

Supporting effective domestic remedies and facilitating the execution of ECtHR judgments

“D-REX”

Project summary

Project title	Supporting effective domestic remedies and facilitating the execution of ECtHR judgments “D-REX”
Country	Albania
Budget	700 000 €
Funding	European Union/Council of Europe Horizontal Facility for the Western Balkans and Turkey
Duration	29 months (1 January 2017 – 24 May 2019)
Partners and beneficiaries	School of Magistrates, School of Advocacy, Ministry of Justice, Agency for the Treatment of Property, State Advocate, Public Bailiff Service, Office for Registration of Immovable Property, Supreme Court, Constitutional Court, Prosecution General’s Office,
Main objectives	to improve the capacity of the judiciary to apply the European Court of Human Rights (ECtHR) case law at the national level, as well as to enable legal professionals to effectively apply remedies related to non-enforcement of national judgments closely targeting undue length of proceedings (objective 1), property compensation/restitution (objective 2), and fairness of criminal proceedings (objective 3).
Expected outputs and results	<p>Under objective 1:</p> <ul style="list-style-type: none"> - to identify shortcomings concerning the non-enforcement of national judgments/decisions and length of proceedings and to propose legislative solution; - to strengthen capacity of the School of Magistrates to develop and implement human rights training curricula and materials in line with European human rights standards; - to strengthen capacities of legal professionals to interpret and apply the provisions of the Article 6§1 of the ECHR. <p>Under objective 2:</p> <ul style="list-style-type: none"> - to ensure that requirements to render the mechanism to execute judgments in relation to compensation or restitution of property are effective and clear; - to assess legislative measures concerning non-execution of judgments and administrative decisions in context of

	<p>compensation/restitution of property;</p> <ul style="list-style-type: none"> - to improve knowledge of legal professionals on the issue of enforcement of judgments in context of compensation/restitution of property. <p>Under objective 3:</p> <ul style="list-style-type: none"> - to propose amendments for national criminal legislation to allow for the reopening of criminal proceedings in case of violation of the right to fair trial; - to strengthen the capacity of the School of Magistrates to train judges and prosecutors on the reopening of criminal proceedings and fair trial; - to strengthen the capacity of judges and prosecutors to apply the requirements of Article 6 of the ECHR and the relevant case law of the ECtHR with regards to the fairness and reopening of criminal proceedings.
<p>Implemented or planned activities</p>	<ul style="list-style-type: none"> - Assessments of shortcomings and recommendations for undue length of proceedings, property compensation mechanism, fairness of criminal proceedings - Development of training curriculum and materials on unreasonable time and non-enforcement of domestic judgments, property compensation/restitution, fairness of criminal proceedings (using HELP methodology); - Training of trainers sessions using newly developed training curriculum and materials; National awareness-raising and training for legal professionals;; - Study visit to Romania and Germany to learn from successful experiences pertaining to compensation schemes for property; - Assessment of amendments pertaining to the Law on the State Advocature