrease in the average output of judges to 522.6 cases from 659 cases adjudicated per judge in 2022.
 - A case clearance rate below 100% in both courts (Tirana and Lushnje).

- Trials are conducted within reasonable legal timeframes, with an average DT indicator of 292.2 days in the First Instance Administrative Court of Lushnje and 217.3 days in the First Instance Administrative Court of Tirana.

General Jurisdiction Courts

- For the group of general jurisdiction courts, the total backlog of cases from 2022 is 40,070 cases (10% more compared to the previous year), of which 48% (19,275 cases) are in the Tirana court.
- The general jurisdiction courts operated with 56% of the anticipated judges.
- In 2023, 84,382 new cases were registered (13% fewer than in 2022). Tirana holds first place with 31,883 cases (38% of the total), followed by Durrës with 10% of the total, and Fier with 7,328 cases (8.7% of the total).
- Efficiency indicators showed a slight decline, marking:
 - An increase in the average output of judges in this group. The average output indicator is 841.7 cases adjudicated per judge.
 - The case clearance rate differs for both categories of cases, averaging 90% for civil cases and 97% for criminal cases, but remains below the 100% threshold.
 - An increase in the DT indicator (time required to conclude a case in days) and an extension of the time needed to process cases. A civil case in the first instance is adjudicated in an average of 272 days, while a criminal case takes 114 days.
 - Criminal and civil cases in the first instance are adjudicated within reasonable legal timeframes in all courts across the country.
 - The average workload per judge (WR indicator) and the efficiency rate per judge (ER indicator) show a pronounced imbalance between judges of the same level, caused by the number of active judges, which varies from one court to another.
- As a result of the efficiency indicators, the backlog increased by 8% at the end of 2023, or by 3,315 additional cases. As of December 31, 2023, 44,181 cases remain pending, of which 45% (19,911 cases) belong to the First Instance Court of General Jurisdiction in Tirana.