

## Evaluation of the judicial systems 2024 (data 2022)



Albania

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**Reference data 2022 (01/01/2022 - 31/12/2022)**

**Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023**

### **Objective :**

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

### **Instruction :**

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

## **1.General and financial information**

### **1.1.Demographic and economic data**

#### **1.1.1Inhabitants and economic general information**



##### **001. Number of inhabitants (if possible on 1 January of the reference year +1)**

[ 2 793 592 ]

Comments

=



**003. Per capita GDP (in €) in current prices for the reference year**

[ 5 489 ]

Comments

**004. Average gross annual salary (in €) for the reference year**

[ 6 888 ]

[ ] NA

Comments

**005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1:**

[ 120.87 ]

Allow decimals : 5

[ ] NAP

Comments

**A1. Please indicate the sources for answering the questions in this part**

Sources:

**1.1.2 Budgetary data concerning judicial system**



**006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.**

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	27 824 922 [ ] NA [ ] NAP	25 708 104 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	20 046 009 [ ] NA [ ] NAP	18 509 365 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	[ X ] NA [ ] NAP	216 391 [ ] NA [ ] NAP
<b>2.1 Investments in computerisation</b>	[ X ] NA [ ] NAP	182 948 [ ] NA [ ] NAP

<b>2.2 Maintenance of the IT equipment of courts</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	33 443 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	229 243 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	501 383 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Annual public budget allocated to training</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other (please specify)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	6 251 723 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Total - Annual public budget allocated to the judicial system = TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7) + Annual public budget allocated to the HJC + Annual public budget allocated to the CIT regarding the specific figures there is a discrepancy of 1 Euro. ;Total Annual public budget allocated to the judicial system: 27,824,922+ 2,385,360 +39,509 = 30,249,791

The training in courts is divided in 2 different parts, the training of magistrates is done by the School of Magistrates with their own budge, while the training of all non-magistrate staff is done by the HJC, for different reasons the budget this year has been planned as 0.

7. Other (please specify): Office service costs (Letter, Office, toners, etc.) 651,478

Diet Travel Expenses: Implemented budget 69,635

Transportation services: Implemented budget 361,252

Expenditure on security guards: Implemented budget 700,670

Software program Implemented budget 2,683,887

Other maintenance and operating costs Implemented budget 1,784,801

Annual public budget allocated to the HJC Approved budget (in €) 2,385,360; Implemented budget (in €) 2,153,634

Annual public budget allocated to the CIT 39,509 18,226

Total - Annual public budget allocated to the judicial system:

Approved budget (in €) 30,249,790

Implemented budget (in €) 27,879,965

**007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to all courts and the public prosecution services together</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Total annual public budget allocated to all courts and legal aid together</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>Total annual public budget allocated to all courts, public prosecution services and legal aid together</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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**008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:**

	<b>Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?</b>
<b>for criminal cases</b>	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
<b>for other than criminal cases</b>	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

**008-1. Please briefly present the methodology of calculation of these court fees:**

- For a range of non-criminal cases the fee is 27.93 Euro (3000 ALL). For contractual and damage claims up to 100 000 ALL ( 930 EURO) is 30 Euros/ If the amount of the damage is beyond 930 euro the fee is 1% of the claim.

**008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:**

[ 30 ]  
 NA  
 NAP

Comments The court fee for an action for 3000 EUR is 1% of the value equaling 30 Euros.

**009. Annual income of court fees received by the State (in €):**

[            ]  
 NA  
 NAP

Comments

**012. Annual approved public budget allocated to legal aid, in €.**

<b>TOTAL</b>	<b>Criminal cases</b>	<b>Other than criminal cases</b>
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<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	413 201 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	155 558 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	257 643 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

**012-1. Annual implemented public budget allocated to legal aid, in €.**

	<b>TOTAL</b>	<b>Criminal cases</b>	<b>Other than criminal cases</b>
<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	317 121 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	83 773 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	233 347 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:

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**012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:**

	<b>Amount calculated/estimated included</b>
<b>Coverage of court fees</b>	( X ) Yes ( ) No ( ) NAP (Legal aid does not include coverage of court fees)
<b>Exemption from court fees</b>	( X ) Yes ( ) No ( ) NAP (Legal aid does not include exemption from court fees)

Comments

**013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.**

	<b>Approved budget (in €)</b>	<b>Implemented budget (in €)</b>
<b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b>	18 416 427 [ ] NA [ ] NAP	18 007 396 [ ] NA [ ] NAP

**13.1. Annual public budget allocated to training of public prosecution services**

NA  
 NAP

NA  
 NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

## A2. Please indicate the sources for answering the questions in this part

Sources:

### 1.1.3 Budgetary data concerning the whole justice system

**015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	167 412 319 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

### 015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
<b>Courts</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Legal aid</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public prosecution services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

### 015-3. Other budgetary elements

Included

<b>Prison system</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Probation services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>High Judicial Council</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>High Prosecutorial Council</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Constitutional court</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Judicial management body</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Service for legal representation of the State</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Enforcement services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Notariat</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Forensic services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Judicial protection of juveniles</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Functioning of the Ministry of Justice</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Refugees and asylum seekers services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Immigration Service</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Some police services (e.g. : transfer, investigation, prisoners' security)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

If "Other", please specify:

### A3. Please indicate the sources for answering the questions in this part

Sources:

## 2. Access to justice and all courts

### 2.1. Legal Aid

#### 2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

016-1. Please briefly describe the organisation of the legal aid system in your country.

- Good administration of justice starts first with the guarantee that every individual must have for the realization and protection of his legal and constitutional rights. The protection of these rights through access to law institutions is one of the basic principles, the fulfillment of which is one of the priorities of the Albanian Government, in the framework of the implementation of justice reform. Law no. 111/2017 "On Legal Aid guaranteed by the state", was one of the laws adopted in the framework of the reform, the entry into force of which brought a profound reform of the legal aid system bringing a new spirit in terms of organization, operation and provision of state-guaranteed legal aid. The adoption of this law led to the drafting of a package of bylaws which aim to regulate in detail any process on legal aid guaranteed by the state.

The main purpose of this law is to provide free legal aid to all categories, which due to the conditions in which they are, find it impossible to provide this service. Special attention has been paid to the categories of beneficiaries, focusing on the expansion of the circle of subjects as well as the sanctioning of vulnerable groups as direct beneficiaries of the free legal aid system

- The Directorate of Free Legal Aid is established as a subordinate institution of the Minister of Justice, responsible for the administration and functioning of the free legal aid system in Albania; (Despite the fact that the law entered into force in June 2018, the internal organization of the Directorate of Free Legal Aid was approved in 2019, by the Prime Minister, by Order No. 59, date 25.03.2019 "On the approval of the structure and staff of Free Legal Aid Directorate" on the proposal of the Minister of Justice);
- With the entry into force of the new law, the responsibility of a number of institutions is already increasing which will be engaged in guaranteeing equal access to justice through free legal services. (Ministry of Justice; Directorate of Free Legal Aid; Courts; Prosecution Offices; Albanian Bar Association);
- Is created for the first time, a network of responsible institutions engaged in providing and guaranteeing legal services (primary and secondary), with professionalism and efficiency;
- The transfer of competence to decide on requests for secondary legal aid from the State Commission for Legal Aid to the Courts is another innovation brought by this law;

Primary legal aid is one of the forms of free legal aid through which every citizen is offered legal advice and guidance, assistance in



solving their problems, drafting the necessary acts and representation before public administration bodies. This type of service is provided by Nonprofit Organization, Law Clinics at Higher Education Institutions, and Primary Legal Aid Service Centers.

“Secondary legal aid” is the legal service provided for the drafting of acts necessary to set the Court in motion; providing advice, representation and protection before the court in administrative, civil and criminal cases, for which compulsory protection does not apply, according to the provisions of criminal procedural legislation.

Referring to the provisions of law no. 111/2017 "On legal aid guaranteed by the state", secondary legal aid is one of the main forms of legal aid services guaranteed by the state and as such, is offered in cooperation with several institutions. For 2022, the list of lawyers includes 157 lawyers who provide legal aid.

Referring to Article 9 point "d" of Law no. 111/2017 "On legal aid guaranteed by the state" provides that: The National Chamber of Advocacy prepares and organizes continuous training programs for lawyers included in the list of lawyers who offer secondary legal aid services, in cooperation with the Assistance of FLAD.

Secondary legal aid is provided by lawyers included in the list approved by the Chamber National Bar, based on the request of the person who enjoys the right to benefit from assistance secondary legal, according to articles 11 or 12, of Free Legal Aid. The request is drawn up according to the request form, approved by the Minister of Justice.

The request for the provision of secondary legal aid is submitted by the interested person personally or by means of the postal service to the court or the proceeding body that initiates the investigations, before the beginning of one litigation, at the beginning of a litigation and/or at any stage of the litigation, until no the judicial investigation has been declared closed, according to the rules provided in the procedural legislation.

2. The person who has the right to secondary legal assistance can submit the provided request in point 1, of this article, through a legal representative or equipped with a power of attorney, or through spouse, cohabitant or a first-degree relative.

3. The request for secondary legal aid is exempt from court fees and expenses.

4. The person, who seeks to benefit from secondary legal assistance, signs a self-declaration that fulfills the benefit criteria, defined in this law, according to the approved self-declaration form from the Minister of Justice, accompanied by supporting documentation. List of serving documents for proving the fulfillment of the criteria is determined by order of the Minister of Justice.

The request for secondary legal aid is submitted to the competent court for the examination of the case basically, unless otherwise provided in law.

2. The request for secondary legal assistance of the defendant without sufficient financial means is presented at the proceeding body that starts the investigations, according to Article 21 of law.

In the event that the request for secondary legal assistance is submitted by the defendant without sufficient means financial, the proceeding body that starts the investigations immediately examines whether the criteria are met defined in Article 12 of this law. 2. If the prosecuting body that starts the investigations assesses that the criteria have been met, it immediately appoints a defense attorney from the list of attorneys providing secondary legal aid services and notifies immediately the person who is offered secondary legal assistance, as well as the assigned defense lawyer.

3. The decision to accept or reject the request for secondary legal aid is given in a reasoned and the requester and the Directorate of Free Legal Aid are notified.

4. The applicant may contest the decision of the proceeding body to dismiss the request for assistance secondary legal, with a lawsuit in the criminal court of first instance, competent for examining the case in foundation, within 5 days of learning about this decision.

5. The court examines the case with a judge, according to the rules provided in the legislation procedural, within 15 days from the registration of the case. A special appeal is allowed against this decision the court of appeals within 5 days of receiving notice. The appeals court examines the appeal in chambers counseling within 10 days from the date of receiving the acts.

6. The High Prosecution Council approves the rules and procedures followed by the prosecuting body begins the investigations, for the appointment based on the principle of rotation of the defense lawyer and his replacement from the list of lawyers who provide secondary legal aid services in the criminal process.

7. Detailed rules related to the guarantee of mandatory protection by institutions e provided for in this law, according to the provisions of the Code of Criminal Procedure, are approved by the Council I High Prosecutor's Office.

The court examines the request for secondary legal aid in accordance with the provisions in procedural legislation and, as far as possible, with the provisions of this law.

2. The decision regarding the request for secondary legal assistance is taken by the competent court:

- a) within 5 days from the date of registration of the request, when the request is submitted before the start of the process judicial;
- b) during preliminary actions or in the preparatory session before the court session is scheduled, when the request for legal assistance is submitted together with the request-lawsuit;
- c) according to the provisions of the procedural legislation and the provisions of this law, when the request is submitted during the judicial review.

3. In cases where the applicant declares the impossibility of providing the documentation, as well as in any case other when the court considers that the correction or completion of the request may cause delays, which violate the essence of the applicant's rights, the court may order the delivery of the documentation needed by the state administration bodies that dispose of it. In these cases the request for help secondary legal is called presented at the end of the deadline set by the court for the presentation of supplementary documentation from state administration bodies.

4. The court, in accordance with the provisions of this law and the provisions of the procedural legislation, after review of the request decides:

- a) acceptance of the request for the provision of secondary legal aid;
- b) dismissal of the request for the provision of secondary legal aid.

5. The request for secondary legal aid is dismissed only in cases where:

- a) the conditions provided for in articles 11 or 12 of this law are not fulfilled;
- b) is manifestly abusive or manifestly unfounded.

6. The decision to accept or reject the request for secondary legal aid is given with reasons.

7. Against the decision of the court to dismiss the request for secondary legal aid can be made special appeal. Appealing the decision does not prevent the continuation of the examination of the case. The appeal is made according to standard form approved by the Minister of Justice, which is given to the applicant together with the decision on dismissal of the request.

8. The appellate court examines the case in the consultation room and takes a decision within 15 days from registration of the case. An appeal to the Supreme Court is not allowed against this decision.

9. The Directorate of Free Legal Aid can appeal the court's decision to accept the request for secondary legal assistance, if you claim that this request is clearly abusive or blatantly unfounded. In this case, the deadlines and rules for appealing final decisions are applied, according to provisions of the procedural legislation. No recourse is allowed against the decision of the court of appeal Supreme Court.

The decision of the court on the request for secondary legal aid is immediately notified to:

- a) the applicants;
- b) to the person who submitted the request for secondary legal assistance, in case he is a person i different from the applicant;
- c) the proceeding body, if the conditions of Article 21 of this law are met;
- ç) Free Legal Aid Directorate;
- d) the local bar, in case the request for secondary legal aid has been approved

Lawyers who provide secondary legal aid services meet the following conditions:

- a) have applied to the National Bar Association and are included in the list of lawyers who provide secondary legal aid services;
- b) have concluded an annual service contract with the Directorate of Free Legal Aid;
- c) are designated for the provision of secondary legal aid services by the proceeding body or local bar association;
- ç) are specialized in areas of law, when specialization is necessary, as in the case of representation of minors, victims and in other cases provided by law.

2. In case of acceptance of the request for secondary legal aid, it is acted according to the rules of the following:

- a) the local bar association appoints a lawyer from the list of lawyers who provide assistance services secondary legal, according to the principle of rotation;
- b) the local bar association conveys the decision of the competent court, together with its decision

on the appointment of the lawyer, the latter and the person to whom the request for legal assistance was received secondary.

3. The provisions of point 2, of this article, do not apply in the case where the request for legal assistance secondary was presented by the defendant without sufficient financial means to the proceeding body that begins the investigation.

4. The appointed lawyer, immediately after becoming familiar with the decision of the competent court and the decision of the local bar association or with the decision of the proceeding body on his appointment as a lawyer for provision of secondary legal assistance, enters into a relationship with the person, to whom the request for secondary legal aid and begins providing the requested services.

5. The appointed lawyer is replaced by another lawyer, from the list of lawyers who offer services secondary legal aid, only in case of a conflict of interest between the lawyer and the person, to whom the request for secondary legal aid has been accepted.

6. The decision to replace the designated lawyer by another lawyer from the list of lawyers who secondary legal aid services are provided by:

- a) the proceeding body, in case the lawyer to be replaced is appointed by this body;
- b) the local bar association, in case the lawyer to be replaced is appointed by it.

**018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?**

Yes

No

NAP

If yes, please specify:

**019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?**

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

**2.1.2 Information on legal aid**

**020. Please indicate the number of cases for which legal aid has been granted:**

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	8 646 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 030 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 616 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>In other than criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	960 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - Please specify when appropriate: Cases brought to court- Nr. of court decisions acceptance of legal aid  
Cases not brought to court – Nr. of Primary legal aid, provided by Primary Legal Aid Centers (employees with special training), from authorized non-profit organizations, from legal clinics near higher education institutions, by Online Lawyer platform and by Green telephone number

**020-0. Please indicate the number of recipients of legal aid:**

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	8 646 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 030 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 616 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In other than criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: case not brought to court: in criminal cases 8% and in other than criminal cases 92%  
Total- Nr. of recipients of Secondary Legal Aid and Primary Legal Aid  
Cases brought to court- Nr. total of court decisions acceptance/non-acceptance of legal aid

**020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?**

- Yes  
 No

Comments

**020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:**

	Total	Males	Females
<b>Number of recipients of legal aid</b>	7 076 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 870 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 206 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?**

- Yes  
 No

Comment: If yes, please specify for which categories of cases:

**020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?**

- Yes

( ) No

Comment: If yes, please specify:

**020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?**

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	908 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:**

	Time in days
Maximum duration prescribed in law/regulation	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Actual average duration	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information:

=

**021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?**

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

**022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?**

	free selection of lawyer
Accused individuals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

**023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?**

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

**023. If yes, please specify in the table:**

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

**024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?**

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid:

**025. Is the decision to grant or refuse legal aid taken by:**

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

**027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:**

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

in other than criminal cases

Yes

No

Comments - If no, please specify how legal costs are distributed:

## B1. Please indicate the sources for answering the questions in this part

Sources: Directorate of Legal Aid

### 2.2. Court users and victims

#### 2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> www.qbz.gov.al (official gazete)	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> www.gjykataelarte.gov.al/ (the High Court) www.gjykata.gov.al (all 1st instance and appeal)	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> www.gjykata.gov.al	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> www.gjykata.gov.al www.gjykataelarte.gov.al/	<input type="checkbox"/>

Comment - Please specify what documents and information are included in "Other documents"

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

Yes, always

No

Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

Information system

<b>General for citizens</b>	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
<b>Specific for victims of offences</b>	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
<b>Specific for minors (child-friendly systems)</b>	<input type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input checked="" type="checkbox"/> No

Comments - Please provide more information on these systems and specify how this assistance is provided:

**031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:**

	<b>Information mechanism</b>	<b>Special arrangements in hearings</b>	<b>Other specific arrangements</b>
<b>Victims of sexual violence/rape</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Victims of terrorism</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Minors (witnesses or victims)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Victims of domestic violence</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Ethnic minorities</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>Persons with disabilities</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>Juvenile offenders</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: Regarding all discrepancies between years, the legal provisions have not changed. There are different procedures that can be applied to different categories but these procedures are not measures taken by the court such as placing the victims in a special facility for victim of abuse, are measures taken by local authorities.

There are no other special arrangements.

**031-0. If there are special arrangements for minors, what are the settings / tools / facilities /**



**practises employed to protect them when they participate in judicial proceedings?**

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify .....
- NAP

Comment

**031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?**

	Civil proceedings	Criminal proceedings
<b>Capacity to initiate a proceeding and take other procedural actions in his/her own name</b>	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP
<b>To be a witness</b>	<input checked="" type="checkbox"/> Age threshold [Comment]14 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]14 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected “Other”. Under the Albanian criminal law, the age threshold of a witness is 14. Capacity for discernment is a requirement to be a witness.

**031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?**

	Civil proceedings	Criminal proceedings
<b>Parent/legal guardian</b>	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
<b>Another representative (instead of parent/legal guardian)</b>	<input type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input checked="" type="checkbox"/> Other

Comment A person under 18 years of age must be represented by a parent, legal guardian, or a legal representative.

**031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)**

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment The criminal responsibility of an individual is age of 14 for crimes and 16 for criminal contraventions. Any measures taken against minors must be proportionate to the circumstances surrounding the criminal act and consider the minors' personality, in alignment with their age, education, personal, family, social, and environmental conditions. Additionally, developmental needs, as well as any other specific needs of the minor, including potential special needs, must be taken into account. So, capacity for discernment is considered in the measures taken against the person.

**031-3-1. What is the age threshold for the criminal liability of minors?**

**Criminal liability resulting in sentence without privation of liberty (for example, educational measures)**

- 14
- NA
- NAP

**Criminal liability resulting in sentence of privation of liberty**

- 
- NA
- NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? An alternative to imprisonment is a measure that can be imposed on minors by the competent authority of the criminal justice system at all stages thereof, which does not entail privation of freedom. The Juvenile Code of Criminal Justice delineates potential alternative measures to prevent privation of liberty.

The Juvenile code provides that privation of liberty of a minor is not applied if other measures can be applied.

-  
-

**032. Does your country allocate compensation for victims of offences?**

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment

**032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences
- NAP

Comment - Please specify:

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

- Yes

No

Comments

**032-0. If yes, for what types of offences the compensation is allocated?**

For all types of offences

For some types of offences

NAP

Comment - Please specify:

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

Yes

No

Comments

**032-0. If yes, for what types of offences the compensation is allocated?**

For all types of offences

For some types of offences

NAP

Comment - Please specify:

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

Yes

No

Comments

**034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?**

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

**035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?**

Yes

No

Comments - If yes, please specify:

**035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?**

Yes

No

Comment - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

NAP

Comment - If necessary, please specify:

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
<b>Total</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Excessive length of proceedings</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-execution of court decisions</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful arrest/detention</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions):

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
<b>Court concerned</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Other court</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Ministry of Justice</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>High Judicial Council</b>	<input type="checkbox"/>	<input type="checkbox"/>

Other external bodies (e.g. Ombudsman)	[ ]	[ ]
--	-----	-----

Comments

**037-2. Are there statistical data disaggregated by gender concerning the number of:**

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	( ) Yes - If yes, please specify for which categories of cases: [Comment] ( X ) No [ ] NA
Victims recognised as such by the court	( ) Yes - If yes, please specify for which types of offences: [Comment] ( X ) No [ ] NA
Perpetrators of criminal offences	( ) Yes - If yes, please specify for which types of offences: [Comment] ( X ) No [ ] NA

Comments

**037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?**

( ) Yes

( X ) No

If yes, please specify:

**2.2.2 Confidence and satisfaction of citizens with their justice system**

**038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?**

	National level	Court level
Surveys for judges	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ X ] Ad hoc
Surveys for court staff	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ X ] Ad hoc
Surveys for public prosecutors	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ X ] Ad hoc
Surveys for lawyers	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ X ] Ad hoc

Surveys for other professionals	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: A pilot project has been implemented in the Court of Tirana "Questionnaire for the satisfaction of court users" divided into two typologies, one questionnaire only for lawyers and the other for other users. Piloting is the first phase and then the possibility to expand the field of action will be seen.

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1 Number of courts

##### 042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>1.3 Highest instance courts of general jurisdiction - legal entities</b>	1 [ ] NA [ ] NAP
<b>2 Total number of specialised courts - legal entities</b>	5 [ ] NA [ ] NAP

Comments taking in consideration the new judicial map that Started from 1.07.2023 the date for the administrative courts of the first instance.

#### 043. Number of specialised courts – legal entities.

	<b>First instance</b>	<b>Higher instances</b>
<b>Total number of specialised courts - legal entities</b>	3 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>Commercial courts (excluded insolvency courts)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Insolvency courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Labour courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Family courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Rent and tenancies courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Enforcement of criminal sanctions courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Fight against terrorism, organised crime and corruption</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>Internet related disputes</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Administrative courts</b>	2 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>Insurance and / or social welfare courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Military courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Juvenile courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comments - If "Other specialised courts", please specify: Started from 1.07.2023

#### 044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

#### C. Please indicate the sources for answering the questions in this part

Sources: High Judicial Council

### 3.2. Court staff

#### 3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	318 <input type="checkbox"/> NA <input type="checkbox"/> NAP	142 <input type="checkbox"/> NA <input type="checkbox"/> NAP	176 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance professional judges	238 <input type="checkbox"/> NA <input type="checkbox"/> NAP	103 <input type="checkbox"/> NA <input type="checkbox"/> NAP	135 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) professional judges	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court professional judges	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please provide any useful comment for interpreting the data above: During the year 2022 new judges were appointed to the supreme court

=



**046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?**

( ) Yes

( X ) No

Comments

**046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify: .....

Comments

**046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?**

	Total	Males	Females
<b>Total (1 + 2 + 3)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. At first instance level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?**

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	( X ) Yes ( ) No
Temporary reduction of the working time / special leave	( X ) Yes ( ) No

<b>Other measures</b>	( ) Yes (X) No
-----------------------	-------------------

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? The temporary reduction of the workload is possible for Court President it does not imply reduction of the remuneration. Magistrates can request special leaves without the right to remuneration, during the requested special leave they are not remunerated. They also have vacations, pregnancy leaves, parental leaves that are remunerated.

**046-1-5. If yes, please specify in which situation(s) these possibilities can be used?**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify: .....
- NAP

Comments

=

**046-2. Number of judges (FTE) by case type:**

	Total	Civil and/or commercial	Criminal	Administrative	Other
<b>Total number of judges</b>	318 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>First instance</b>	238 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Second instance</b>	64 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Supreme Court</b>	16 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

If "Other", please explain which types of cases: Due to the new judicial map the different section in court have yet to be organised. In addition the courts have not functioned in specific divisions due to the great number of vacancies among judges

=

**047. Number of court presidents .**

	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	7 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP

<b>1. Number of first instance court presidents</b>	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Number of Supreme Court presidents</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The number of court presidents decreased due to different reasons. Several of the aforementioned court presidents were dismissed because of the vetting process, several of the first instance court presidents have been promoted to higher courts or have been appointed in the delegation scheme.

**048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):**

	Figure
<b>Gross figure</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In full-time equivalent</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If necessary, please provide comments to explain the answer provided:

**048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?**

Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....

No

NAP

Comments

**049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):**

	Figure
<b>Gross figure</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In full time equivalent</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:**

	Yes	No	Echevinage / mixed bench
<b>Criminal cases (severe)</b>	( )	( )	( )
<b>Criminal cases (misdemeanour and/or minor)</b>	( )	( )	( )
<b>Family law cases</b>	( )	( )	( )
<b>Labour law cases</b>	( )	( )	( )
<b>Social law cases</b>	( )	( )	( )
<b>Commercial law cases</b>	( )	( )	( )
<b>Insolvency cases</b>	( )	( )	( )
<b>Other civil cases</b>	( )	( )	( )

NAP

Comments - If "Other civil cases", please specify:

**050. Does your judicial system include trial by jury with the participation of citizens?**

( ) Yes

( X ) No

Comments

**050-1. If yes, for which type(s) of case(s)?**

Criminal cases

Other than criminal cases

Comments

**051. Number of citizens who were involved in such juries for the year of reference:**

[            ]

NA

NAP

Comments

=

**052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)**

Total	Males	Females

<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	1 057 [ ] NA [ ] NAP	322 [ ] NA [ ] NAP	735 [ ] NA [ ] NAP
<b>1. Rechtspfleger (or similar bodies) (see Explanatory Note)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)</b>	625 [ ] NA [ ] NAP	97 [ ] NA [ ] NAP	528 [ ] NA [ ] NAP
<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	198 [ ] NA [ ] NAP	58 [ ] NA [ ] NAP	140 [ ] NA [ ] NAP
<b>4. Technical staff</b>	234 [ ] NA [ ] NAP	167 [ ] NA [ ] NAP	67 [ ] NA [ ] NAP
<b>5. Other non-judge staff</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If "Other non-judge staff", please specify:

**052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total non-judge staff working in courts (1+2+3)</b>	1 057 [ ] NA [ ] NAP	322 [ ] NA [ ] NAP	735 [ ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	726 [ ] NA [ ] NAP	219 [ ] NA [ ] NAP	507 [ ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	230 [ ] NA [ ] NAP	65 [ ] NA [ ] NAP	165 [ ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	101 [ ] NA [ ] NAP	38 [ ] NA [ ] NAP	63 [ ] NA [ ] NAP

Comments

=

**053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:**

[ ] Legal aid

[ ] Family cases

- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties:

**054. Have the courts outsourced certain services under their responsibilities to external providers?**

- Yes
- No

Comments

**054-1. If yes, please specify which services have been outsourced:**

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):The digitalisation of the archives, the maintenance and upgrade of the CMS .

Comments - If “Other types of services”, please specify:

- NA

**C1. Please indicate the sources for answering the questions in this part**

Sources: HIGH JUDIACIAL COUNCIL

**3.3. Public prosecution**

**3.3.1 Public prosecutors and staff**

**055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)**

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	202	110	92
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

<b>1. Number of prosecutors at first instance level</b>	180 [ ] NA [ ] NAP	95 [ ] NA [ ] NAP	85 [ ] NA [ ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	12 [ ] NA [ ] NAP	7 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>3. Number of prosecutors at Supreme Court level</b>	10 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP

Comments - Please indicate any useful comment for interpreting the data above: 1. 321 full-time equivalent

- 202 post actually filled
- 2. 278 full-time equivalent  
180 post actually filled
- 3. 26 full-time equivalent  
12 post actually filled
- 4. 17 full-time equivalent  
10 post actually filled

discrepancies with the answers of the previous campaign: From the vetting process during 2022 there were appointed new prosecutors graduate from the school of magistrate



=

**055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?**

- ( ) Yes
- ( X ) No

Comments

**055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)**

- [ ] Child-care
- [ ] Elderly care or other dependant persons' care
- [ ] Training
- [ ] For the purposes of early retirement
- [ ] No specific reason required
- [ ] Other reason, please specify: .....

Comments

**055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total (1 + 2 + 3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>1. At first instance level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. At Supreme Court level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?**

	<b>Adjustment of working time or conditions with or without reduced remuneration</b>
<b>Temporary reduction of the workload</b>	( X ) Yes ( ) No
<b>Temporary reduction of the working time / special leave</b>	( X ) Yes ( ) No
<b>Other measures</b>	( ) Yes ( X ) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

**055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?**

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

As part of induction process for new prosecutors

No specific reason required

Other reason, please specify: Other reasons are when prosecutor is engaged due to the function in other duties, temporary personal, family or health reasons (as above explained

NAP

Comments

**056. Number of heads of prosecution offices.**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP



<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	6 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	9 [ ] NA [ ] NAP	7 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP

Please provide any useful comment for interpreting the data above: during the 2022 have been appointed head of prosecutions offices

**057. In your judicial system, do other persons have similar duties to those of public prosecutors?**

- ( ) Yes
- ( X ) No

Comments - If yes, please specify their titles and functions:

**057-1. If yes, please provide the number (in full-time equivalent):**

[ ]  
[ ] NA

**059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?**

- ( ) Yes
- ( ) No
- [ X ] NAP

Comments

**059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?**

	-
<b>Domestic violence</b>	[ X ] Yes [ ] Yes, specifically for minor victims [ ] No [ ] NA [ ] NAP
<b>Sexual violence</b>	[ X ] Yes [ ] Yes, specifically for minor victims [ ] No [ ] NA [ ] NAP

Comments - If yes, please specify

=

**060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).**

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	593 [ ] NA	293 [ ] NA	300 [ ] NA

Comment – please describe which categories of staff you have included in your reply:

## C2. Please indicate the sources for answering the questions in this part

Sources:
----------

### 3.4. Gender equality

#### 3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	( )	( X )
prosecutors	( )	( X )
non-judge staff	( )	( X )
lawyers	( )	( X )
notaries	( )	( X )
enforcement agents	( )	( X )

[ ] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	( )	( X )
prosecutors	( )	( X )
non-judge staff	( )	( X )

lawyers	( )	( X )
notaries	( )	( X )
enforcement agents	( )	( X )

Comments - If the situation changed since the reference year or you have additional comments, please specify:

**061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:**

	Yes / No
Court president	( ) Yes If “yes”, please specify:[Comment] ( X ) No
Head of prosecution services	( ) Yes If “yes”, please specify:[Comment] ( X ) No

Comments

**3.4.2 At national level**

**061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?**

- ( ) Yes  
( X ) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

**061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:**

	Yes, please specify	No
The recruitment of judges	( X )	( )
The promotion of judges	( X )	( )
The recruitment of prosecutors	( X )	( )
The promotion of prosecutors	( X )	( )
The recruitment of non-judge staff	( X )	( )
The promotion of non-judge staff	( X )	( )

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal

consequences:

### 3.4.3 At court/public prosecution services level



**061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?**

	Yes	No
in courts (judges)	( )	( X )
in public prosecution services (prosecutors)	( )	( X )
for courts' non-judge staff	( )	( X )

Comments - Please specify the details of this person/institution, in particular its titles and function:

**061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:**

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

[ X ] NAP

**061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:**

- [ ] Recruitment procedures, please specify: .....
- [ ] Appointment to the position of court president, please specify: .....
- [ ] Appointment to the position of head of prosecution services, please specify: .....
- [ ] Promotion procedures and access to the functions of responsibility, please specify: .....
- [ ] Other studies, please specify: .....

[ X ] NAP

### 3.5. Use of information technologies in courts

#### 3.5.1 Governance

#### ICT STRATEGY

**062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?**

Yes

No

Comments

**062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?**

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify) .....

NA

NAP

Comments

#### LEGISLATION

**062-03. Does a national legislation/regulation of ICT in the judicial system exist?**

Yes

No

Comments

**062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?**

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify .....

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

NA

#### IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

**062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?**

( ) Yes

( X ) No

Comments

**062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:**

	<b>Format</b>	<b>Last conducted audit</b>
<b>ICT Governance</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Security and risk management</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on efficiency and quality of the business processes and workflow</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on human resources (number, workload, wellbeing)</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Other, please specify in comments</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

**062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you**

## apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify .....

NA

NAP

Comments

### 3.5.2 Electronic case processing

#### ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

**062-09. If it is possible to submit a case to a court electronically, please specify the modalities:**

	<b>Electronic or paper</b>	<b>Possible to be submitted electronically by:</b>	<b>Data integration</b>
<b>Civil</b>	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA



<b>Criminal</b>	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
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Comments

## SENDING ELECTRONIC DOCUMENTS TO COURT

062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input checked="" type="checkbox"/> NAP - electronic delivery is not possible	<input checked="" type="checkbox"/> NAP - electronic delivery is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:**

	<b>Electronic or paper</b>	<b>Possible to be submitted electronically by:</b>	<b>Data integration</b>
<b>Civil</b>	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> Paper delivery is still possible	<input type="checkbox"/> Documents sent by a lawyer	<input type="checkbox"/> The data are electronically transferred to the CMS
	<input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way)	<input type="checkbox"/> Documents sent by a party not represented by a lawyer	<input type="checkbox"/> The data are manually re-entered in the CMS
	<input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one)	<input type="checkbox"/> Documents sent by another person/institution	<input checked="" type="checkbox"/> NAP – electronic delivery is not possible
	<input checked="" type="checkbox"/> NAP – electronic delivery is not possible	<input checked="" type="checkbox"/> NAP – electronic delivery is not possible	<input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

## ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments Currently electronic communications are used by the Tirana First Instance Court of General Jurisdiction assisted by the HJC,

in a pilot project with the National Chamber of Advocates. So the rates are as previously determined.

Procedure, administrative courts, when they deem it useful and when the parties have given their consent to accept the notification, order:

-Notification of the parties or their representatives by the judicial officer, via the court's telephone

-Notification of the parties or their representatives by the judicial officer at an electronic address, in accordance with the legislation on electronic communications.

However, due to the confirmation of receipt of information, the method of notification via an electronic address poses certain challenges considering not all parties involved have the same access to technology means. This is especially important for the first-instance court where the presence of the parties in the trial is mandatory.

The paper notification for civil cases is still possible.

**062-13. If it is possible for courts to send electronic notifications, please specify the modalities:**

	Electronic or paper	Type of notification	Data integration
<b>Civil</b>	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> Paper notification is still possible	<input type="checkbox"/> Notifications sent by the court to the lawyer	<input type="checkbox"/> The electronic notification is generated from the CMS
	<input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)	<input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer	<input type="checkbox"/> The electronic notification is manually generated
	<input type="checkbox"/> Double notification (paper notification must accompany the electronic one)	<input type="checkbox"/> Notifications with attached official documents sent by the courts	<input checked="" type="checkbox"/> NAP – electronic notifications are not possible
	<input checked="" type="checkbox"/> NAP – electronic notifications are not possible	<input checked="" type="checkbox"/> Notifications sent to other persons/institutions	<input type="checkbox"/> NA
	<input type="checkbox"/> NA	<input type="checkbox"/> NAP – electronic notifications are not possible	
		<input type="checkbox"/> NA	

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details. The paper notification for civil cases is still possible.

## CONSULTATION OF A CASE ONLINE

**062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
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Comments

**062-15. If it is possible for external users to consult a case online, please specify the modalities:**

	<b>Content</b>	<b>Access</b>	<b>Consultation format</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. Media

**REMOTE HEARINGS**



**062-16. If it is possible to organise remote hearings what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Comments

**062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:**

Functionalities	Modalities

<p><b>Civil</b></p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>



<b>Criminal</b>	<input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA
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Comments

## ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input checked="" type="checkbox"/> 25-50 %	<input checked="" type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - electronic archives do not exist	<input type="checkbox"/> NAP - electronic archives do not exist
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-19. If an electronic archive of cases exists, please specify the modalities:**

	<b>Electronic or paper</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Comments

**3.5.3 Tools**

**CASE MANAGEMENT SYSTEMS (CMS)**

**062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

**062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):**

<b>Functionalities</b>
------------------------

<p><b>Civil</b></p>	<p><input type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

**062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):**

	Functionalities
<b>Criminal</b>	<input type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input type="checkbox"/> Identification of a case between instances (unique or linked id number) <input type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details. Interoperability with other systems is only with civil register

## WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments

**062-24. If writing assistance tools exist in courts, please describe their functionalities:**

	<b>Functionalities</b>
<b>Civil</b>	<input type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

## RECORDING OF COURT HEARINGS

**062-25. If a tool to record court hearings exists, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

**062-26. If a tool to record court hearings exist, please specify its functionalities:**

<b>Functionalities</b>
------------------------

<p><b>Civil</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>
<p><b>Criminal</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, please specify the details.

## DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
--	--	---



<b>Civil</b>	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

**062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:**

	<b>1st instance</b>	<b>2nd instance</b>	<b>Supreme court</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

**062-29. If there is a database of court decisions at national level, what are the functionalities of this database?**

	<b>Functionalities</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

## STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

**062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:**

	<b>Functionalities</b>	<b>Data available for statistical analysis</b>
<b>Civil</b>	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

## OTHER TOOLS

**062-32. Is there any application for online court-related dispute resolution?**

( ) Yes

( X ) No

Comments

**062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?**

- Yes, please specify the maximum value .....
- No

Comments

**062-34. If yes, can the online court-related dispute resolution be used in the following areas?**

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify .....

Comment: Please describe the existing online procedures:

**062-35. Is there a computerised national record centralising all criminal convictions?**

- Yes
- No

Comments

**062-36. If yes, please specify the following information:**

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

**062-37. Is there a Document Management System (DMS) in the registry of courts?**

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system.

**062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?**

- Yes
- No

Comment: If yes, please list and describe these ICT tools. High Judicial Council in May 2022 has started the implementation of the

Electronic Register of non-profit organizations, which is based on the guidelines of Law 80/2021, "On the registration of non-profit organizations".

Actually the infrastructure where the electronic system will be hosted has been set up and the design of the system is being continued according to the approved forms, as well as enabling automatic interaction with all the institutions that are involved.

The High Judicial Council has completed the application for the registration of the database for non-profit organization registrations, in e-albania portal. This will be accomodated by filling out the detailed form, as well as drafted the regulations related to the security of the database of the National Electronic Register for non-profit organizations.

Based on decision no. 35. dated 26.01.2022 of the High Judicial Council "On the creation and operationalization of the electronic register of non-profit organisations", the electronic register has been estimated to be delivered on December 30, 2023.

#### Notification system

It is being piloted by the Tirana Judicial District Court for lawyers and other users interested in court cases. This is a system financed by the European Commission for Efficiency in Justice (CEPEJ). This system is integrated with the system at TDC. The Notification System is based on a proprietary platform, Flower DMS. Must have the relevant knowledge and authorizations to integrate the new ICMIS with the Notification System according to best practices without affecting its operation.

#### Accounting system

Currently, the HJC uses the Flare Accounting system, a system for accounting. The system has a separate module for payroll and employee data.

For The Record (FTR) In 2011 the courts of Albania began implementing audio recording to capture hearing conducted in the court rooms throughout the country. All the sessions that take place in the courtrooms are recorded with audio means. These are the only one electronic files that are part of the judicial proceeding.

#### Infopoint

Building a web-based application as an additional functionality of the ICMIS computer system used by courts to serve the public.

Through the program it can offer some services related to the transparency of the public information screen and other services through a screen on the road as quickly as possible, which are convenient and free of cost.

System (Pro Magistrate ) over M-Files platform The ProMagistrate Document Management System was developed by EURALIUS V to support the High Judicial Council with the management of personal files and the register of judges in digital format. The ProMagistrate system also supports processes such as the ethical and professional evaluation of judges' and the 'assignment of special cases to judges in another court.

This system is built on the document management system 'M-Files' and for this an active annual subscription of 'M-Files' is required for ProMagistrate to function properly.

Portal e-services.klgj.al

It is the web version of the ProMagistrate Document Management System developed by EURALIUS V.

### 3.6.Performance and evaluation

#### 3.6.1National policies applied in courts and public prosecution services

**066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?**

Yes

No

Comments - If yes, please specify:

**067. Do you have specialised personnel entrusted with implementation of these national level quality standards?**

	Yes / No
within the courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

within the public prosecution services

( X ) Yes

( ) No

Comments

### 3.6.2 Measuring court/public prosecution services

#### 070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify): .....

Comments We can deduct the number of appeals and appeal ratio by the data that we gather but it is not an indicator directly reported by courts. Furthermore, it is not analyzed as part of a court functional indicator, it is used during the personal assessment of a judge. Regarding the "satisfaction of users", an online survey is being piloted in the First instance court of Tirana.

#### 070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify): .....



Comments

**071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:**

- civil law cases
- criminal law cases
- administrative law cases

Comments

**072. Do you monitor waiting time during judicial proceedings?**

	Yes (If yes, please specify)	No
within the courts	( )	( X )
within the public prosecution services	( )	( X )

Comments

**073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?**

- Yes
- No

Comments The HJC has in place 2 different statistical reports: a yearly report based on CEPEJ methodology as well as a quarterly report. Both are analyzed by the statistic sector of the HJC. The decisions regarding human resources distribution, judges' appointments and transfers are based on these data.

**073-0. If yes, please specify the frequency:**

- Annual
- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

**073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?**

- Yes
- No

Comments

**073-2. If yes, which courses of action are taken (multiple replies possible)?**

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments

**073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?**

Yes

No

Comments

**073-4. If yes, please specify the frequency:**

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

**073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?**

Yes

No

Comments

**073-6. If yes, which courses of action are taken (multiple replies possible)?**

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments

=

**079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?**

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify): .....

Comments

**079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?**

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify): .....

Comments

### **3.6.3 Information regarding courts /public prosecution services activity**

#### **080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?**

- Yes (please indicate the name and the address of this institution):High Judicial Council
- No

Comments High Judicial Council

#### **080-1. Are the statistics on the functioning of each court published?**

- Yes, on the internet (please provide the link)<https://klgj.al/raporte-klgj/>
- No, only internally (on an intranet website)
- No

Comments The statistical data concerning all courts are part fo the HJC annual report accessible here: <https://klgj.al/raporte-klgj/>  
The individual statistical data for each court are also accessible in their annual report

=

#### **080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?**

- Yes (please indicate the name and the address of this institution):General Prosecution Office. ( St.Qemal Stafa No.1 Tirana, Albania, [www.pp.gov.al](http://www.pp.gov.al))
- No

Comments General Prosecution Office. ( St.Qemal Stafa No.1 Tirana, Albania, [www.pp.gov.al](http://www.pp.gov.al))

#### **080-3. Are the statistics on the functioning of each public prosecution service published?**

- Yes, on the internet (please provide the link)[https://www.pp.gov.al/Dokumente/Raporte\\_te\\_Prokurorive\\_te\\_Rretheve\\_Gjyqesore/](https://www.pp.gov.al/Dokumente/Raporte_te_Prokurorive_te_Rretheve_Gjyqesore/)
- No, only internally (on an intranet website)
- No

Comments [https://www.pp.gov.al/Dokumente/Raporte\\_te\\_Prokurorive\\_te\\_Rretheve\\_Gjyqesore/](https://www.pp.gov.al/Dokumente/Raporte_te_Prokurorive_te_Rretheve_Gjyqesore/)

=

#### **081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?**

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended):

**081-1. If yes, please specify in which form this report is released:**

Internet

Intranet (internal) website

Paper distribution

Comments

**081-2. If yes, please, indicate the periodicity at which the report is released:**

Annual

Less frequent

More frequent

Comments

=

**081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?**

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended):

**081-4. If yes, please specify in which form this report is released:**

Internet

Intranet (internal) website

Paper distribution

Comments

**081-5. If yes, please, indicate the periodicity at which the report is released:**

Annual

Less frequent

More frequent

Comments

**3.6.4 Performance and evaluation of judges and public prosecutors**

**083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?**

Yes

( ) No

Comments

**083-1. Who is responsible for setting these targets for each judge?**

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify): .....
- NAP

Comments

**083-1-1. What are the consequences for a judge if these targets are not met?**

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court’s president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court’s president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments

**114. Is there a system of individual evaluation of the judges’ work?**

	Existence of a system of individual evaluation of the judges’ work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

**114-1. Please specify the frequency of this evaluation:**

- Annual
- Less frequent

( ) More frequent

( X ) Different frequencies used, please specify: .....

[ ] NAP

=

**083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?**

( ) Yes

( X ) No

Comments

**083-3. Who is responsible for setting these targets for each public prosecutor?**

[ ] Executive power (for example the Ministry of Justice)

[ ] Prosecutor General /State public prosecutor

[ ] Public Prosecutorial Council

[ ] Head of the organisational unit or hierarchically superior public prosecutor

[ ] Other (please specify): .....

[ X ] NAP

Comments

**083-3-1. What are the consequences for a prosecutor if these targets are not met?**

	Consequences:
<b>Without disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
<b>With disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
<b>No consequences</b>	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments

**120. Is there a system of individual evaluation of the public prosecutors' work?**

	Existence of a system of individual evaluation of the public prosecutors' work
<b>Quantitative</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Qualitative

( X ) Yes

( ) No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: According to Law “On the status of judges and prosecutors in the Republic of Albania”, as amended, the professional assessment of prosecutor is based to the following criteria:

- a) professional skills of the prosecutor (the ability in terms of legal knowledge and legal reasoning);
- b) organizational skills (the ability of the magistrate to cope with the workload and to carry out the investigative procedures, as well as the ability to manage the files, avoiding circumstances that are beyond the magistrate's control and that have a negative effect on the assessment results);
- c) ethics and commitment to the professional values of prosecutor (the magistrate's capacity for work ethics, integrity and impartiality);
- ç) personal skills and professional commitment (communication skills, the ability to cooperate with colleagues and the willingness to engage in other activities).

The evaluation is carried out from High Prosecutorial Council. The results of the evaluation serve as basis for further trainings and professional qualification and for the promotion in the prosecutorial system of the evaluated magistrate.

**120-1. Please specify the frequency of this evaluation:**

- ( ) Annual
- ( X ) Less frequent
- ( ) More frequent
- ( ) Different frequencies used, please specify: .....
- [ ] NAP

Comments The magistrate is evaluated once every three years, during the first fifteen years of professional experience and once every five years, after the first 15 years of professional experience as a magistrate. The head of the prosecutor's office is evaluated at least once during the duration of the mandate as head.

**C4. Please indicate the sources for answering the questions in this part**

Sources: Law “On the status of judges and prosecutors in the Republic of Albania”,

**4.Fair trial**

**4.1.Principles**

**4.1.1Principles of fair trial**

**084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?**

[ ]

[ X ] NA

[ ] NAP

Comments - Please add methodology for calculation used.

**085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the**

## judge is not impartial?

Yes

No

Comments - Please could you briefly specify:

### 085-1. If yes, what are:

	-
The total number of the initiated procedures in the reference year	1 092 <input type="checkbox"/> NA <input type="checkbox"/> NAP
The total number of recusals pronounced in the reference year	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify:

## 086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

## 086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

For civil cases

For criminal cases

For administrative cases

NAP

Comments According to article 450.1/d of the Criminal Procedural Code and article 494.ë of the Civil Procedural Code of the Republic of Albania it is possible to reopen a criminal, civil or administrative case after the European Court of Human Rights has found a violation of the ECHR Convention.

## D1. Please indicate the sources for answering the questions in this part

Sources: Criminal Procedural Code and Civil Procedural Code of the Republic of Albania

## 4.2. Timeframe of proceedings



## 4.2.1 General information

### 087. Are there specific procedures for urgent matters regarding:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure for urgent matters

Comments - If yes, please specify: Urgent matters are registered in a specific register, they are assigned to the responsible judge of the urgent matter list in criminal cases, or are assigned by lot within 24h in administrative and civil cases. As an urgent matter, we can mention securing the claim in administrative procedure, where it is envisaged that due to the circumstances of the case, the request for securing the claim may be submitted even before the lawsuit is filed. The request must be reviewed within 5 days from the date of submission to the court. As a rule, the request is examined in the presence of the parties, but in urgent cases, it may be examined even without summoning the parties.

### 088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: Simplified procedures or abbreviated trials are foreseen by the law for civil and administrative cases in small value claims and in criminal cases in cases when the defendant admits responsibility

### 088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify:

### 089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?

	Yes	No
Agreement on general arrangements	( )	( X )
Agreement in specific cases	( )	( X )

Comments

## 4.2.2 Case flow management – first instance

### 091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	34 665 [ ] NA [ ] NAP	68 382 [ ] NA [ ] NAP	65 819 [ ] NA [ ] NAP	37 228 [ ] NA [ ] NAP	2 253 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	17 787 [ ] NA [ ] NAP	22 165 [ ] NA [ ] NAP	19 659 [ ] NA [ ] NAP	20 293 [ ] NA [ ] NAP	1 323 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	10 605 [ ] NA [ ] NAP	30 122 [ ] NA [ ] NAP	31 146 [ ] NA [ ] NAP	9 581 [ ] NA [ ] NAP	15 [ ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	10 605 [ ] NA [ ] NAP	30 122 [ ] NA [ ] NAP	31 146 [ ] NA [ ] NAP	9 581 [ ] NA [ ] NAP	15 [ ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	6 273 [ ] NA [ ] NAP	16 095 [ ] NA [ ] NAP	15 014 [ ] NA [ ] NAP	7 354 [ ] NA [ ] NAP	915 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case

**categories included:**

. a)General non-litigious civil cases, b) non-litigious family law cases, c) commercial non-litigious cases c.1 Bankruptcy cases (subcategory of commercial non-litigious cases)

**093. Please indicate the case categories included in the category "other cases":**

. none

**094. First instance courts: number of criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	8 379 [ ] NA [ ] NAP	46 368 [ ] NA [ ] NAP	43 603 [ ] NA [ ] NAP	11 144 [ ] NA [ ] NAP	137 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	1 838 [ ] NA [ ] NAP	8 320 [ ] NA [ ] NAP	8 273 [ ] NA [ ] NAP	1 885 [ ] NA [ ] NAP	96 [ ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	1 208 [ ] NA [ ] NAP	2 188 [ ] NA [ ] NAP	2 237 [ ] NA [ ] NAP	1 159 [ ] NA [ ] NAP	16 [ ] NA [ ] NAP
<b>3. Other criminal cases</b>	5 333 [ ] NA [ ] NAP	35 860 [ ] NA [ ] NAP	33 093 [ ] NA [ ] NAP	8 100 [ ] NA [ ] NAP	25 [ ] NA [ ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify Other Criminal cases: criminal administrative cases (exe: probation requests, security measures etc) The number of resolved cases during 2022 is believed to have been caused by the decrease of the number of judges in the second instance due to different factors such as resignations, vetting process, promotions. In addition, the unequal distribution of cases between courts is another factor contributing to the problem.

**4.2.3 Case flow management – second instance**

**097. Second instance courts (appeal): Number of “other than criminal law” cases.**

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court

<b>Total of other than criminal law cases (1+2+3+4)</b>	37 739 [ ] NA [ ] NAP	10 003 [ ] NA [ ] NAP	5 228 [ ] NA [ ] NAP	42 514 [ ] NA [ ] NAP	24 304 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	15 025 [ ] NA [ ] NAP	3 988 [ ] NA [ ] NAP	2 632 [ ] NA [ ] NAP	16 381 [ ] NA [ ] NAP	8 550 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	4 299 [ ] NA [ ] NAP	2 374 [ ] NA [ ] NAP	1 706 [ ] NA [ ] NAP	4 967 [ ] NA [ ] NAP	2 022 [ ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	4 299 [ ] NA [ ] NAP	2 374 [ ] NA [ ] NAP	1 706 [ ] NA [ ] NAP	4 967 [ ] NA [ ] NAP	2 022 [ ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>3. Administrative law cases</b>	18 415 [ ] NA [ ] NAP	3 641 [ ] NA [ ] NAP	890 [ ] NA [ ] NAP	21 166 [ ] NA [ ] NAP	13 732 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP

Comments - If “Other cases” please specify The increase in the number of resolved cases during 2022 is believed to have been caused by the decrease of the number of judges in the second instance due to different factors such as resignations, vetting process, promotions. In addition, the unequal distribution of cases between courts is another factor contributing to the problem.

As regards administrative cases, during 2022 the Administrative Appeal Court has functioned with 43% of judges.

## 098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of criminal law cases (1+2+3)</b>	8 840 [ ] NA [ ] NAP	8 128 [ ] NA [ ] NAP	6 912 [ ] NA [ ] NAP	10 056 [ ] NA [ ] NAP	3 011 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	5 777 [ ] NA [ ] NAP	3 282 [ ] NA [ ] NAP	1 955 [ ] NA [ ] NAP	7 104 [ ] NA [ ] NAP	2 057 [ ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	1 075 [ ] NA [ ] NAP	393 [ ] NA [ ] NAP	178 [ ] NA [ ] NAP	1 290 [ ] NA [ ] NAP	594 [ ] NA [ ] NAP
<b>3. Other criminal cases</b>	1 988 [ ] NA [ ] NAP	4 453 [ ] NA [ ] NAP	4 779 [ ] NA [ ] NAP	1 662 [ ] NA [ ] NAP	360 [ ] NA [ ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify: Other Criminal cases: a) criminal administrative cases (ex: probation requests, security measures etc) b) cases related to anti-mafia law.

Long disposition time is due to the lack of judges and uneven distribution of workload.

#### 4.2.4 Case flow management – Supreme Court



#### **099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	30 732 [ ] NA [ ] NAP	1 162 [ ] NA [ ] NAP	4 530 [ ] NA [ ] NAP	27 364 [ ] NA [ ] NAP	25 021 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.1. Non litigious land registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.3. Other registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Administrative law cases</b>	11 964 <input type="checkbox"/> NA <input type="checkbox"/> NAP	377 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 311 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 030 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 383 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other cases”, please specify Due to the state of the management system of cases used by the Supreme Court, it is impossible to realize the specification of the typology of civil cases according to the subcategories of the corner.

The registration of cases in the High Court is done similarly to other courts at the national level, both manually in registers and through the digital ICMIS system.

This information is directly related to the judges effectively on duty, which has changed. The number of judges in the High Court has increased in 2022, resulting in an increase in the number of cases adjudicated. It is to be also considered the number of judges graduated from 2020-2022, who are part of the judicial system . In addition, in response to the needs of courts, the HJC has used various legal mechanisms such as assignment of judges to another court and delegation scheme.

The total number of “other than criminal cases” while the number of civil litigious cases and non-litigious cases is NA due to the aggregation of data into three major divisions: civil, criminal, and administrative, which we have from the statistics provided by the Supreme Court.

### 099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

( ) Yes, please indicate the number of cases closed by this procedure: .....

( X ) No

Comments

## 100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of criminal law cases (1+2+3)</b>	5 334 [ ] NA [ ] NAP	934 [ ] NA [ ] NAP	1 805 [ ] NA [ ] NAP	4 463 [ ] NA [ ] NAP	3 919 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify

### 4.2.5 Case flow management and timeframes – specific cases

#### 101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Litigious divorce cases</b>	3 451 [ ] NA [ ] NAP	7 496 [ ] NA [ ] NAP	7 118 [ ] NA [ ] NAP	3 829 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>Employment dismissal cases</b>	1 406 [ ] NA [ ] NAP	1 058 [ ] NA [ ] NAP	1 450 [ ] NA [ ] NAP	1 014 [ ] NA [ ] NAP	40 [ ] NA [ ] NAP
<b>Insolvency</b>	20 [ ] NA [ ] NAP	14 [ ] NA [ ] NAP	11 [ ] NA [ ] NAP	23 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Robbery case</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Intentional homicide</b>	95 [ ] NA [ ] NAP	77 [ ] NA [ ] NAP	88 [ ] NA [ ] NAP	84 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP

Comments

=

#### 101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP

Comments

**101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:**

. Albania is part of the Geneva Convention and has partially aligned it's legal framework with the main EU Directives in the field of asylum with the new asylum law in 2021.

The Authority Responsible for Asylum and Refugees develops the procedures for examining asylum requests, bearing in mind the international obligations of the Republic of Albania derived from the Convention on the Status of Refugees of 1951 to respect the principles of non-discrimination and non-refoulement regarding all asylum seekers and refugees, in full compliance with Law 10/2021 "On Asylum in the Republic of Albania", as well as with its implementing by-laws.

In the Republic of Albania, the right to asylum is guaranteed for a foreign citizen or a stateless person who is outside the country of their citizenship or outside their previous habitual residence and does not have the opportunity or desire to seek on the protection of that country, due to of well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion.

Procedure for seeking asylum in Albania:

Based on Law no. 10/2021 "for Asylum in the Republic of Albania", all citizens seeking international protection in the Republic of Albania, after being interviewed by the authority responsible for the border and migration, if they are categorized as applicants, this authority will register them in the database of asylum and give immediate notification to the authority responsible for asylum and refugees, as well as to the central authority responsible for the treatment of foreigners.

The procedure for examining the request for international protection begins with the filling of the form for determining the status of international protection, by the applicant for the authority responsible for asylum and refugees.

The applicant at every stage of the asylum procedure has the right to be advised or represented by a legal representative, assisted by a specialist in refugee issues and guaranteed an interpreter in the language he understands.

After completing the application for asylum, the applicant is informed about the procedure for granting asylum, about the rights and obligations he has during the procedure, about the possibility to contact and have legal assistance from UNHCR representatives and other representatives of organizations in protecting the rights of refugees.



The Responsible Authority for Asylum and Refugees organizes and conducts the hearing, verifies the facts and data's, examines and completes the necessary documentation before making the decision.

The Authority collects and processes the personal data of the applicant, taking into account the protection of his/her personal data. After the request for international protection is completed with all the necessary data, the Authority issues a certificate for the submission of the request for international protection to the asylum seeker, as evidence of the initiation of the international protection procedure which is valid until its completion.

The asylum seeker has the right to stay in the National Reception Center for Asylum Seekers during the duration of the procedure for determining the status of international protection.

If the asylum seeker's request for asylum has been rejected, he is allowed to stay in the territory or be accommodated in the center until the end of the appeal procedures or their action deadlines.

The procedure for determining the status of international protection by the Responsible Authority for Asylum and Refugees lasts 6 months from the date of submission of the request. For special cases provided in the law, this term can be extended for an additional period of 3 months, but in any case the Authority Responsible for Asylum and Refugees completes the examination within the maximum time limit of 21 months from the submission of the request.

The decision to determine the status is taken in a consensual and collegial manner with a majority of votes and is presented in written form and is justified. All decisions on granting, refusing, revoking, terminating or removing refugee status, supplementary protection status, as well as any other decision-making act of the authority responsible for asylum and refugees can be appealed to the National Commission for Asylum and Refugees. Also, the decision of the National Commission for Asylum and Refugees can be appealed to the competent court for administrative matters, in accordance with the legislation in force.

-The Asylum Reception Center is a public legal entity, under the administrative authority of the minister.

-The organization and operation of the Asylum Reception Center is regulated by a decision of the Council of Ministers.

-The center informs the authority responsible for asylum and refugees about the entry procedures exit or stay of applicants for international protection.

-The center must provide minimum living conditions, including:

accommodation;

food;

health insurance;

minimum hygiene conditions.

- In cooperation with other subjects, private or state, domestic or foreign, in accordance with the rights of applicants and refugees,

pedagogical programs are developed educational as well as free legal advice.

**101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Child sexual abuse</b>	13 [ ] NA [ ] NAP	20 [ ] NA [ ] NAP	19 [ ] NA [ ] NAP	14 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Child pornography</b>	0 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: i Articles taken into consideration: Article 100 - Sexual or homosexual relations with minors Article 101 - Violent sexual or homosexual relations with minors aged 14-18 ii Article taken into consideration: Article 117 - Pornography

**102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.**

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	230 [ ] NA [ ] NAP	62 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 2.37 [ ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	209 [ ] NA [ ] NAP	89 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	41 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP

<b>Insolvency cases</b>	_____ Allow decimals : 2 122 <input type="checkbox"/> NA <input type="checkbox"/> NAP	41 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Robbery cases</b>	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	251 <input type="checkbox"/> NA <input type="checkbox"/> NAP	78 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide cases</b>	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 2.37% This percentage is related to "Total civil cases" (with and without opposing parties), including commercial, family, work relations, etc. that are older than 3 years. This figure resulted from the reports of the first instance courts of general jurisdiction for the year 2022.

-We have statistical data for "Employment relationship" as a subcategory of civil cases with opposing parties; the average duration for this group is 41 days according to the reports of the courts of appeals of general jurisdiction for the year 2022.

-We have statistical data for "Theft" as a subcategory of criminal cases. The average duration for this is 251 days according to the reports of the courts of first instance of general jurisdiction for 2022.

-We have statistical data for "Theft" as a subcategory of criminal cases. The average duration for this is 78 days according to the reports of the appellate courts of general jurisdiction for 2022.

-247 days turns out to be the average duration for "Intentional murder" cases during the year 2022, based on the reports of the appellate courts of general jurisdiction.

#### 104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. In Decision no. 47, dated 11.02.2021 of the High Judicial Council "On the approval of the "Guide" for maintaining and completing tables with statistical data for the purpose of measuring and monitoring the productivity and efficiency of the courts", section B, "Indicators", it is determined that for statistical purposes, the duration of adjudicated cases is calculated from the date of registration of the case in the court, until the date of the announcement of the decision, regardless of whether or not the law provides for a legal deadline for the closure of specific types of cases of the proceeding.

Average case duration (in days) corresponds to the average duration of cases closed within the reporting period, for total cases and by disposition type. The average duration of cases is reported in days

#### 4.2.6 Case flow management – public prosecution

#### 105. Role and powers of the public prosecutor in the criminal procedure (multiple replies possible):

- to conduct or supervise investigation
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court

to propose a sentence to the judge

to appeal

to supervise the enforcement procedure

to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)

to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

other significant powers (please specify): .....

Comments

### 106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

=

### 107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	21 883 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Incoming/received cases</b>	25 737 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	7 762 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	12 799 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.4 Discontinued for other reasons</b>	1 102 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

3.3.Cases brought to court	11 006 [ ] NA [ ] NAP
4.Pending cases on 31 Dec. ref. year	22 619 [ ] NA [ ] NAP

Comments

**107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?**

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
<b>Total number of guilty plea procedures</b>	265 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ X ] NA [ ] NAP
<b>Before the main trial</b>	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP	[ X ] NA [ ] NAP
<b>During the main trial</b>	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP	[ X ] NA [ ] NAP

Comments

**109. Do the figures provided in Q107 include traffic offence cases?**

- ( X ) Yes  
( ) No

Comments

**D2. Please indicate the sources for answering the questions in this part**

Sources: The Criminal Procedure Code and the Criminal Code as well as the statistics of the General Prosecutor's Office.

**5.Career of judges and public prosecutors**

**5.1.Recruitment and promotion**

**5.1.1Recruitment and promotion of judges**

**110. How are judges recruited?**

- [ X ] through a competitive exam (open competition)  
 [ X ] through a recruitment procedure for experienced legal professionals (for example experienced lawyers)  
 [ ] other (please specify): .....

Comments

**110-1. Please briefly describe the recruitment procedure(s) for judges in your country:**

. Every person has the right to participate in the School of Magistrates entry exam in order to be accepted in the Initial Formation for magistrates, if they meet at the same time the following criteria:

a) Has complete capacity to act;

b) Is an Albanian citizen;

c) Has completed the second cycle of university studies for justice, of "Master of Science" diploma, or equivalent to it, according to the definitions of the legislation on the high education", referring to the Article 124 of the law no. 80/2015, on the high education. Their graduation has to be based in the completion of a program in accordance with the 5-year Bologna's system, or to have been graduated as "Jurist" on a university diploma gained before the adaption of studies according to Bologna's system in a 4-year program, which is equivalent with an "Integrated Diploma of the Second Level, (IDSL)";

d) Has the general average grade over 8 (eight), as well as average grade over 8 (eight) for the group of the main subjects, where are included:

- Civil and Obligation Law;

- Criminal Law, (General and Specific Part);

- Civil Procedure;

- Criminal Procedure;

- Administrative Law; (and)

- Constitutional Law.

For those graduated as "Jurist" in university programs in foreign language, is foreseen a coefficient of difficulty equivalent with 1.2 which will ponderate their factual average grade;

d/1) The general average grade comes from the sum of the grades of all subjects developed in the first and second cycle of studies divided by their total number. For the group of the main subjects the average comes from the sum of the group of main subjects divided by their total number .

e) Has given the state test for jurist in Albania, or has accomplished, in minimum points defined by the School of Magistrates, university studies for justice in a member country of the European Union and should have gained a diploma equivalent to it, under the definitions of high education legislation," equivalenced according to the rules for the equality of diplomas foreseen by the law;

f) Has at least three years of full time active professional experience as jurist, after the graduation in the complete cycle of university studies, in the judicial or prosecutorial system, in public administration, free legal professions, lecture-giving in justice faculties, or in every other position equivalent to them, in the private sector or in international organizations;

g) Has not been convicted by a final criminal judgment of committing a criminal offense which, due to the nature of the offense committed, discredits the position and image of the judge or of the prosecutor and damages seriously public trust in the judicial system, regardless of whether he/she has been rehabilitated under the provisions of the Criminal Code;

h) Has not been removed from duty or has not been deprived of his/her license, authorization or permit to practice a profession for

disciplinary reasons, regardless of whether the disciplinary measure is considered revoked, and there is no disciplinary measure in force;

- i) Not a member of political parties in the time of candidating;
- j) No member, collaborator or favoured from State Security before 1990;
- k) Has not been collaborator, informer, or agent of secret services.

5. Suspended until the solution by a final decision; (The Director of the School of Magistrates is charged that in the enforcement of the law on conflict of interest to issue the special norms that regulate the conflict of interest, representing them to the Steering Council of the School of Magistrates for recognition.)

After a preliminary evaluation, the School sends a report of applicants that meet the criteria to become a magistrate, and of those who don't meet the criteria, to the HJC and HPC. HJC and HPC may make any recommendations on the report and send it to the SoM. The School of Magistrates approves the report of the final evaluation, considering comments and oppositions and publicizes the final report of evaluation in its official website, including the list of candidates, who meet the criteria foreseen by law.

The evaluation method for the entry exam for candidates for magistrate si as following:

1. In the first phase, thesis of electronic evaluation is evaluated maximally with 100 points. This thesis is going to have maximally 100 questions/100 points and will be structured in 9 rubrics, out of which 8 with 10 points each and the Albanian language which is going to have 20 questions/1 point each,

2. Thesis of the first phase will be composed of:

- i. The test of intelligence, (Logics, Geography, etc.);
- ii. International Relations – EU – History – Comparative Law;
- iii. Albanian language;
- iv. Psychology – Communication;
- v. Ethics and Civilian Behavior ;
- vi. Constitutional Law – Human Rights – Administrative Law;
- vii. Family Law – Labor Law – Commercial Law
- viii. Civil Law – Civil Procedure;
- ix. Criminal Law – Criminal Procedure.

Candidates have to score a minimum of 60 points to enter the second phase of the entry exam.

3. In the second phase, professional test is evaluated maximally with 350 points, out of which with 250 points is evaluated the theoretical part which is divided:

- 50 points for the theoretical part of the:

- i. Civil Law;
- ii. Criminal Law;
- iii. Civil Procedure; &
- iv. Criminal Procedure;

- 50 points is evaluated the theoretical part of other branches of law, such as:

- i. Constitutional Law and Administrative Law;
- ii. Family Law;
- iii. Labour Law,
- iv. Commercial Law;
- v. EU Law; &
- vi. Human Rights.

The part of case laws is evaluated with 100 points, 50 points for each case law.

Candidates who have won at least 60 percent of the points, are ranked according to the highest results of points, in countdown order, up to the completion of the number determined by the High Judicial Council (HJC) and the High Prosecutorial Council (HPC) for candidates for magistrate.

4. The nature of the test of psychological health, where enter the candidates that are qualified from the second phase, will be:

- i. In the written form with alternative questions; &
- ii. In the oral form with group and individual interviews.

The evaluation of the commission of the psychological test and of the mental health has qualifying or disqualifying nature. After this test, the list of candidates qualified for judge and prosecutor, and of the candidates for advisor and legal assistant is sent to the High Judicial Council (HJC) and to the High Prosecutorial Council (HPC) to continue with the phase of the verification of property and of the figure.

After confirmation, all the new candidates for magistrates start their academic year in October.

## 110-2. What are the recruitment requirements for judges (multiple replies possible)?



- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: waiting the institution to send the answers

**110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	404 <input type="checkbox"/> NA	143 <input type="checkbox"/> NA	261 <input type="checkbox"/> NA
<b>Number of recruited persons</b>	45 <input type="checkbox"/> NA	17 <input type="checkbox"/> NA	28 <input type="checkbox"/> NA

Comments

**110-4. If the number of applicants decreased in the last years did you take any remedial measures?**

- Yes
- No

Comments The number of applicants has not decreased in the last years.

**110-5. If yes, please specify what remedies you implemented:**

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

=



**111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:**

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: The authorities responsible for the procedure of recruitment of judges are the School of Magistrates and the High Judicial Council. The authority responsible for the nomination of judges is the High Judicial Council.

**111-1. How many members compose this authority?**

	Total	Males	Females
<b>Members</b>	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The above figures are only for the School of Magistrates. The School of Magistrates, which is a public budgetary institution, has been established and it has the status of a legal person. The School of Magistrates enjoys administrative, academic and financial autonomy for the realization of purposes and duties designated by law. The number of permanent staff members is 40 employees, composed of 11 full time lecturers including the Director, and 29 employees including the Chancellor. Full time lecturers are proposed by the director of SoM and appointed by the Steering Council of SoM. Staff members are subject to the recruitment procedure according to the civil service law and the labour code.

**111-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: The non-selected candidates to enter the School of Magistrates have the right of appealing the decision in Court.

**112. Is the same authority (Q111) competent for the promotion of judges?**

- Yes
- No

Comments - No, please specify which authority is competent for promoting judges High Judicial Council is the responsible authority for the promotion of judges.

**113. What is the procedure for the promotion of judges? (multiple replies possible)**

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and

how the publicity of promotion processes is ensured: The rules and criteria applied for the ethical and professional evaluation of judges are defined in Law No. 96/2016 "On the status of judges and prosecutors in the Republic of Albania," which include: Professional skills; Organizational skills; Ethics and commitment to professional values; Personal skills and professional commitment of the judge.

In addition, the High Judicial Council has approved a series of sub-legal acts that define complementary rules for the evaluation scheme of judges in office, including:

1. Additional rules for the evaluation of judges, approved by Decision No. 263, dated 21.11.2019;
2. Point-scoring methodology for determining the level of evaluation of the judge, approved by Decision No. 264, dated 21.11.2019;
3. Rules for the development of shortlisting procedures for the selection of court cases and its documentation, approved by Decision No. 197, dated 11.06.2020;
4. Standardized tables with statistical data necessary for the evaluation process, approved by Decision No. 316, dated 19.12.2019;
5. Content of the self-evaluation form of the judge, approved by Decision No. 120, dated 05.03.2020;
6. Determination of standards for the opinion of the Court President, together with the preparation of a ready-made form for documenting the Court President's opinion;
7. New standards for measuring indicators related to the organizational skills of the judge;
8. Standard formats for the preparation of analytical reports, evaluation project reports, and necessary extracts for the publication of the final evaluation decision.

**113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
Number of applicants	99 <input type="checkbox"/> NA	48 <input type="checkbox"/> NA	51 <input type="checkbox"/> NA
Number of promoted persons	18 <input type="checkbox"/> NA	9 <input type="checkbox"/> NA	9 <input type="checkbox"/> NA

Comments

**113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)**

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

**5.1.2 Status, recruitment and promotion of prosecutors**

**115. What is the status of public prosecution services?**

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.).Furthermore, if "mixed model" or "other", please specify.

**115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?**

Yes

No

Comments - If yes, please specify:

**115-2. If they are prohibited by law or other regulation, are there exceptions?**

Yes

No

NAP

Comments - Please describe these exceptions:

**115-3. Which authority can issue such specific instructions?**

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify:

**115-4. What form these instructions may take?**

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

**115-5. In that case, are the instructions:**

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

**115-6. What is the frequency of this type of instructions:**

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

**115-7. Can the public prosecutor oppose/report an instruction to an independent body?**

- Yes
- No
- NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

=

**116. How are public prosecutors recruited?**

- through a competitive exam (open competition)
- through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- other (please specify): .....

Comments

**116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:**

. The detailed procedure for the recruitment for prosecutors is regulated in Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended.

The School of Magistrates publish a call for applications for the initial training course through the announcement on the official website of the High Judicial Council, High Prosecutorial Council, School of Magistrates and at least in one of nationwide newspapers with the highest circulation in the country.

The School of Magistrates shall receive applications for admission to the initial training by end of February of each year.

By 15 March each year, the School of Magistrates shall carry out a preliminary assessment as to whether the applicant satisfies the application criteria. The School of Magistrates submit to the Councils the report of preliminary assessment outcome, together with the files of the application documents for each applicant. The Councils may deliver comments or objections not later than by end of March each year. The School of Magistrates shall adopt the final assessment report by taking into account the comments and objections received from the councils and shall publish the final assessment report on its official website, including the list of applicants who fulfil the criteria determined in the law. Any applicant, who is not included in the list of applicants meeting the criteria, has the right to exercise the legal remedies of appeal foreseen by the law.

The School of Magistrates shall administer an exam for admission to the three years initial training which take place by the end of April of each year and shall be opened to all applicants in the list of applicants as determined by the above assessment procedure. The School of Magistrates shall establish a ranking list of the applicants in accordance with the exam results and shall publish the adopted list by the 15th of May each year, by indicating in the list also the maximum number of candidates admitted to the initial training. Any

applicant has the right to exercise the legal remedies of appeal foreseen by the law.

The candidates with the highest scoring on the published list, who are likely to be admitted to the initial training of the School of Magistrates, shall be subject to a thorough asset and background checking. The Councils shall request for each applicant, information from competent institutions for the verification of assets and background check regarding any other disqualifying ground from the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interests, Prosecution Office, court, tax and customs authorities, National Bureau of Investigation, State Intelligence Services and any disciplinary authorities, etc.

The Councils decide that the candidate does not pass the verification of assets and background when:

- a) the financial sources of the candidate do not justify his/her assets and he/she has not declared properties or assets by concealing them or has intentionally given a false or inaccurate statement of assets or even the candidate is in a situation of conflict of interest;
- b) the candidate has inadequate connections or contacts with persons involved in organized crime, as defined in the law on the organization and functioning of institutions combating corruption and organized crime;
- c) has displayed serious inappropriate ethical and moral conduct that undermines public trust in the judicial or prosecution system;
- ç) There exists any other known disqualifying ground, as provided by law.

At the latest by the 5th of September each year, the councils decide on the admission of candidates to initial training of the School of Magistrates based on the information provided during the verification of assets and background. Candidates who are not admitted have the right to inspect the file and lodge, within five days, an appeal to the Administrative Court of Appeal against the decision of the Councils.

Regarding the verification of the candidates for magistrates, based on the list of candidates who will graduate at the end of the academic year sent from the School of Magistrates not later than January of each year, the Councils verify for the second time the assets and background of the students.

The graduate shall be appointed magistrate, if she/he meets concurrently the following criteria:

- a) Having graduated from the School of Magistrates in the initial training with a score of at least 70% of the maximum reachable scores;
- b) Having achieved evaluation scores of at least "good" in each of the assignments during the professional internship in the third year of the initial training;
- c) Having passed again the asset declaration and background check, carried out by the Councils.

Within July of each year, the Councils shall appoint magistrate every person who is on the list of graduates, who meets the appointment criteria or refuse to appoint magistrate any person who is on the graduate list but does not meet the appointment criteria.

A magistrate shall, before assuming the function, take the oath in a public ceremony before the High Judicial Council or the High Prosecutorial Council.

## 116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law

- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If “other”, please specify: a) has not been dismissed from office or has not been deprived of his license, authorization or permit to practice a profession for disciplinary reasons, regardless of whether the disciplinary measure is considered terminated, and there is no disciplinary measure in force; b) Not to be a member of political parties at the time of application; c) Have not been a member, collaborator or favoured by the State Security before 1990; d) Have not been a collaborator, informant, or agent of any secret service

**116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	314 <input type="checkbox"/> NA	94 <input type="checkbox"/> NA	220 <input type="checkbox"/> NA
<b>Number of recruited persons</b>	29 <input type="checkbox"/> NA	10 <input type="checkbox"/> NA	19 <input type="checkbox"/> NA

Comments From 29 candidates who passed successfully the exam for admission to the three years initial training in the School of Magistrates in total, one candidate has resigned (male) during 2022, one other candidate (male) is not admitted (during 2023) in the initial training with decision of Council (he has appealed dhe decision in court) and for one other candidate (female) the decision of Council to admit or not in the initial training after the verification process is expected to be adopted within June 2023.

**116-4. If the number of applicants decreased in the last years did you take any remedial measures?**

- Yes
- No

Comments

**116-5. If yes, please specify what remedies you implemented:**

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors
- Other

Comments: If “other”, please, specify:

**117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:**

- An authority composed of public prosecutors only
- An authority composed of non-public prosecutors only
- An authority composed of public prosecutors and non-public prosecutors
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

**117-1. How many members compose this authority?**

	Total	Male	Female
<b>Members</b>	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The High Prosecutorial Council is an independent justice institution which guarantees the independence, accountability, discipline, status and career of prosecutors in the Republic of Albania. High Prosecutorial Council is composed of 11 members, 6 of whom are elected by the prosecutors (General Meeting of Prosecutors) of all levels of the prosecution system and 5 members are selected by the Assembly among jurists who are not prosecutors (2 from law Faculty and School of Magistrates, 2 from Bar Association and 1 from civil society).

**117-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: The applicants who are not admitted to the three years initial training of School of Magistrates, based on the results of asset and background check, may lodge an appeal against the High Prosecutorial Council decision within 5 days from the notification in the Administrative Court of Appeal. Also, the right to appeal in court may be applied according in the same procedure from the students who do not pass successfully the asset and background check for the second time after their graduation (after three years of initial training). Every person who is on the list of graduates and pass successfully asset and background check is appointed prosecutor from the Councils, in accordance with the school results/ranking sent from School of Magistrates and the vacancies in prosecutorial system

**118. Is the same authority (Q.117) competent for the promotion of public prosecutors?**

- Yes
- No, please specify which authority is competent for promoting public prosecutors .....

Comments

**119. What is the procedure for the promotion of prosecutors? (multiple replies possible)**

- Competitive test / exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or



examination) and how the publicity of promotion processes is ensured: With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation "For the promotion to the highest levels in Prosecution Offices of the general jurisdiction". According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.

Regarding the publicity of the promotion procedures, in this regulation is provided that, in case of vacancies for the promotion to the highest levels in offices of the general jurisdiction, High Prosecutorial Council decides to open the promotion procedure and in the same time publishes the call for the express of interest from candidates. The call contains the necessary information on the vacancy and the documents to submit with the application. The call is published in the official web site of the council and is open for a period of two weeks from the day of the announcement. The decision of the council for the verification of the candidates for meeting the legal conditions of candidacy is notified to the candidate and is published in the official web site. The disqualified candidate may submit an appeal in the Administrative Court of Appeal within 5 days from the notification of the decision. In the second stage, the qualified candidates who pass successfully the assets and background check are ranked based on the fulfilment of the criteria. The council decision for ranking the candidates is notified to all the candidates and is published in the official web site. The candidate who does not agree may submit an appeal in the Administrative Court of Appeal within 5 days. The court decision is final and the council should review again its decision according to the court findings within two weeks, if the court has accepted the appeal of the candidate. In the third stage, the council decision to promote the candidate listed above others is published in the official web site of the council, and notified to General Prosecution office, respective prosecution offices and to the promoted prosecutor. Also, with Decision no. 200, dated 23.09.2020, the Council has approved the Regulation "On the criteria and procedures for the promotion of heads of Prosecution Offices of the general jurisdiction". The following candidates may be promoted: a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy; b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position. High Prosecutorial Council publishes the promotion announcement (the call) for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The call is published in the official web site of the council and is open for a period of two weeks from the day of the announcement. After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference. The council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.

After this verification, the council decides to allow the candidate and continue the promotion procedure or the prohibition of the candidate and exclusion from this procedure. The council decision is published in the official web site of the council. The disqualified candidate may submit an appeal in the Administrative Court of Appeal within 5 days from the notification of the decision. The results of the ranking procedure carried out from the relator (member of the Career Commission) are presented to the Career Commission which evaluates the fulfilment of the criteria and verification process. Possible contradictions in Commission are placed in a document accompanying the final evaluation report which is presented to the council. The day and time of the council meeting together with the report prepared by the relator are announced to the candidates. If the council concludes that, the evaluation process carried out from the relator is complete and controlled from the Commission, decides on the final ranking of candidates. The reasoned decision is notified to the candidates which may submit an appeal in the Administrative Court of Appeal within 5 days from the notification of the decision. The final ranking decision of candidates (if there is, reviewed after court decision) of the council is published in the official web site.

Not less than 7 days from the day that the decision on the ranking of the candidates becomes final, the council approves a decision on the promotion to the vacant position of the candidate who is ranked above which is published in the official web site and notified to General Prosecution office, respective prosecution offices and the promoted prosecutor. With the Decision no. 51, dated 19.03.2019, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor Office against Corruption and Organized Crime". The promotion in this prosecution office starts with a public call for starting the procedure for the fulfilment of vacancies in Special Prosecution Office. The notification is published in the official website of the council and contains the general and special criteria of candidates, the necessary documents and deadline for the application. After the application is followed this procedure:

a) The Ad-Hoc Commission perform an initial assessment of all candidates to determine if they meet the legal criteria for promotion as a special prosecutor. b) The Ad Hoc Commission propose to the Council to disqualify any candidate who does not meet the legal requirements. Also, based on the Ad Hoc Commission proposal, the Council approves the list of candidates who fulfil the legal requirements and continue the evaluation process and notify the decision to the candidates. The decision is published in the official website. c) According to the current regulation, the Council send the data of the candidates who didn't pass yet the process of transitional re-evaluation to respective authority to complete this process as a precondition to be promoted at Special Prosecutor Office. d) The

Commission realises the evaluation and conducts the interviews with these candidates. The Commission requests from public institutions any type of document important for the evaluation. The date and the time of the interviews is published in the official website. Also, the hearing session is public and transmitted in national media. The registration of the interview with candidates is published in the official website. e) The Commission uses documents and letters of motivation to make relevant proposals for the evaluation of candidates, based on:

- i. previous professional evaluations; and
  - ii. special ethical and professional criteria. The Council also takes into account the candidate's personal and professional commitment as an expert.
- f) If there are candidates with equal points after evaluating the special ethical and professional criteria, the Council ranks the candidates according to their seniority as magistrates or lawyers.
- g) The Commission proposes for each candidate one of the evaluation scales provided in the Regulation.
- h) The Council approves the evaluation scale for all the candidates and publishes the decision in the official website. i) After the evaluation, the Council approves the list with the ranking of candidates and notify the decision to the candidates.
- j) Finally, the Council approves the decision with the appointment of the candidates who are listed above in the list in accordance with the number of vacancies. The decision is published in the official website and is notified to General Prosecution office, Special Prosecution Office, to the prosecutor and to the prosecution office where the selected candidate had the permanent appointment.
- The decisions of the Council for the approval of the list of candidates, for the evaluation scale of candidates, for ranking of candidates and for appointment of candidates may be appealed in the Administrative Court of Appeal.

**119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	21 [ ] NA	14 [ ] NA	7 [ ] NA
<b>Number of promoted persons</b>	6 [ ] NA	6 [ ] NA	0 [ ] NA

Comments

**119-2. Please indicate the criteria used for the promotion of a prosecutor:**

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”): Regarding the promotion to the highest levels in Prosecution Offices of the general jurisdiction and regarding the promotion of heads of Prosecution Offices of the general jurisdiction, other criteria are: lack of disciplinary measures and the successful review of the verification of asset and background of candidates. For the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime, other criteria is the fulfilling of the security conditions, provided for in Article 6 of Law no. 95/2016 "For the organization and functioning of institutions to fight corruption and crime e organized", as amended, including the condition that candidates must have submitted valid expression forms of consent for the periodic control of bank accounts and personal telecommunications, signed by the candidate and close family members.

**5.1.3Mandate and retirement of judges and prosecutors**

**121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official**

**age of retirement)?**

Yes, please indicate the compulsory retirement age: .....

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

**121-1. Can a judge be transferred to another court without his/her consent:**

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards): .....

No

Comments

**122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?**

Yes, duration of the probation period (in years): .....

No

Comments

**123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

Yes, please indicate the compulsory retirement age: .....

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

**124. Is there a probation period for public prosecutors? If yes, how long is this period?**

Yes, duration of the probation period (in years): .....

No

Comments

**125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?**

[            ]

NA

NAP

Comments

**125-1. Is it renewable?**

Yes

No

NAP

Comments

126. If the mandate of public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[            ]

[ ] NA

[X] NAP

Comments

**126-1. Is it renewable?**

( ) Yes

( ) No

[X] NAP

Comments

**E1. Please indicate the sources for answering the questions in this part**

Sources:
----------

**5.2. Training**

**5.2.1 Training of judges**

**127. Types of different trainings offered to judges:**

	Compulsory	Optional	No training proposed
<b>Initial training (e.g. attend a judicial school, traineeship in a court)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions of the court (e.g. court president)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
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Comments A training topic may be developed regularly or occasionally in different academic years. This is a different variable since the calendar of continuing education training activities itself is variable from one academic year to another. The components that influence the variability of this data are mainly the needs of the justice system for the development of training activities in a specific direction or field, as well as the selection of this topic by the main beneficiaries of continuing education, which are the in-service magistrates.

In other words, after we conduct the needs assessment process and collect the concrete needs of in-service magistrates, we organize the training activities. This is why we have checked the boxes “as needed” intending to say, “according to the needs of the system”. This means that we organize them regularly but according to the needs of the in-service magistrates.

## 128. Frequency of the in-service training of judges:

	<b>Frequency of the judges training</b>
<b>General in-service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for management functions of the court (e.g. court president)</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for the use of computer facilities in courts</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on ethics</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: A training topic may be developed regularly or occasionally in different academic years. This is a different variable since the calendar of continuing education training activities itself is variable from one academic year to another. The components that influence the variability of this data are mainly the

needs of the justice system for the development of training activities in a specific direction or field, as well as the selection of this topic by the main beneficiaries of continuing education, which are the in-service magistrates.

In other words, after we conduct the needs assessment process and collect the concrete needs of in-service magistrates, we organize the training activities. This is why we have checked the boxes “as needed” intending to say, “according to the needs of the system”. This means that we organize them regularly but according to the needs of the in-service magistrates.

### 128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
<b>Initial compulsory training – minimum number of trainings</b>	_____ Min numeric value allowed : 0  <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	_____ Min numeric value allowed : 0  195 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	_____ Min numeric value allowed : 0  <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	_____ Min numeric value allowed : 0  5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The first and second year of the initial training are divided in two semesters of 15 weeks each of them. A calendar year has 30 weeks, with 5 days of initial training in a week, in total 150 days of initial training in the first year, and 45 days of initial training in the second year.

## 5.2.2 Training of prosecutors

### 129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
<b>Initial training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments A training topic may be developed regularly or occasionally in different academic years. This is a different variable since the calendar of continuing education training activities itself is variable from one academic year to another. The components that influence the variability of this data are mainly the needs of the justice system for the development of training activities in a specific direction or field, as well as the selection of this topic by the main beneficiaries of continuing education, which are the in-service magistrates.

In other words, after we conduct the needs assessment process and collect the concrete needs of in-service magistrates, we organize the training activities. This is why we have checked the boxes “as needed” intending to say, “according to the needs of the system”. This means that we organize them regularly but according to the needs of the in-service magistrates.

### 130. Frequency of the in-service training of public prosecutors :

	<b>Frequency of the in-service training</b>
<b>General in-service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for the use of computer facilities in office</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on ethics</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

<b>Other in- service training</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
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Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: A training topic may be developed regularly or occasionally in different academic years. This is a different variable since the calendar of continuing education training activities itself is variable from one academic year to another. The components that influence the variability of this data are mainly the needs of the justice system for the development of training activities in a specific direction or field, as well as the selection of this topic by the main beneficiaries of continuing education, which are the in-service magistrates.

In other words, after we conduct the needs assessment process and collect the concrete needs of in-service magistrates, we organize the training activities. This is why we have checked the boxes “as needed” intending to say, “according to the needs of the system”. This means that we organize them regularly but according to the needs of the in-service magistrates.

### 130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
<b>Initial compulsory training – minimum number of trainings</b>	 Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	 Min numeric value allowed : 0 195 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	 Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	 Min numeric value allowed : 0 5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The first and second year of the initial training are divided in two semesters of 15 weeks each of them. A calendar year has 30 weeks, with 5 days of initial training in a week, in total 150 days of initial training in the first year, and 45 days of initial training in the second year.

## 5.2.3 Training institutions

### 131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
<b>Institution(s) for judges</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Institution(s) for both judges and prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**131-0. If yes, what is the implemented budget of such institution(s)?**

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	2 472 869 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The amount provided by the State Budget to the School of Magistrates is 2 470 872 EURO

The total amount of funds given to the SoM by donors in 2022 is: 1 997 EURO.

**131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?**

. In order to be appointed as a judge and/or prosecutor in Albania it is compulsory to go through the initial training at the School of Magistrates

**5.2.4 Number of trainings****131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.**

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
<b>Total</b>	78 <input type="checkbox"/> NA <input type="checkbox"/> NAP	78 <input type="checkbox"/> NA <input type="checkbox"/> NAP	103 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For judges</b>	76 <input type="checkbox"/> NA <input type="checkbox"/> NAP	76 <input type="checkbox"/> NA <input type="checkbox"/> NAP	101 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For prosecutors</b>	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For non-judge staff</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>For non-prosecutor staff</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
---------------------------------	------------------------	------------------------	------------------------	------------------------

Comments The total does not match as SoM does not organize trainings only for judges or only for prosecutors. In the table of training activities, trainings are defined which are addressed to a specific target group such as judges, prosecutors, judicial police officers, state lawyers, administrative staff of courts or prosecutions, chancellors, etc. but most of the training activities are open to all subjects whose law recognizes the right to be trained by the School of Magistrates. So, apart from the fact that there are trainings with a certain target group, the same trainings where judges have participated, prosecutors have also participated, especially when it comes to dealing with procedural law, where the confrontation of the prosecutor's perspective with the court is quite important. In this case, in 76 trainings for judges, there were trainings dedicated only to judges, but also trainings where there were judges, prosecutors and other subjects of the justice system.

### 131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
<b>Total</b>	1 840 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Judges</b>	881 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Prosecutors</b>	712 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Non-judge staff</b>	147 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Non-prosecutor staff</b>	100 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments

### E2. Please indicate the sources for answering the questions in this part

Sources: .

## 5.3.Practice of the profession

### 5.3.1Salaries and benefits of judges and prosecutors



### 132. Salaries of judges and public prosecutors on 31 December of the reference year:

Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
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<b>First instance professional judge at the beginning of his/her career</b>	25 304 [ ] NA [ ] NAP	18 449 [ ] NA [ ] NAP	2 909 952 [ ] NA [ ] NAP	2 151 660 [ ] NA [ ] NAP
<b>Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)</b>	32 420 [ ] NA [ ] NAP	23 452 [ ] NA [ ] NAP	3 728 376 [ ] NA [ ] NAP	2 697 012 [ ] NA [ ] NAP
<b>Public prosecutor at the beginning of his/her career</b>	23 507 [ ] NA [ ] NAP	17 706 [ ] NA [ ] NAP	2 879 640 [ ] NA [ ] NAP	2 169 036 [ ] NA [ ] NAP
<b>Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).</b>	31 673 [ ] NA [ ] NAP	23 212 [ ] NA [ ] NAP	3 879 936 [ ] NA [ ] NAP	2 843 448 [ ] NA [ ] NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor:

### 133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
<b>Reduced taxation</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Special pension</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Housing</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other financial benefit</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments

### 134. If “other financial benefit”, please specify:

. In terms of housing, the law on status of judges and prosecutors (article 17) provides that "A magistrate shall, during the exercise of function and after having exercised the function at least three years, be once entitled to benefit a state funded home loan, at the amount of an average value of an apartment of 50 m<sup>2</sup> in a central area of the town, where the magistrate exercises the function. Per family member in the sense of paragraph 5 of this Article living in the household with the magistrate, the reference size of the apartment surface shall be increased per 10m<sup>2</sup> per person. In case two persons in a household are entitled to a state funded home loan, this shall be benefited only by one of them."

0.17 .According to Article 11, of the Law "On the status of judges and prosecutors", as amended, except the salary, other financial benefits for the prosecutors and judges include:

- a) compensation for the temporary transfer or delegation scheme;
- b) remuneration for skills;
- c) supplementary state pension, as provided by this law and legislation for supplementary state pensions;
- d) any other benefit, based on the particular conditions of employment or personal situation and family law of the magistrate provided for by the legislation in force.

Also, in the Article 27, of the Law “On the status of judges and prosecutors”, as amended, is provided that, a judge or a prosecutor is entitled to early retirement if:

- a) has reached at least 60 years of age;
- b) has served as a prosecutor for at least 30 years;
- c) is not able to exercise his function, due to illness, certified by the medical commission on the assignment of work ability.

The High Prosecutorial Council adopts more detailed rules setting out the procedure to be followed for early retirement and the rules on how to calculate early retirement and other benefits when the claim is accepted.

[ ] NAP

=

### 135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
<b>Teaching</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Research and publication</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Arbitrator</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Consultant</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Cultural function</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Political function</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Mediator</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other function</b>	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

### 137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
<b>Teaching</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Research and publication</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Arbitrator</b>	( ) Yes ( X ) No	( ) Yes ( X ) No

<b>Consultant</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Cultural function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

**139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?**

- Yes  
 No

Comments - If yes, please specify the conditions and if possible the amounts:

### 5.3.2 Body/institution of ethics

**138. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?**

- Yes  
 No

Comment - Please specify:

**138-1. If yes, who are the members of this institution/body?**

- Only judges  
 Judges and other legal professionals  
 Other, please specify: .....

Comments

**138-2. Are the guidelines and/or opinions of this institution / body publicly available?**

- Yes  
 No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.:

**138-2-1. How many guidelines and/or opinions were given during the reference year?**

- [ 0 ]  
[ ] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

**138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)**

Yes

No

Comment: Please specify

**138-4. If yes, who are the members of this institution/body?**

Only prosecutors

Prosecutors and other legal professionals

Other, please specify: .....

Comments

**138-5. Are the guidelines and/or opinions of this institution / body publicly available?**

Yes

No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

**138-5-1. How many guidelines and/or opinions were given during the reference year?**

[ 1 ]

[ ] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

**5.4. Disciplinary procedures**

**5.4.1 Authorities responsible for disciplinary procedures and sanctions**

**140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?**

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court

Disciplinary body

Ombudsman

Parliament

Executive power (please specify): .....

Other (please specify): .....

This is not possible

Comments

**141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):**

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....
- This is not possible

Comments

**142. Which authority has disciplinary power over judges (multiple replies possible)?**

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify): .....
- Other (please specify): .....

Comments

**143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?**

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....

**5.4.2 Number of disciplinary procedures and sanctions**

**144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	2 [ X ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>1. Breach of professional ethics</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Professional inadequacy</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Criminal offence</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If "other", please specify:

**145. Number of sanctions pronounced during the reference year against judges and public prosecutors:**

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	3 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>1. Reprimand</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>2. Suspension</b>	2 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Fine</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>5. Temporary reduction of salary</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>6. Position downgrade</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP



<b>7. Transfer to another geographical (court) location</b>	0 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>8. Resignation</b>	[ X ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>9. Other</b>	0 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>10. Dismissal</b>	0 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

### E3. Please indicate the sources for answering the questions in this part

Sources: HJC HPC

## 6.Lawyers

### 6.1.Profession of lawyer

#### 6.1.1Status of the profession of lawyers

#### 146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	3 000 [ ] NA	[ X ] NA	[ X ] NA

Comments

#### 147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ( )

No ( X )

Comments

#### 148. Number of legal advisors who cannot represent their clients in court:

[ ]

[ ] NA

[ X ] NAP

Comments

=

**149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)**

	<b>First instance</b>	<b>Second instance</b>	<b>Highest instance court (Supreme Court)</b>
<b>Civil cases</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Dismissal cases</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Criminal cases – Defendant</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Criminal cases – Victim</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: waiting the answers from the institution

**149-0. If other than lawyers may represent a client in court, please specify who:**

	<b>First instance</b>	<b>Second instance</b>	<b>Highest instance court (Supreme Court)</b>
<b>Civil society organisation</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Family member</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Self-representation</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Trade union</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): waiting the answers from the institution

**149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise**

**other activities?**

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other (please specify): .....

Comments waiting the answers from the institution

**149-2. Professional lawyers may have the status of:**

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments waiting the answers from the institution

**150. Is the lawyer profession organised through:**

- a national bar association
- a regional bar association
- a local bar association

Comments

**151. Is there a specific initial training and/or exam to enter the profession of lawyer?**

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

**152. Is there a mandatory general in-service professional training system for lawyers?**

- Yes
- No

Comments

**153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?**

- Yes
- No

Comments - If yes, please specify:

**F1. Please indicate the sources for answering the questions in this part**

Sources:
----------

## 6.1.2 Practicing the profession of lawyer

**154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?**

Yes

No

Comments

**155. Are lawyers' fees freely negotiated?**

Yes

No

Comments

**156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?**

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

## 6.1.3 Quality standards and disciplinary procedures for lawyers

**157. Have quality standards been determined for lawyers?**

Yes

No

Comments - If yes, what are the quality criteria used? waiting the answers from the institution

**158. If yes, who is responsible for formulating these quality standards:**

the bar association

the Parliament

other (please specify): .....

Comments waiting the answers from the institution

**159. Is it possible to file a complaint about:**

the performance of lawyers

the amount of fees

Comments - Please specify: waiting the answers from the institution

**160. Which authority is responsible for disciplinary procedures?**

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments waiting the answers from the institution

**161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Number of disciplinary proceedings
<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: waiting the answers from the institution

**162. Sanctions pronounced against lawyers.**

	Number of sanctions
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. waiting the answers from the institution

## 7. Court related mediation and other alternative Dispute Resolution

### 7.1. Court related mediation

#### 7.1.1 Details on court related mediation

#### 163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

#### 163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

#### 163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

#### 164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Family cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Labour cases including employment dismissals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Criminal cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Consumer cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

**165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?**

Yes

No

NAP

Comments - If yes, please specify:

=

**166. Number of accredited or registered mediators for court-related mediation:**

	Total	Males	Females
Number of mediators	126 <input type="checkbox"/> NA <input type="checkbox"/> NAP	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP	68 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?**

. According to article 4 and 5 of Law no. 26/2018 "On some additions amendments to Law no. 10385, dated 24.02.2011"

The mediator exercises the activity, as a natural or legal person, after his/her licensing and registration with the Register of Mediators, according to this law.

The mediator, upon successful completion of the initial training and the qualifying examination, has the right to present the documentation for being granted the licence of mediator with the Minister of Justice.

The Minister of Justice shall licence, within 45 days from the submission of the request for licensing, the subjects interested that fulfil the criteria of article 5 of this law for exercising the activity of mediation, which register at taxation bodies, in line with the legal acts in force. The activity of these subjects is under category XI.3 of the Appendix attached to law no.10081 of 23 February 2009 "On licenses, authorizations and permits in the Republic of Albania", amended.

The licensing process has been profoundly changed and articles 4 and 5 have been completely rewritten. According to the last amendments to these articles, the broker, who must be an Albanian citizen at least 28 years old, must fulfill the following conditions to apply for a license:

to have complete second cycle study programs;

have professional experience of not less than 3 (three) years;

not having been convicted for the intentional commission of criminal offenses by a final court decision;

Foreign citizens who are licensed in their countries as mediators also have the permission to practice the profession of mediator. The rules and procedures for the recognition of the intermediate title acquired in a foreign country are determined by order of the Ministry of Justice.

**167. Number of court-related mediations:**

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil and commercial cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Family cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Administrative cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Labour cases including employment dismissal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>5. Criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>6. Consumer cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>7. Other cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please indicate the source:

=

**168. Do the following alternative dispute resolution (ADR) methods exist in your country?**

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): .....

Comments

**G1. Please indicate the sources for answering the questions in this part**

Source:
---------

**8.Enforcement of court decisions**

**8.1.Execution of decisions in civil matters**



## 8.1.1 Number of enforcement agents, status and mandate

### 169. Number and type of enforcement agents in your country.

	Total	Male	Female
<b>Total (1+2+3+4)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NA
<b>1. Private professionals under the authority (control) of public authorities</b>	142 <input type="checkbox"/> NA <input type="checkbox"/> NAP	115 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Judges</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If other, please specify their status and competences:

### 170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify: The conditions for licensing the private bailiff, defined in Article 16 of Law no. 26/2019 "On private judicial enforcement service"

### 171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the age of retirement: Reach retirement age, according to the legislation in force
- No, please specify the duration of the appointment: .....

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Except for the cases when the private bailiff's license is revoked for the reasons provided for in the provisions of Law No. 26/2019 "On private bailiff service".

## 8.1.2 Activities/scope of competence

### 171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

Access to information	Direct electronic access to information
-----------------------	---

<b>Address</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Date of birth</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Civil status</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Cohabitant</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Employer</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Motor vehicle</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Movable property</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Immovable property</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Bank account</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other enforcement proceedings underway</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other</b>	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify:

**171-2. Can the enforcement agent carry out the following civil enforcement proceedings:**

	<b>Option</b>
<b>Seizure of movable tangible properties</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
<b>Preventive seizure of movable tangible properties</b>	( ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ X ] NAP
<b>Seizure of immovable properties</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP

<b>Preventive seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of remunerations</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of motorised vehicles</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Eviction measures</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Seizures of boats and ships</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of aircrafts</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of electronic assets (e.g cryptocurrency)</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Enforced sale by public tender of seized properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Sale of shares</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments In article 527, of the Code of Civil Procedure "Sequestration" it is defined: When the execution of an obligation in money is requested, the bailiff, after the expiration of the notice period for execution (Article 517), begins the compulsory execution, imposing a seizure on the debtor's loans and on his movable and immovable property, to the extent that will be necessary to fulfill the obligation. " In Article 528 of the Code of Civil Procedure it is defined: At the request of the debtor, the seizure can be placed on another property of his other than the one shown by the creditor, when the bailiff considers that this meets the request of the creditor. At the request of the debtor, the seizure can be placed, in addition to assets encumbered by pledge and mortgage, also on another of his assets, different from the one shown by the creditor, when the bailiff deems that it satisfies the creditor's request

### 171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments Based on Law No. 26/2019 "On private judicial enforcement service", other activities performed by the private judicial bailiff are:

- performing the notification of judicial acts and official documents;
- b) notification and carrying out the collection of financial obligations with understanding, at the request of the interested parties;

c) conducting findings of easily verifiable facts, objects and phenomena, which do not require specific technical knowledge according to the legislation in force, at the request of the interested parties

### **8.1.3 Training and ICT**

**172-1. Is there a system of mandatory general continuous training for enforcement agents?**

Yes

No

Comments

**172-2. Do you have an e-learning training system established for enforcement agents?**

Yes

No

Comments - If yes, please specify:

**172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?**

Yes

No

Comments - If yes, please specify:

**172-4. Have an electronic service of documents or electronic notifications been introduced in your country?**

Yes

No

Comments

**172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?**

Yes

No

Comments - Please explain:

### **8.1.4 Fees**

**174. Are enforcement fees easily established and transparent for parties?**

Yes

No

Comments

**175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?**

Yes

No

**175-2. Who has to pay these fees if the enforcement proceedings are successful?**

- The debtor
- The creditor
- Other – please specify .....

Comments

**176. Do laws provide any rules on enforcement fees (including those freely negotiated)?**

- Yes
- No

Comments -Joint instruction of the minister of Justice and the Minister of Finance and Economy no. 30, dated 30.8.2018,"For some changes in joint instruction no. 385/7, date 28.6.2017, "On setting fees for services provided by Private Judicial Enforcement Service", of the Minister of Justice and the Minister of Finance"

-Article 525 of the Code of Administrative Procedures defines:

The fixed fees determined for the execution of the executive order are paid, initially, by the creditor and, after the completion of the execution procedure, are charged to the debtor. Other expenses, during the execution procedure, are paid by the party that incurred them. The measure of the success fee, except in cases where it is not applicable, is determined by agreement between the creditor and the bailiff, according to the legislation that regulates the bailiff service

- Article 36 of Law No. 26/2019 "On private judicial enforcement service defines:

The fees for the secondary activities of the private bailiff, provided by the letters "b", "c", "ç" and "d", of point 1, of this article, are determined by the instruction of the minister, with the proposal of the Chamber.

Pursuant to the provisions of the above provisions, by-laws have been drawn up and approved that regulate the fees for the secondary activity of private bailiffs, and the work on the drafting and approval of the primary fees is ongoing.

**H0. Please indicate the sources for answering the questions in this part**

Source: Directorate of Legal Services MoJ

**8.1.5 Organisation of profession and efficiency of enforcement services**



**177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?**

- Yes
- No

Comments

**178. Which authority is responsible for supervising and monitoring enforcement agents?**

- professional body
- judge
- Ministry of Justice
- public prosecutor

other (please specify): .....

Comments

**181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?**

Yes

No

Comments - If yes, please specify:

**182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?**

Yes

No

Comments - If yes, please specify: Article 58 of Law No. 26/2019 "For private judicial enforcement service defines:

The activity of private bailiffs or private enforcement offices is controlled by the ministry in accordance with this law and the legislation in force for inspection in the Republic of Albania.

2. The Ministry has the right, mainly or at the request of the interested parties, to control the activity of private bailiffs and take the necessary measures to eliminate or sanction the detected violations.

3. The Ministry has the obligation, at least every four years, to control the activity of private bailiffs.

4. The Ministry has the right:

a) to analyze the execution registers, the file of the case in execution, the execution documents, data and other archival materials of the private bailiff, bills of enforcement fees and reimbursements of expenses paid to the private bailiff, actions in the special account banking and other financial actions related to execution procedures, insofar as it is necessary to verify the fulfillment of formal legal conditions;

b) request from the private bailiff all the necessary information regarding his activity;

c) request reports on the measures taken by the private bailiff for the execution of enforcement cases;

ç) to analyze the work of private enforcement offices, to verify the implementation of professional standards of private bailiffs

d) to request from the banks access to the data of the bank account of the private bailiff, for the purpose of control, of the actions carried out from this account, in accordance with the legislation in force;

5. The Ministry, after carrying out the control, may order the taking of measures for the correction of violations committed by private bailiffs and may set a deadline for the correction of these violations or, when appropriate, may order the initiation of disciplinary proceedings against executors.

6. Detailed rules for the control of the activity of private bailiffs are determined by the instruction of the minister.

7. The Ministry, in fulfilling its control functions, may request the support of the Chamber for the performance of joint tasks.

8. The control of the activity of private bailiffs is carried out by the officials of the responsible structure in the ministry. In cases of lack of human resources, as well as coverage of specific fields, the ministry can engage independent external experts. The criteria, procedures for the selection and remuneration of external independent experts, who will be engaged in conducting the control, are determined by the instruction of the minister.

**183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.**

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent
- other (please specify): .....

Comments

**185. Is there a system measuring the length of enforcement procedures:**

	Existence of the system
for civil cases	( X ) Yes ( ) No
for administrative cases	( X ) Yes ( ) No

Comments Article 515 of the Code of Civil Procedure defines:

The execution of the execution order takes place within 15 days from the date of delivery of the creditor's request. The court's decision on the insurance measure of the lawsuit and the court's fines are executed within 5 days from the date of presentation for execution. In the exercise of his public function, the private bailiff performs the enforcement actions provided for in articles 510 and following of the Code of Civil Procedure, the term of which is provided for each enforcement action. Due to the complexity of enforcement actions, the right of appeal of the parties affected by these actions, the duration of a procedure may be different depending on the processes.

**186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):**

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify): .....
- NA

Comments

**187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	14 [ ] NA [ ] NAP
1. For breach of professional ethics	[ X ] NA [ ] NAP
2. For professional inadequacy	[ X ] NA [ ] NAP



3. For criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: In the framework of the supervision of private judicial enforcement activity, for the year 2023, 5 (five) general inspections are in process so far, out of 15 scheduled until the end of 2023.

For the year 2022 and beyond, 14 (fourteen) disciplinary proceedings based on complaints are being carried out/in process, of which:

- For 4 private bailiffs, a measure was taken to remove the certificate of exercising private bailiff activity due to violations of the legal provisions that regulate private bailiff activity.

- 3 (three) disciplinary investigations are suspended as they are subject to review by judicial bodies.

- 5 (five) disciplinary investigations have been closed as no violations of legal provisions have been found in the enforcement activity subject to review, or the actions of the private bailiff have been prescribed.

- 2 (two) disciplinary investigations are still in process.

In addition to the above, during the year 2022, we have 4 (four) cases of the removal of the license to exercise private judicial enforcement activity due to non-exercise of the activity, 1 (one) case at the request of the bailiff himself, 1 (one) due to of sentencing in the form decided by the court and 1 (one) case because the private bailiff has changed his life.

Disciplinary violations are provided for in article no. 84 of Law No. 26/2019 "On private judicial enforcement service"

Violations of the provisions of this law, when they do not constitute a criminal offense, constitute a disciplinary offense. The following actions or omissions are considered violations by the private bailiff:

a) repeated violation of the rules provided by this law and by-laws, related to the exercise of the activity of the private bailiff and/or repeated violation of the duties provided for in Article 37 of this law;

b) culpable non-fulfilment of enforcement actions, which violated the rights of the parties in the execution process;

c) non-compliance with the provisions of the Code of Ethics and the professional standards of the private bailiff;

ç) breach of trust of the contracting party, through the performance of corrupt actions with the other party, in order not to execute or delay the execution of the executive title;

d) conflict of interest in an executive procedure;

dh) failure to regularly record all acts and procedural actions performed during the execution activity;

e) violation of the requirements of this law for the preservation of confidentiality, security and protection of the data it receives, as a result of the exercise of its activity during the execution procedure;

ë) refusal to allow responsible state structures to exercise control over his procedural activity and refusal to pay the professional obligation;

f) practicing prohibited practices, according to Article 38 of this law;

g) not concluding the professional liability insurance agreement;

gj) intentionally concealing legal obstacles to licensing, according to Article 16 of this law;

h) applying fees or refunds higher or lower than the level provided for in the instruction approved for this purpose, or approaching creditors by applying lower fees compared to the level of fees provided for in the instruction approved for this purpose purpose;

i) carelessness in terms of office administration, such as inaccuracy in keeping records and documentation;

j) exceeding the powers granted by law;

k) treatment of property and assets in violation of the law or the authorization of the parties;

l) making public the personal, family and financial circumstances learned during the performance of the activity of the private bailiff;

ll) refusal to engage in the Compulsory Continuing Training Program without legitimate reasons;

m) violation of duties, according to the by-laws in force;

n) employment in a public, administrative or supervisory position or engagement in a commercial company or public institution or in activity as a notary, lawyer, commercial or intermediary activity or practicing the profession contrary to the reputation, integrity or impartiality of the private bailiff in violation of articles 12 and 13 of this law;

nj) conducting one's own transactions on behalf of another person or another person's transactions on one's own behalf, being a party to transactions, for which he also acts as a private bailiff and/or acquiring assets left in custody as part of his activity as a private bailiff;

o) violation of the rules for the creation, administration and storage of the archive.

2. If the private bailiff commits more than once and/or simultaneously two of the violations provided for in letters "d", "dh", "e", "ë", "g",

"i", "k", "l", "ll", "m", "nj" and "o", of point 1, of this article, he is considered to have committed the violation provided for in letter "a", of point 1, of this article

### 188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other</b>	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: The suspensions reported in the table above belong to the year 2023, (requests submitted in 2022 and following) have been made:

3 (three) cases at the request of the executor in reference to letter c of article no. 26 of law no. 26/2019 "For private enforcement service"  
1 (one) case for the reasons provided for in letter a of article 27 of law no. 26/2019 "For the private executive service and 1 (one) case with a court decision on the prohibition of the exercise of public office

The violations found and documented, which led to the imposition of the sanctions reported above, were generally those provided for in article no. 84 of Law No. 26/2019 "On private judicial enforcement service"

a) repeated violation of the rules provided by this law and by-laws, related to the exercise of the activity of the private bailiff and/or repeated violation of the duties provided for in Article 37 of this law;

b) culpable non-fulfilment of enforcement actions, which violated the rights of the parties in the execution process;

c) non-compliance with the provisions of the Code of Ethics and the professional standards of the private bailiff;

ç) breach of trust of the contracting party, through the performance of corrupt actions with the other party, in order not to execute or delay the execution of the executive title;

dh) failure to regularly record all acts and procedural actions performed during the execution activity;

ë) refusal to allow responsible state structures to exercise control over his procedural activity and refusal to pay the professional obligation;

f) practicing prohibited practices, according to Article 38 of this law;

h) applying fees or refunds higher or lower than the level provided for in the instruction approved for this purpose, or approaching creditors by applying lower fees compared to the level of fees provided for in the instruction approved for this purpose purpose;

The

k) treatment of property and assets in violation of the law or the authorization of the parties;

l) m) violation of duties, according to the by-laws in force;

o) violation of the rules for the creation, administration and storage of the archive.

2. If the private bailiff commits more than once and/or simultaneously two of the violations provided for in letters "d", "dh", "e", "ë", "g", "i", "k", "l", "ll", "m", "nj" and "o", of point 1, of this article, he is considered to have committed the violation provided for in letter "a", of point 1, of this article

# H1. Please indicate the sources for answering the questions in this part

Source: Directorate of Legal Services Moj

## 8.2. Execution of decisions in criminal matters

### 8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify): .....

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). assigned to him, for criminal offenses related to "abuse of duty" and/or to the obstruction of execution, and 1 (one) case with a court decision on the prohibition of the exercise of public office.

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

Total	Males	Females

<b>TOTAL (1+2+3+4)</b>	430 [ ] NA [ ] NAP	137 [ ] NA [ ] NAP	293 [ ] NA [ ] NAP
<b>1. Private professionals (without control from public authorities)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Holders of public offices appointed by the State</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Civil servants (paid by the State)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

**192-1. What are the access conditions to the profession of notary (multiple replies possible):**

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): .....

Comments

**192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

- yes, please indicate the age of retirement: 70
- no, please specify the duration of the appointment: .....

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

**9.1.2 Activities/scope of competences**

**194. What kind of activities do notaries perform (multiple options possible)?**

	Please select one option
<b>Authentication</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Certification of signatures</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Mediation</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Taking of oaths</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Act as civil servant (for example performing marriage, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other judicial functions (for example, payment orders)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public auctions</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other (for example collect taxes, run registers etc.)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

**194-2. In which areas of law do notaries perform their activities (multiple replies possible)?**

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

**9.1.3 ICT, organisation of the profession and training**

**194-3. Do notaries use specialised ICT systems in their activity?**

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

**194-4. Which computerised registries can notaries consult?**

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) .....
- None

Comments

**194-5. Are there registries/ registry infrastructures run by the notaries?**

- Yes
- No

Comments - If yes, please specify: Notaries use the general register of acts and notarial actions, where all actions and notarial acts that they draw up are taken manually. Also, they have two electronic systems in operation, the Albanian Notary Register (RNSH) and the Notarial Information System of Acts (NISA).

**194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?**

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Business registry</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Civil status/ Population registry</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Succession / Family law registry</b>	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Any other registry (please specify)</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>None</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

Comments

=

**194-7. What ICT tools are used by notaries in their relations with clients?**

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify .....
- None

Comments

**194-8. Who is responsible to run the digital archives?**

- Notariat / Professional body
- Other public authority
- Another entity (please specify) .....

Comments

**195. Is there an authority entrusted with supervising and monitoring the notaries' work?**

- Yes
- No

Comments

**196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?**

- professional body
- court
- Ministry of Justice

public prosecutor

other (please specify): .....

Comments

### 196-1. Is there a system of general continuous training for all notaries?

Yes

No

Comments

### 196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: Based on the Order of the Minister of Justice no. 34 dated 15.10.2020 "On the adoption of the Compulsory Program of Continuing Notary Training Program", training themes are mainly related to the field of civil law, family law, inheritance law, obligations, field of law in its entirety, as well as the field of financial law

## II. Please indicate the sources for answering the questions in this part

Sources: The law on notary and bylaws issued on the basis and for its implementation, also the Law on Administration Procedure Code.

## 10. Judicial experts

### 10.1. Profession of judicial expert

#### 10.1.1 Status of judicial experts

### 202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify .....

Comments - Please specify who is proposing and appointing experts in an individual case. In civil and administrative judicial processes, the expert is appointed by the court, referring to Article 225 of the Code of Civil Procedure. While in criminal cases, referred to Article 79 of the Code of Criminal Procedure, the expert is appointed by the prosecuting body.

### 202-1. Are there lists or any other form of official registration for judicial experts?



Yes

No

Comments

**202-1-1. If yes, at which level is the list established (multiple replies possible):**

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?): Pursuant to Article 224/d point 1 of the Code of Civil Procedure, the Ministry of Justice has published on its official website an Electronic Register for licensed experts, a register which is divided into different sections by grouping experts according to their areas of expertise. and the place where they work.

Referring to Article 226 of the Code of Civil Procedure, the court invites the expert to take an oath that he will perform the duties entrusted to him well, with the sole purpose of informing the court of the truth.

**202-1-2. Are these lists publicly available?**

Yes, available on the internet

Yes

No

Comments

**202-2. Which authority is competent for the registration of judicial experts?**

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: Pursuant to the Code of Civil Procedure, Article 224/d, point 3 and Instruction no. 10619, dated 19.10.2018, of the Minister of Justice "On the creation, administration and making available to the public of the Electronic Register for Experts", as amended, court experts who are registered in the Electronic Register of Experts must meet the following criteria:

- a) have ten years of professional experience in the specific or similar field. Five years of professional experience of this type is sufficient if the applicant has completed professional training in the relevant field;
- b) have full capacity to act;
- c) to be registered and to have regularly fulfilled the obligations in the tax authorities;
- d) to be licensed.

**202-3. Is the registration of judicial experts limited in time?**

Yes, for how long .....

No

Comments The expert remains registered as a judicial expert in the Electronic Register of Experts as long as he continues to meet the legal

criteria provided for in the Article 224/d, point 3 in Code of Civil Procedure and the above-mentioned instruction.

The expert is removed from Electronic Register of Experts only in the following cases:

- 1- When he is not anymore a tax subject and does not fulfill his tax obligations.
- 2- In the case when the license for the field of expertise for which it was registered expires and the expert does not bring the renewed license.
3. The expert is punished by a final court decision.
4. The expert becomes incapacitated as an individual, losing the ability to act.

#### 202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases: Pursuant to the Article 224/d, point 2 in Code of Civil Procedure, experts are selected by the court outside the Electronic Register of Experts, only in cases where expertise is required for areas of expertise that are not licensed

#### 203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: waiting from the institution to answer

#### 203-1. Does the judicial expert have an obligation of training?

	Obligation of training
<b>Initial training</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Continuous training</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments waiting from the institution to answer

#### 203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments waiting from the institution to answer

=

#### 204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments The function of the expert is regulated in the legislation.

Specifically, for different fields of expertise, experts are licensed and given the right to exercise the activity for the field for which they are licensed according to the laws, regulations and instructions of other by-laws that regulate these fields of expertise.

Furthermore, experts in different areas of expertise are given the opportunity to be registered as court experts if they meet the above-mentioned criteria of the Code of Civil Procedures and Instruction no. 10619, dated 19.10.2018, of the Minister of Justice "On the creation, administration and making available to the public of the Electronic Register for Experts", as amended.

**204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?**

Yes

No

Comments - If yes, please specify: Referring to Article 224/c of the Code of Civil Procedure, it is provided that the exclusion of the expert from his participation in the trial is done when the conditions defined by the article are met 72 of this Code.

**205. Number of accredited or registered judicial experts:**

	Total	Males	Females
Number of experts	433 [ ] NA [ ] NAP	222 [ ] NA [ ] NAP	211 [ ] NA [ ] NAP

Comments

**206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties**

	Number of cases
Total (1+2+3+4)	[ ] NA [ ] NAP
1.Civil and commercial litigious cases	[ ] NA [ ] NAP
2.Administrative cases	[ ] NA [ ] NAP
3.Criminal cases	[ ] NA [ ] NAP
4.Other cases	[ ] NA [ ] NAP

Comments

**205-1. Who defines the amount of the expert remuneration?**

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP

Defined by the court/judge	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP
Freely agreed between expert and the parties	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP

Comments - If other, please specify: The fee for court experts is determined by the judge of the case. However, the legislator has set a limit on the amount for remuneration of experts. Specifically, in Instruction no. 4, dated 12.12.2012 "On determining the amount of expenses and payments of experts and witnesses during the judicial process", amended, in point 2, it is provided that payment for the work performed for the expertise by the licensed expert cannot exceed the amount of 40,000 (forty thousand) ALL.

## 206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

[ ] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: waiting from the institution to respond

## 207-1. Does the judge or another body control the progress of the expertise?

Yes

No

If yes, please specify: waiting from the institution to respond

## 207-2. Are judicial experts' associations involved in:

[ ] Selection processes

[ ] Initial or continuous training

[ ] Disciplinary procedures

[ ] NAP

Comments

## K1. Please indicate the sources for answering the questions in this part

Sources:

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## 11.Reforms in judiciary

### 11.1.Foreseen reforms

#### 11.1.1Reforms

**208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:**

#### **208-1. (Comprehensive) reform plans**

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)  
 No  
 NA

Comments - If yes, please specify:

#### **208-2. Budget**

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)  
 No  
 NA

Comments - If yes, please specify:

**208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)  
 No  
 NA

Comments - If yes, please specify: As per the new judicial map, decided in 2022 there will be a reduction of the number of courts. For instance a total of 18 courts will close. 5 Appeal Courts, 13 First Instance Courts. HPC: With Decision no. 495, dated 21.07.2022, "On the reorganization of the judicial districts and territorial powers of the courts", the Council of Ministers has approved the proposal of the Minister of Justice, for the reorganization of the distribution of courts in the territory of the country. According to this decision, throughout the country will operate a total of 13 courts of first instance of general jurisdiction, 1 Court of Appeal of General Jurisdiction and 2 administrative courts of first instance. According to the law, the prosecutor's offices work alongside the judicial system. Consequently, the organization of the prosecution offices will be carried out in accordance with the new judicial map, respectively, near

the courts of first instance of general jurisdiction and the Court of Appeal of General Jurisdiction. Specifically, out of 23 prosecutor's offices that are currently in place will function only 13 prosecutor's offices, and out of 6 prosecutor's offices at the appeal level that are currently in place will function only 1 prosecutor's appeal office.

Decision no. 495, dated 21.07.2022, "On the reorganization of the judicial districts and territorial powers of the courts", of the Council of Ministers has determined deadlines during the year 2023 for the merger of the courts according to the new map, dictating the merger of the prosecution offices in accordance with this regulation

With Decision no. 495, dated 21.07.2022, "On the reorganization of the judicial districts and territorial powers of the courts", the Council of Ministers has approved the proposal of the Minister of Justice, for the reorganization of the distribution of courts in the territory of the country. According to this decision, throughout the country will operate a total of 13 courts of first instance of general jurisdiction, 1 Court of Appeal of General Jurisdiction and 2 administrative courts of first instance. According to the law, the prosecutor's offices work alongside the judicial system. Consequently, the organization of the prosecution offices will be carried out in accordance with the new judicial map, respectively, near the courts of first instance of general jurisdiction and the Court of Appeal of General Jurisdiction. Specifically, out of 23 prosecutor's offices that are currently in place will function only 13 prosecutor's offices, and out of 6 prosecutor's offices at the appeal level that are currently in place will function only 1 prosecutor's appeal office.

Decision no. 495, dated 21.07.2022, "On the reorganization of the judicial districts and territorial powers of the courts", of the Council of Ministers has determined deadlines during the year 2023 for the merger of the courts according to the new map, dictating the merger of the prosecution offices in accordance with this regulation.

#### **208-4. Access to justice and legal aid**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

#### **208-5. High Judicial Council (competent for judges and/or prosecutors)**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

#### **208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

#### **208-7. Gender equality**

- Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-9. Enforcement of court decisions and in particular regarding decisions against public authorities**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-10. Mediation and other Alternative Dispute Resolution**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-11. Fight against crime**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-12. Prison system**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

### **208-13. Child friendly justice**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

### **208-14. Domestic violence**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

### **208-15. New information and communication technologies**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

### **208-16. Other**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: