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2023 SUMMARY OF THE MONITORING REPORT OF BUDGET PLANNING AND ALLOCATION

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Introduction

Amidst persistent fragile political consensus among parliamentary forces, the Justice Reform ultimately attained approval in July 2016. With the amendments to the Constitution, this reform brought about huge changes in the organisation and governance of the Justice system, the drafting of the legal package of the Justice Reform, as well as amendments to other 40 laws. The structure of the judiciary underwent a radical change and another level of independence, effectiveness and due management was designed for justice institution

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- Law no. 76/2016. "On some addenda and amendments to Law No. 8417, dated on 21.10.1998., The Constitution of the Republic of Albania"
 - Law no. 115/2016 on the "Governance of institutions of the justice system"
 - Law No. 95/2016 on the Organisation and Functioning of Institutions for Combating Corruption and Organised Crime (amended)
 - Law No 96/2016. "On the status of judges and prosecutors in the Republic of Albania"
 - Law no. 97/2016 "On the Organisation and Functioning of the Prosecution Office in the Republic of Albania"
 - Law No. 98/2016 "On Organisation of the Judicial Power"
 - Law no. 84/2016 "On transitional re-evaluation of judges and prosecutors" (Vetting Law)
 - Council of Ministers Decision No. 495, dated 21.7.2022, "On the reorganisation of judicial districts and territorial powers of the courts" in reliance on Article 100 of the Constitution and Article 13(5) of Law no. 98/2016, "On the organisation of judicial power in the Republic of Albania", as amended.
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The Justice Reform established new institutions: the vetting institutions, the Independent Qualification Commission (KPK) and the Independent Appeals Commission (KPA), the High Judicial Council (KLGJ), the High Prosecutors' Council (KLP), the High Inspectorate of Justice (ILD), the Justice Appointments Council (KED), the Special Prosecutors' Office against Corruption and Organized Crime (SPAK), the National Bureau of Investigation (BKH), the Special Court against Corruption and Organized Crime (GJKKO).

The Reform introduced new management structures within the courts, such as the Court Council. The competencies of the General Prosecutor's Office did also change.

Transitional re-evaluation bodies, otherwise known as Vetting bodies^[1], carry out the process of re-evaluation of judges, prosecutors and legal advisers in three aspects, the property, ethical and professional aspect. The re-evaluation process is temporary and should be completed within a period of 9 years. The re-evaluation of the subjects in the above three aspects is carried out by the Independent Qualification Commission (KPK) which consists of four permanent judging bodies, with three members each (12 judges). KPK has full access to other state institutions that store data related to their investigation. KPK is also supported by the International Monitoring Operation (ONM), which consists of international observers, including partners within the European

^[1] Law no. 84/2016 "On the temporary reassessment of judges and prosecutors"

integration process and Euro-Atlantic cooperation, and is led by the European Commission. International observers are appointed from the ranks of judges or prosecutors with at least 15 years of experience in the justice system of their respective countries. Two public commissioners are also appointed to monitor the process.

Against the decision of the Independent Qualification Commission, the subject of the re-evaluation, the International Monitoring Operation as well as the Public Commissioners, have the right to appeal. This appeal is examined by the Special Board of Appeal (KPA), which is organised near the Constitutional Court, but is not part of this court. For further clarification on the organisation and operation of these structures, the Assembly approved Law no. 84/2016 "On the temporary re-evaluation of judges and prosecutors".

The Judicial Appointments Council (KED)[2] is an independent body that verifies the fulfilment of legal conditions and evaluates the professional and ethical criteria of candidates for members of the Constitutional Court and candidates for High Inspector of Justice to ensure impartiality and objectivity in this selection. The Judicial Appointments Council consists of 9 members selected by lot, from among judges and prosecutors. They exercise their mandate for one year.

The vetting institutions have since 2017 been conducting the re-evaluation of magistrates in Albania (judges and prosecutors). The process follows three types of evaluations: examination of financial assets, professional background and preparedness and possible connection to organised crime. As of October 2024, it is estimated that 794 out of 805 magistrates have been assessed in first instance (98% of the total).[3] 274 have been dismissed from the system and 331 have been (re)confirmed. 164 cases have been terminated due to resignation or retirement of magistrates.[4]

The High Judicial Council (KLGJ)[5] has important tasks related to the governance of the courts, the proper functioning of the judicial system as a whole, the career, the discipline of judges, etc. This body consists of 11 members, 6 of whom are elected by judges of all levels of judicial power and 5 members are elected by the Assembly, from the ranks of non-judicial jurists, respectively a) 2 members from the ranks of lawyers; b) 2 members from the academic staff of the faculties of law and

[2] Law no. 115/2016, 3.11.2016 "For the governing bodies of the justice system" (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

Law no. 76/2016 "On some additions and amendments to law no. 84/17, dated 21.10.1998 "Constitution of the Republic of Albania", as amended

[3] European Commission country Report 2024, October 2024

[4] European Commission, 2024 Rule of Law Report - Country Chapter on the rule of law situation in Albania, July 2024

[5] Law no. 115/2016, 3.11.2016 "For the governing bodies of the justice system" (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

Law no. 76/2016 "On some additions and amendments to law no. 84/17, dated 21.10.1998 "Constitution of the Republic of Albania" as amended

The High Prosecution Council (KLP)[6] guarantees the independence, accountability, discipline, status and career of the prosecutors of the Republic of Albania. He is the competent authority for appointing prosecutors of the Special Prosecution against Corruption and Organized Crime. According to the constitutional provisions, this body consists of 11 members, 6 of them are elected from the ranks of prosecutors and 5 members are elected by the Assembly, from the ranks of non-judicial jurists, respectively: a) 2 members from the ranks of lawyers; b) 2 members from the academic staff of the faculties of law and the School of Magistrates as well; c) a member from civil society. The High Council of Prosecution proposes 3 candidacies for Prosecutor General to the Assembly. The General Prosecutor is appointed by 3/5 of the members of the Assembly among the 3 candidacies proposed by the High Council of Prosecution.

The High Inspector of Justice (ILD)[7] is responsible for verifying complaints, investigating disciplinary violations and initiating disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Council of Prosecution and General Prosecutor, as well as for the institutional inspection of courts and prosecution offices. The High Inspector of Justice is appointed with 3/5 votes of all members of the Assembly, among the candidates selected and ranked by the Judicial Appointments Council. For the exercise of the investigative functions of the High Inspector of Justice, the creation of the Office of the High Inspector of Justice, composed of the Inspectors of Justice and the administration, is envisaged. Disciplinary proceedings initiated by the Inspector against prosecutors are reviewed and decided by the KLP, while disciplinary proceedings against the members of these two councils (KLGJ and KLP) as well as against the Prosecutor General are reviewed and decided by the Constitutional Court. Regarding the control over the Inspector himself of the Supreme Court of Justice, it is foreseen that the investigation for the collection of evidence and facts proving the serious violations of the Inspector will be carried out by a parliamentary investigative commission, while the final decision will be taken by the Constitutional Court.

The Special Anti-Corruption and Organized Crime Structure consists of the Special Anti-Corruption and Organized Crime Prosecutor's Office (SPAK)[8] and the National Bureau of Investigation (BKH). The General Prosecutor has no authority over this structure. While the Special

[6] Law no. 115/2016, 3.11.2016 "For the governing bodies of the justice system" (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

Law no. 76/2016 "On some additions and amendments to law no. 8417, dated 21.10.1998 "Constitution of the Republic of Albania", as amended

[7] Ibid.

[8] Law no. 95/2016, 6.10.2016 "On the organization and operation of institutions to fight corruption and organized crime"

Law no. 76/2016 "On some additions and amendments to law no. 8417, dated 21.10.1998 "Constitution of the Republic of Albania", as amended

Court of First Instance (GJKKO)[9], the Special Court of Appeal handle cases referred to the court by SPAK.

The new Justice governance model was accompanied by a revised financing approach and strengthening the independence of the Justice system's budgeting. Justice institutions are financed from the State Budget or other legal sources[10], while budget planning is carried out by Justice institutions. The budget is voted and approved by the Parliament.

The High Judicial Council (KLGJ) is charged by Law no. 115/2016, 3.11.2016 "For the governing bodies of the justice system" [11] to propose the budget for the judicial system, while KLGJ also administers and controls the budget of country's courts. Before the reform, the administration and budgeting were carried out by a budget administration office, reporting to a board headed by the chairman of the Supreme Court.

The judicial system[12] in the country includes 13 courts of General Jurisdiction of the First Instance; 1 Court of Appeal of General Jurisdiction; 1 Special Court of First Instance for the trial of criminal offenses of corruption and organized crime, 1 Special Court of Appeal for the trial of criminal offenses of corruption and organized crime; 2 Administrative Courts of First Instance, 1 Administrative Court of Appeal; 1 Supreme Court.[13]

In the courts, the budget is now approved by the Council of the Court. Meanwhile, the General Prosecutor's Office monitors the budget of the country's prosecutors' offices. The budget prepared and managed by Justice institutions has an internal monitoring by the structure responsible for the performance of the budget. The structure of financial management is set up in each court, while its size depends on the category of courts. The monitoring reports are prepared according to the relevant instructions of the Ministry of Finance[14]. The State Supreme Audit Institution (the SAI) carries out the external monitoring, as the new main Justice institutions prepare an annual report of

[9] Law no. 98/2016, 6.10.2016 "On the organization of judicial power in the Republic of Albania"

Law no. 76/2016 "On some additions and amendments to law no. 8417, dated 21.10.1998 "Constitution of the Republic of Albania", as amended

[10] Article 95, law no. 115/2016, 3.11.2016 "For the governing bodies of the justice system" (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

[11] Article 95/3, Law no. 115/2016, 3.11.2016 "For the governing bodies of the justice system" (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

[12] Law no. 98/2016, 6.10.2016 "On the organization of judicial power in the Republic of Albania"

[13] Decision of the KLGJ no. 211, dated 10.06.2022 "For the approval of the evaluation report and the proposal of the inter-institutional work group on the reorganization of judicial districts and territorial powers of the courts"

[14] Instruction no. 22 dated 17.11.2016 "On Standard Monitoring Procedures of Central Government Units"; Instruction no. 14 dated 30.05.2023 "On standard budget monitoring procedures in Central Government Units"; Instruction no. 9, dated 20.03.2018

their operation, to be scrutinized and approved by the Parliament.

Budgets are a powerful tool to monitor Justice institutions, so civil society and public can hold them accountable, by tracking budgetary allocations/financial flows/resources or to ways into which money flows. The monitoring of the budget in Justice institutions is the third component implemented by the CTFI (Center for Transparency and Freedom of Information) of the even wider project “Building Partnership on Fundamentals: Empowered CSOs in the EU Accession Process”, supported by the EU and in the process of implementation by four organisations during 2023-2026.

MAIN GOALS AND OBJECTIVES OF THE BUDGET MONITORING

Main goals and objectives of the budget monitoring are:

- Assessment of the financial performance of justice institutions selected to be monitored based on key performance indicators and financial metrics, through tracking of the yearly approved budget.
- Holding justice institutions accountable for their financial decisions and resource management practices, assessment of the integrity of the budget for the judiciary institutions.

During the monitoring process, an assessment is made about the fact whether: funds allocated to justice institutions are used efficiently; and if there is transparency of budgetary processes, making financial information accessible to the public and stakeholders. Build and maintain public trust by providing clear and accurate information about the financial management. Areas for improvement are identified in the process of the allocation and utilization of resources.

Outputs of the action are:

- a. The desk research;
- b. Methodology on Monitoring of the selected and leading institutions of the Justice system;
- c. Analytical report of current situation on dissemination of budget and expenses in justice system;
- d. Monitoring and production of yearly monitoring reports and summaries on dissemination of budget and expenses in each one of the targeted Justice institutions.
- e. Drafting of a policy paper for each year of monitoring.
- f. Drafting of a short and friendly “Budget literacy” guide.

METHODOLOGY

There have been selected 11 Justice system institutions to be monitored based on the New Judicial Map approved by Decision no. 211, of the High Judicial Council (KLGJ) dated 10.06.2022 and the Decision of the KLGJ on the determination of the categories of courts, approved on March 29, 2023. The new judicial map^[15] established the reorganization of the courts of first instance of general jurisdiction, from 22 judicial district courts to 13 such courts; the reorganisation of the appeal courts of general jurisdiction; from 6 appeal courts, to 1 Court of Appeal of General Jurisdiction, with headquarters in Tirana; the reorganisation of the administrative courts of first instance, from 6 administrative courts to 2 such courts.

The selection of institutions for monitoring was performed considering their role in budgeting, the size of the budget that is allocated for them in relation to the entire justice system and the need to examine during the monitoring the 'behaviour' with the budget in some levels^[16] of the judiciary^[17]. The selected justice institutions monitored are:

- a. KLGJ (High Judicial Council), KLP (High Prosecutors Council) as most important governing justice institutions, SPAK (Special Prosecution Office) as an institution with independent budget and specific task, KPK (Independent Qualification Commission), as an institution with independent budget that belongs to vetting institutions.
- b. GJKKO (Special Court Against Corruption and Organized Crime), High Court (Supreme Court), the First Instance Administrative Court of Tirana and the Appeal Court of Tirana that belong to courts of first level category.
- c. First Instance Administrative Court in Lushnja, First Instance Court of General Jurisdiction in Durrësi as a second level category of courts

^[15] Decision of the KLGJ no. 211, dated 10.06.2022 "For the approval of the evaluation report and the proposal of the inter-institutional work group on the reorganization of judicial districts and territorial powers of the courts"

^[16] Decision of the KLGJ no. 147, dated 29.03.2023, "On determining the categories of courts"

^[17] The first (high) category includes: the Supreme Court, the Court of Appeal of General Jurisdiction, the Special Court of Appeal for Corruption and Organized Crime, the Court of Administrative Appeals, the Court of First Instance of General Jurisdiction, Tirana, Special Court of First Instance for Corruption and Organized Crime, Administrative Court of First Instance, Tirana.

The second (middle) category includes: the Court of First Instance of the General Jurisdiction, Durrës; Court of First Instance of General Jurisdiction, Elbasan; Court of First Instance General Jurisdiction, Fier; Court of First Instance of General Jurisdiction, Korça; Court of First Instance of General Jurisdiction, Shkodër; Court of First Instance of General Jurisdiction, Vlora; Court of First Instance General Jurisdiction, Berat; Court of First Instance of General Jurisdiction, Lezhë; Administrative Court of First Instance, Lushnjë.

And in the third (low) category are included: Court of First Instance of General Jurisdiction, Dibër, Court of First Instance of General Jurisdiction, Gjirokastër, Court of First Instance of General Jurisdiction, Kukes, Court of First Instance General Jurisdiction, Sarande.

d. First Instance Court of General Jurisdiction in Kukësi included at the third level category of courts.

The KLGJ[18], KLP[19], SPAK[20], KPK[21] have a budget that is defined according to the law, creating management independence in relation to each other, while all other institutions that are courts selected to be monitored, receive the budget based on the decisions of the KLGJ[22].

For the fulfilment of this component of the action, 5 experts have been selected through strict procedures headed by the CTFI: 1 expert for methodology of Monitoring of budget planning and allocation and 1 expert for analytical report on budget and expenses in Justice system and yearly policy papers; 2 Monitoring experts and 1 communication consultant.

Through monitoring process, the necessary information has been provided in several methods, including:

- 103 verbal and written (on hard copy and online) communication between CTFI and institutions selected for monitoring, based on the law 119/2014 “On the right to information”, amended.
- 11 informative meetings and interviews in Justice institutions working place with 18 officials of the monitored institutions, including chairpersons of courts, vice-chairpersons of courts, General Secretaries of Justice institutions, directors of finance and budget departments, directors of finance and budget directorates, heads of finance and budget sectors, budget and finance specialists;
- consultation of 11 official websites of Justice institutions;
- consultation of other websites linked to objectives of the action;
- consultation of 45 budget monitoring reports for the last 3 years, published by the 11 institutions under monitoring;
- consultation of various other budget documents, such as annual budgets forms, balance sheets, 33 annual reports issued by Justice institutions in the last 4 years, several work plans, self-check forms, internal rules, bylaws and laws;

[18] Article 95/3, 96/4a Law no. 115/2016, 3.11.2016 “For the governing bodies of the justice system” (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

[19] Article 188/1.2, Law no. 115/2016, 3.11.2016 “For the governing bodies of the justice system” (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

[20] Article 56/1,2,3; Law no. 95/2016, 6.10.2016 “On the organization and operation of institutions to fight corruption and organized crime”

[21] Article 19/1,2; Law no. 84/2016 “On the vetting of judges and prosecutors in the Republic of Albania”

[22] Article 95/3, 96/4a Law no. 115/2016, 3.11.2016 “For the governing bodies of the justice system” (some articles amended by the decisions of the Constitutional Court no. 41, dated 10.4.2017 and no. 78, dated 12.12.2017).

- consultation of 45 resolutions and decisions adopted by the National Parliament, KLGJ, KLP, 3 SAI audits, 5 auditing reports by the Audit Department of KLGJ, various media articles and broadcasting reports, monitoring through broadcasting of 6 meetings of the Parliamentary Commission for Legal Affairs and 2 plenary sessions of the Parliament.

The CTFI has held 3 info sessions with 105 participants (civil society representatives, students at faculties of law and economy, lawyers, media representatives). The main topics included budget overview in Justice institutions, money flow in Justice, involvement of civil society in the transparency of the budget, etc. During the monitoring process, the CTFI has considered a verification process for the data obtained in different ways or sources, in order to evaluate their accuracy through cross-checking of different financial reports or documents from different sources.

A list of qualitative and quantitative indicators has been defined and measured during monitoring, as follows:

- Budget allocation per program and per product;
- Budget execution rate expressed through percentage of the allocated budget that has been spent;
- Cost per case that shows costs of 1 court proceeding and 1 prosecutor's investigation; Reallocations of the budget;
- Budget compliance to show adherence to budgetary regulations and policies; level of investments;
- Budget transparency measured through monitoring of online availability and accessibility of budget documents; plain language and user-friendly format to enhance understandability; request and answers register.

Some other indicators that measured courts effectiveness include:

- Total backlog (TB): Cases remaining unresolved at the end of the year.
- Disposition time (DT): The ratio that measures how quickly the court turns over received cases or, how long it takes for a type of case to be resolved.
- Clearance rate (CR indicator): Relationship between the new cases and completed cases within a period, in percentage.

Through monitoring, the CTFI and its experts have ensured some data accompanied by a comparative analysis about:

- budget spent for judge and prosecutor, salary and their expenses;
- budget of the Justice system per capita;
- number of judges and prosecutors per 100.000 inhabitants;
- number of non-magistrate staff per judge and prosecutor;
- percentage of country's national budget allocated to the Justice system, including judicial and administrative staff salaries, current expenses, investments, etc.

The monitoring report has included findings and recommendations. The findings, as well as recommendations are also shared with Justice institutions and relevant stakeholders, including Parliament MPs, government authorities and other public and civil society organisations, through info sessions, civil forums and other online communication activities.

MONITORING HIGHLIGHTS

According to Article 95 titled “Annual Budget of the KLGJ” of the Law No. 115/2016, “On Governing Bodies of the Justice System”[23], the role of the KLGJ is determined in relation to the budget of the judiciary, where it is emphasized that: “...3. The High Judicial Council is responsible for drafting its annual and mid-term budget in consultation with the Ministry of Justice and the Ministry of Finance. 4. The High Judicial Council participates in the meeting of the Parliament, where the draft budget of the judicial system is discussed; 5. The High Judicial Council is responsible for the supervision of expenses, distribution of funds and keeping accurate accounts, according to the provisions of the legislation in force for the budget system in the Republic of Albania”.

The Article 96 of this law, entitled “Implementation of the judicial budget” stipulates other duties of the KLGJ in relation to the judicial budget.

Budget administration in courts

At court level, the responsibility of drafting and implementing the budget belongs to the Directorate of Budget and Financial Management for the courts of the first category[24] and to the Sector of Budget and Financial Management for the courts of the second and third[25] categories.

The budget and finance managers in the courts are responsible for preparing the draft budget of the court, monitoring budget expenditures, making payments and any other financial transaction foreseen by the budget, as well as for the administration of material and monetary values, according to the law. They are supervised by court Chancellor and report periodically to the Court Council. The Court Council[26] is a new controlling and decision-making structure within the courts. It consists of the president of the court, the vice president of the court and the chancellor.

[23] Article 95,96 Law No. 115/2016, “On Governing Bodies of the Justice System”

[24] KLGJ decision no. 298, dated 30.05.2023 ‘On the adoption of standard rules for the organization chart, description of duties and responsibilities of the positions of civil judicial officers and other employees of the First Instance Administrative Court Tirana’

[25] KLGJ decision no. 150, dated 29.03.2023 “On the approval of the standard rules for the organization chart, description of the duties and responsibilities of the positions of judicial civil servants and other employees of the courts of general jurisdiction, the second and third category, with offices service”

[26] Article 27, 28, law no. 98/2016 “On the organization of judicial power in the Republic of Albania”

Legal basis of financial reporting and budget drafting and monitoring

The financial and budgetary functions in the judicial administration are determined by Law no. 98, dated 06.10.2016 "On the organization of judicial power in the Republic of Albania", later amended. The Article 45 of the aforementioned law provides that "The financial staff exercises and implements the obligations arising from Law no. 9936, dated 26.06.2008, "On management of the budget system in the Republic of Albania", later amended, from Law 10296, dated 08.07.2010, "On financial management and control", later amended, from acts in their implementation as well as from relevant decisions of responsible institutions such as the Supreme Court in the cases of courts and other institutions with an independent budget, such as SPAK, KLP, vetting bodies and the General Prosecutor's Office"[27].

The regulatory framework on which the financial statements are drawn up are Law No. 25/2018 "On accounting and financial statements", Instruction No. 8, dated 09.03.2018 "On the procedures for the preparation, submission and reporting of financial statements in General Government Units", later amended by Instruction no. 5 dated 21.02.2022, while the monitoring of the budget is based on the instruction of the Ministry of Finance no. 22, dated 17.11.2016 "On the standard procedures of monitoring the budget for the units of the central government".

The Law No. 9936, dated 26.6.2008 "On management of the budget system in the Republic of Albania" has defined the hierarchy of the implementation and monitoring of the budget within the institutions of central Government in Articles 18, 19, 20. The Justice institutions are part of these institutions.

At the top of this pyramid[28] is the 'First Authorizing Officer' who is the General Secretary of the ministry responsible for finance, then follows the 'Authorizing Officer', who in the central government units is the public administration employee of the highest level of civil service. The authorizing officer of the central government unit, with the approval of the head of the institution, appoints public administration employees as authorizing officers of the second level. At the end of the pyramid stands the 'implementing officer', who is a high-level public administration employee of the civil service of the general government unit. The implementing officer is appointed by the authorizing officer for implementing financial management rules, keeping accounts and preparing financial statements.

[27] Article 45, law no. 98, dated 06.10.2016 "On the organization of judicial power in the Republic of Albania"

[28] Article 18, 19,20, law no. 9936, dated 26.6.2008 "On management of the budget system in the Republic of Albania"

The authorizing officer, according to this Instruction no. 22[29], has the responsibility to report to the First Authorizing Officer periodically every four months, but not later than the 30th of the following month, the monitoring reports on budget implementation for financial performance. The four-month and eight-month reports must be submitted to the unit responsible for monitoring, in the Ministry of Finance, by the end of the fourth week after the end of the four-month period, specifically on May 30; September 30; while the annual report must be submitted until the end of February of the next year. The Strategic Management Group (GSM) meets every four months to approve the monitoring report. The Instruction No. 22 requires that these monitoring reports to be published on the official website of each institution.

Among other things, the report contains 5 annexes which are published in Excel format and in a table form. Each of the annexes has a specific theme: Annex 1 shows the expenses according to the programs (salary, social security, other expenses) by highlighting the foreseen plan, the review, the realized plan and the differences; Annex 2 presents the report of budget program's expenses according to incurred expenses; Annex 3 presents the summary report of the realization of program's performance indicators/products; Annex 4 expresses the ratio of program's policy objectives' realization and Annex 5 reflects the investment projects with domestic financing and with foreign financing.

The Instruction No. 22 provides for another link in the budget monitoring and reporting process, the Program Management Team (EMP)[30], which is created within the departments and includes the main officials of the departments. EMP prepares a report for the Strategic Management Group (GSM)[31], which includes data related to the performance of each budget item/product, the updated content of expenses and the realization of products; as well as recommendations for further actions that are under the responsibility of GSM. The GSM is established every year and includes the main heads of the institution. The composition may be the same in several years.

In fact, the Instruction No. 22 has a highly-technical administrative language, often exceeding the language used in court documents, which makes this material almost incomprehensible for an employee with an average education in matters of finance and budget. Meanwhile, the annexes are simpler to understand by budget officials but difficult to understand without a guide for a journalist, representative of interest groups or a citizen who has an interest in the budgeting of judicial sector.

The preparation for drafting the budget in the courts starts in January[32], when KLGJ send the Instruction to start the process. The head of the court by a written order establishes the EMP and

[29] Instruction of FM no. 22 dated 17.11.2016 "On Standard Budget Monitoring Procedures of Central Government Units"

[30] Ibid.

[31] Ibid.

[32] Instruction no. 9, 20.03.2018, "On standard budget implementation procedures", of the Minister of Finance and Economy

the GSM. In February, the first phase of the Medium-term Budget Program (PBA) is formulated, according to realisation of previous year's budget. In each case, the foreseen figures are accompanied by justification per each one (amount of expense/investment, etc.).

The second phase of the PBA is in July of the same year. After the end of this phase, the budget is submitted to the KLGJ, mainly in the month of August. Throughout the year, the budget officers in the courts hold periodic meetings with the KLGJ regarding the budget. In general, KLGJ considers all courts' requests for the budget, especially in current expenses but the picture is not the same when it comes to the realisation of courts' requests for investments[1]. KLGJ approves its budget in November. After the approval by the KLGJ, the proposed budget is submitted for review and approval to the Assembly of Albania in November, together with the general budget of the state.

Before the Assembly, the Ministry of Finance examines and harmonizes the budget requests of all institutions, including the KLGJ.

Then the draft budget is discussed and reviewed by the parliamentary committees and subsequently approved in the plenary session of the Assembly, usually before the end of the year, to enter into force at the beginning of the next year.

Below is a diagram that explains the stages of budget preparation in the judiciary.



Fig. 1 - Stages of budget preparation in judiciary

[33] The Deputy President of the First Instance Administrative Court, Lushnjë, Hazbi Balliu: Annual job analysis, 2023, Appeal Court of General Jurisdictions

Salaries and bonuses of magistrates

Currently, the salaries of magistrates[34] are at the top at the salary pyramid in Albania. They are paid according to salary levels G1, G2, G3, which in figures range from 400,000 ALL to 481,000 ALL per month, which is for SPAK managers.

- Classification G1 refers to the magistrate who exercises his/her function in the courts of the first instance of general and administrative jurisdiction, or the prosecutor's office near to the first instance courts.
- Classification G2 refers to the magistrate who exercises his/her function in the courts of appeal of general and administrative jurisdiction, in the prosecutor's offices next to the appeal court, as well as the magistrate in the Special Court for the Fight against Corruption and Organized Crime (GJKKO), first instance.
- Classification G3 refers to the magistrate who exercises his/her function in the Supreme Court and in the General Prosecutor's Office, as well as the magistrate in the Court of Appeal against Corruption and Organized Crime and in the Special Prosecutor's Office (SPAK).

In addition to the above-mentioned salary, magistrates also benefit from other allowances or rewards related to seniority at work, difficulty at work, reward for service in the delegation scheme[35], overtime, weekend work and a social category also benefits from compensation for interest rates on loans for accommodation[36]. The salary structure of magistrates is based on almost 40% of its total on bonuses for various reasons.

In the Supreme Court, there are judges who do the same job but are paid differently, because the law favours judges who come from Special Courts.

Even the judicial administration has such big differences in salary. The budget director at GJKKO receives a higher salary than the budget director of the KLGJ, which is a governing body of the judicial system. This is due to the addition of 50% of the basic salary for the budget director at GJKKO, due to the work difficulty. The payment of supplementary insurance is an obligation for the administration in SPAK, BKH, but it is not included in GJKKO, although their financial treatment is almost the same in other scenarios.

[34] KLGJ Instruction No. 78 dated 16.02.2023 "On the calculation of the basic reference salary of the magistrate (judge)"

[35] KLGJ Instruction No. 559, dated 29.12.2022 "On determining the procedure and measure of the financial treatment of the judge for service in the delegation scheme, for temporary transfer, for temporary appointment and appointment for a special case"

[36] DCM no. 732, dt. 13.11.2019, "On the rules for the duration of work, days off and leave, overtime hours and their remuneration, as well as the compensation of expenses for the performance of duties outside the workplace for judicial and prosecution civil servants"

New Judicial Map, categories of courts

The new judicial map[37] is the most important action drafted, adopted and monitored by the KLGJ with important changes in the structure and management of the judiciary, including the budget. Through a decision on 10.06.2022, the KLGJ approved the reorganization of the courts of first instance of general jurisdiction, from 22 courts of judicial districts to 13 such courts, and the reorganization of administrative courts of first instance, from 6 administrative courts to 2 such courts, the reorganization from 6 courts of appeal, to a Court of Appeal of General Jurisdiction in Tirana.

The deep transformation of the judicial structure in Albania was not foreseen in the budget and was not accompanied by a financial bill. This brought complications to the 2023 budget, while producing new challenges in the area of investments in courts.

Nine months later, with decision No. 147, dated 29.03.2023, the KLGJ issued another important decision that interfered with the structure of the courts, that of categorizing them into three categories[38]. The categorisation of courts had the purpose of selecting them according to the number of judges, the workload, the territory they covered and the population in this territory. This helped in a more efficient administration of the courts and a fairer distribution of human resources and financial assets. Through this decision, the organizational chart of the courts was structured according to the category, also determining the corresponding salary levels of the magistrates.

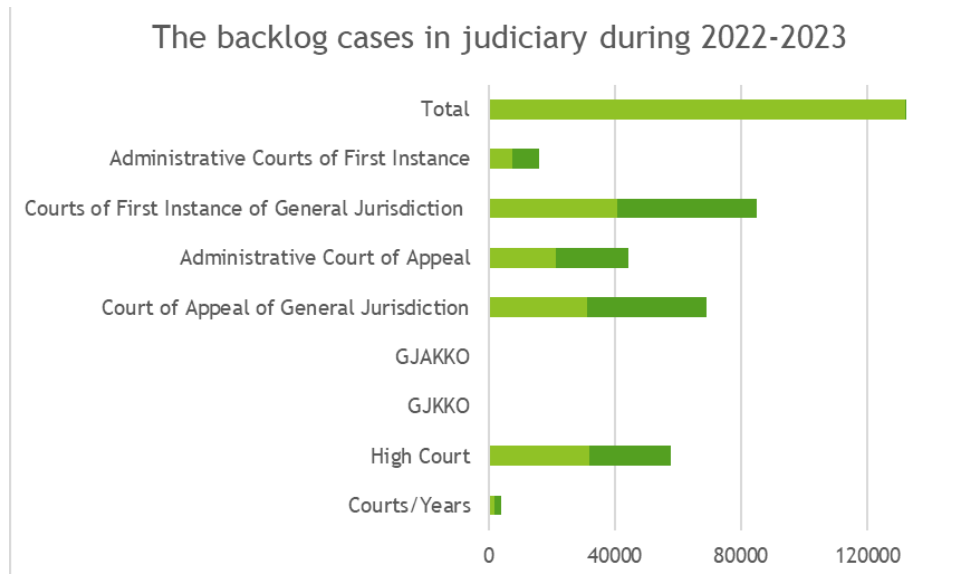
Stock of delayed cases in courts

Courts / years	2022	2023
Supreme Court	31 827	26 058
GJKKO	152	126
GJAKKO	34	25
Court of Appeal of General Jurisdiction	31 370	37 662
Administrative Court of Appeal	21 166	23 056
Courts of First Instance of General Jurisdiction	40 866	44 181
Administrative Courts of First Instance	7 354	8 788
Total	132 008	139 896

Table 1 - The backlog cases in judiciary during 2022-2023

[37] Decision of the KLGJ no. 211, dated 10.06.2022 "For the approval of the evaluation report and the proposal of the inter-institutional work group on the reorganization of judicial districts and territorial powers of the courts"

[38] Decision of the KLGJ no. 147, dated 29.03.2023, "On determining the categories of courts"



Graph 1 - The backlog cases in judiciary during 2022-2023

The volume of backlog (delayed) cases in the courts at the end of 2023 was 139,986 cases from 132,008 cases at the end of 2022[39].

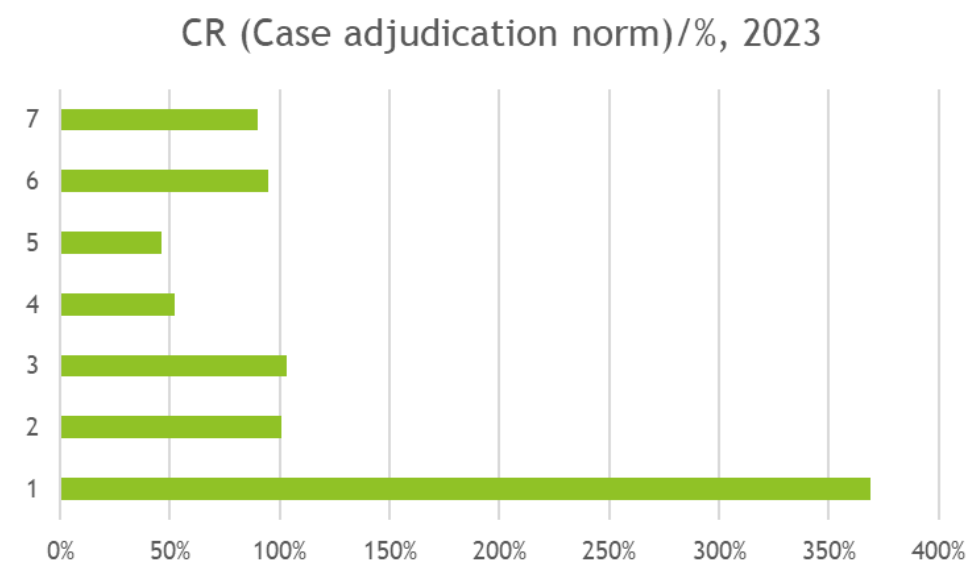
Meanwhile, the rate of liquidation of CR cases, the time of liquidation of DT cases according to groups of courts is as follows in the table of efficiency indicators

Courts/Indicator	TB (stock of cases)/no. of cases	DT (waiting time length of the case /days	CR (Case Adjudication norm) /%
Supreme Court	26 058	1 700	369%
GJKKO	126	16.4	100.9%
GJAKKO	25	30.7	103.3%
Court of Appeal of General Jurisdiction	37 662	1 673	52%
Administrative Court of Appeal	23 056	5 326	46%
Courts of First Instance of General Jurisdiction	4 4181	193	94.5%
Administrative Courts of First Instance	8 788	254	90%
Total	139 896	-	-

Table 2 - Efficiency Indicators of the judicial system in 2023 [40]

[39] KLGJ, annual report, 2022; KLGJ, annual report, 2023

[40] Ibid

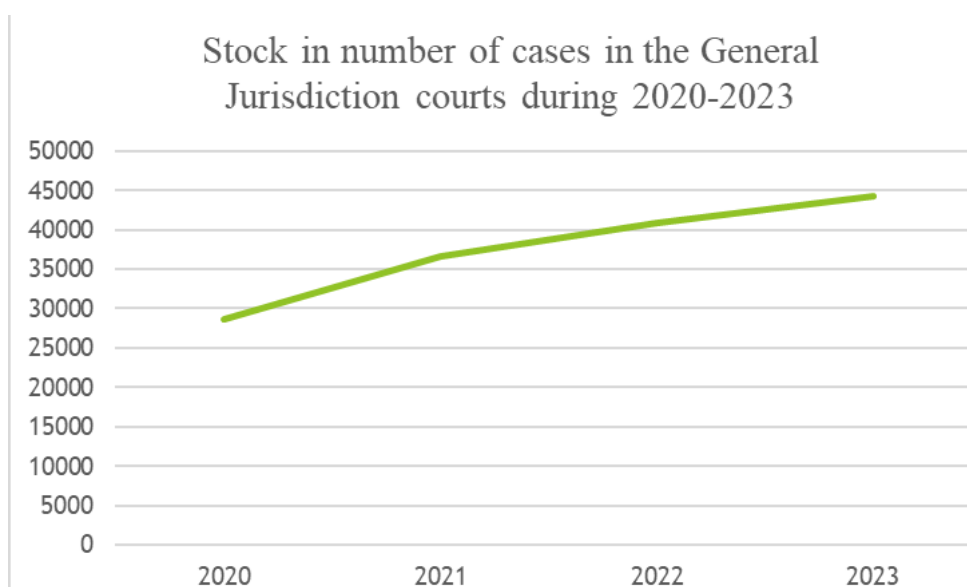


Graph. 2 - CR (Case adjudication norm)/%, 2023

For the group of courts of general jurisdiction, the TB stock has increased by 8% throughout 2023. The stock in these courts began to increase since 2019, while the largest increase is in 2022.

Years	BT
2020	28 654
2021	36 590
2022	40 866
2023	44 181

Table 3 - Volume of TB stock in the counts of first instance from 2020 until 2023 [41]



Graph 3 - Stock in number of cases in the General Jurisdiction courts during 2020-2023

[41] KLGJ, annual report, 2023; KLGJ, annual report, 2022; KLGJ, annual report, 2021; KLGJ, annual report, 2020

Employees of judicial and prosecutors' institutions

The number of employees[42] of the Judicial System approved for 2023 was 1 759, from which: 138 people are employees of the staff of the KLGJ, 6 people are the number of employees of the QTI (Information Technology Center for the Justice System), while 1 615 people are the members of the judicial staff. The actual number at the end of 2023 for the judicial system is 1 470 people, while the absences are 289 people, of which 35 are vacancies in KLGJ, 2 are in QTI and 252 are vacancies in courts.

The number of magistrates in the Albanian judiciary, according to the KLGJ decision is 408. During the year 2023, the actual number of judges was 329, 11 judges more than in 2022, while the number of judges who effectively exercised their function was 247.

A total of 139 judges have been dismissed from office since the beginning of the transitional re-evaluation process (the Vetting), by decisions from the KPK, 63 judges has been resigned and for 26 judges the process has ended without a final decision[43]. Most of the courts have been operating with a reduced capacity of judges. At the national level, only 60.5% of judges that the system had in its structure were effectively in office during the year 2023. The workload in the courts was carried out by only 247 judges or 8.94 judges per 100,000 inhabitants[44]. This ratio is 60% less than the European norm (22.2 judges per 100,000 inhabitants)[45].

Years	Number of judges according the KLGJ Decree	Actual number of judges	Percentage of actual number of judges/judges per KLGJ Decree
2022	408	228	56
2023	408	247	60.5

Table 4 - Number of actual judges at work in 2022-2023

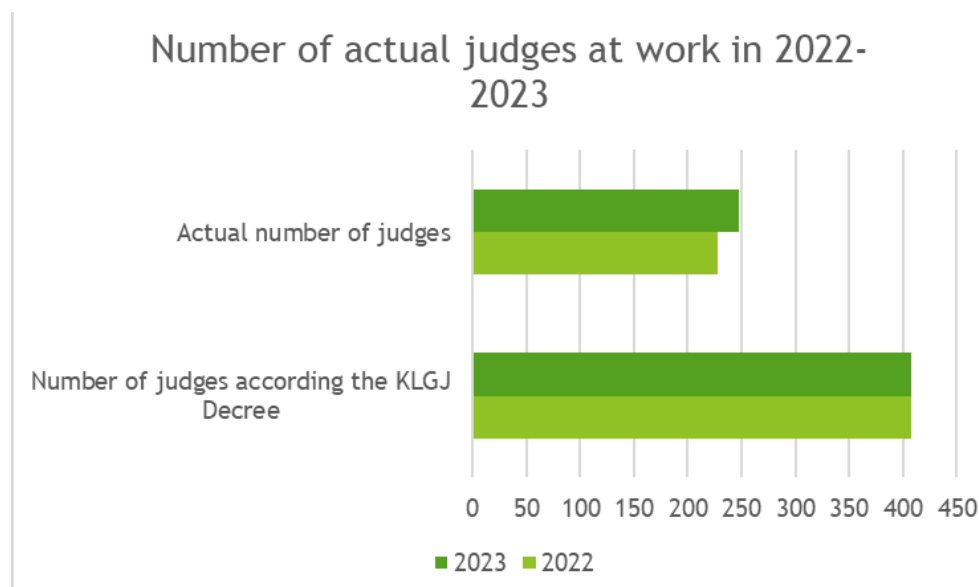
The number of non-judge staff per 100 000 inhabitants for Albania for the year 2023 according to the judicial structure is actually 37.44, against the European average for the year 2020 of 55.549. So, it turns out that, despite the increase of human resources in the judicial administration, the number of non-judge staff per 100 000 inhabitants for Albania, continues to remain far from the European average.

[42] KLGJ, annual report, 2023; Decision of the KLGJ, No. 286, dated 29.05.2023 "On determining the number of judges in First Instance Administrative Court"; Decision of KLGJ no. 6 07.07.2023 "On the approval of the structure and organizational chart of GJKKO"; Decision of the KLGJ no. 2, dated 11.01.2023 "On the creation of the commission for the restructuring of the Appeal Courts";

[43] <https://kpk.al/wp-content/uploads/2024/01/RAPORTI-STATISTIKOR-Shkurt-2018-dhjetor-2023.pdf>

[44] Annual report of KLGJ, 2023, p.30

[45] Ibid.



Graph. 4 - Number of actual judges at work in 2022-2023

While the ratio of judges/judicial administrative staff is 2.9 according to the structure, in fact that ratio was 4.6, a little bit more than European average, which is 3.9. So here, the European standard has been reached according to the fact but not according to the complete structure.

For the year 2023, the High Judicial Council asked the Parliament to add 104 employees to its system. The Parliament approved 30 more employees. This is mostly because of current vacancies in the system.

Prosecutor's offices: At the end of 2023, the prosecutor's offices system was organized in 13 prosecutor's offices near the Courts of First Instance; 1 Prosecutor's Office near the Court of Appeal; SPAK Special Prosecutor's Office and the General Prosecutor's Office[46].

The total approved staff for the entire system of prosecutor's offices is 341 prosecutors, of which: 278 in the prosecutor's offices near the Courts of First Instance; 26 in the Prosecutor's Office at the Court of Appeal of General Jurisdiction; 20 prosecutors in the Special Prosecutor's Office of SPAK and 17 prosecutors in the General Prosecutor's Office.

The actual number of prosecutors exercising their duties in December 2023 was 212 prosecutors, of which: 174 prosecutors in the prosecutor's offices near the Courts of First Instance of General Jurisdiction out of 278 that are according to the KLGJ Decree; 10 prosecutors in the Prosecutor's Office near the Court of Appeal of the General Jurisdiction out of the 26 that should have been according the Decree; 18 in the Special Prosecutor's Office of SPAK out of 20 prosecutors; 10 in the General Prosecutor's Office out of 17 who were supposed to be in office.

On the other hand, at the end of 2023, there were a total of 129 vacancies, of which 55 of them are permanent vacancies, while 74 are temporary vacancies, caused mainly by decisions to dismiss prosecutors from the transitional re-evaluation process (the Vetting).

Budget

According to the law no. 84/2022 "On the 2023 State Budget", the approved budget for the judiciary was ALL 4 362 600 000 (approximately EUR 43 million)[47]. The request of the KLGJ was 31% higher than the approved budget. The implementation of the budget for the judicial system (KLGJ, QTI and Courts) is 96%. Personnel expenses occupy the main weight of the approved budget, to the extent of 67%, while capital expenditures (investments) are still lower than the real needs of the judicial system, to the extent of 59% of the KLGJ requests.

Of the 3 components of the budget, which are the KLGJ, QTI and the Judiciary, the latter gets about 93% of the KLGJ budget[48].

For the budget year 2024, the budget approved for the judicial system, with the law no. 97/2023 "On the 2024 State Budget" is in the level of ALL 4.96 billion or EUR 49.7 million. The needs identified by the KLGJ and presented by it as budget requests for the following year, reflected in the PBA mid-term budget draft document 2024-2026, were 47% higher than the approved and allocated budget[49]. Regarding the requests for additional human resources, the KLGJ requested 89 additional employees, but none was approved.

During the year 2023, the budget of the KLGJ budget group was revised 6 times with additions to current expenses and reductions in investments[50]. Meanwhile, KLGJ made 5 changes of fund destination within the items in the current expenses of KLGJ budget.

The year 2023 has been a specific budget year, as it has been associated with numerous legal changes in salaries for both magistrates and other employees of the judicial administration. Meanwhile, the new judicial map was also implemented in 2023. This has led in some cases to important changes in the budget of the judicial system and in the cost of planned products. In some cases, the revisions of figures in the budget have not only affected the items 600 and 601 of the Budget, pertaining to salary and insurance costs, but also other expenses, by increasing them too. This has happened in the budget of the judiciary but also in other independent institutions budgets, such as KLP and SPAK. Changes were not verified in the Supreme Court and the KPK.

[47] Law no. 84/2022 "On the 2023 State Budget"

[48] Annual financial statements 2023

[49] Budget monitoring report for the period January - December 2023

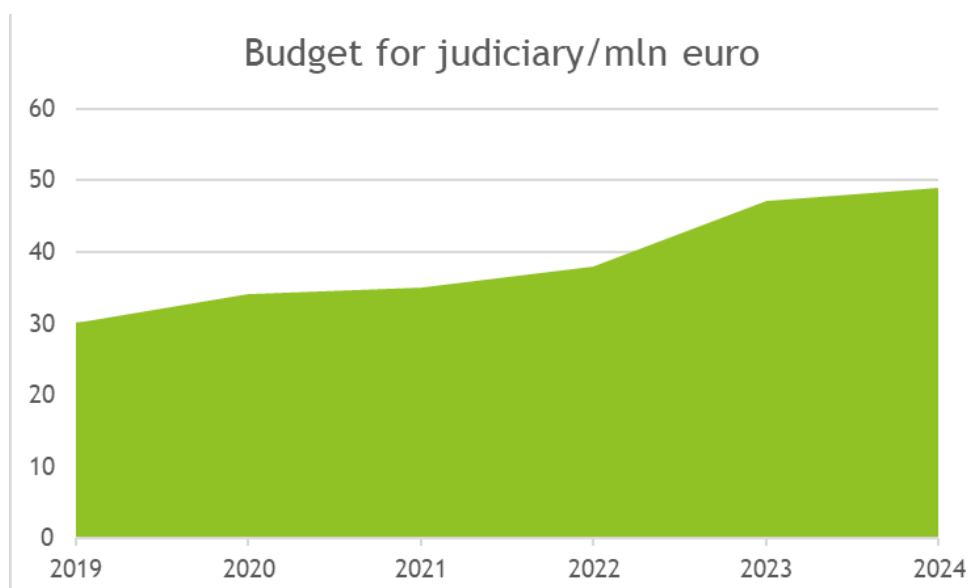
[50] KLGJ, annual report 2023; Supplementary Instruction of MF no. 2, dated 19.01.2023 "On the implementation of the 2023 budget"; Law 33/2023, "On an amendment to Law 96/2016" "On the status of judges and prosecutors in the Republic of Albania" as amended"; VKM no. 325, 31.05.2023 "On the approval of the salary structure, salary levels and other salary allowances of the deputy minister, cabinet officials, prefect, sub-prefect, civil servants and employees in some institutions of the administration"; VKM no. 326, 31.5.2023 "On the salaries of support employees and other employees of various specialties in some public administration institutions"; VKM no. 437, 19.07.2023 "For additional funds in the approved budget for 2023, for some independent institutions created by law"; VKM no. 755, 20.12.2023 "For an additional fund in the

The frequent changes in the budget happened, among other reasons, for the fact that when the budget was drawn up, as a reference of the number of magistrates, was taken the KLGJ decision for each court and not the factual number of judges, according to an official of KLGJ[51]. The budget of 2022 was revised 4 times within that year.

The budget funds approved for the judicial system have increased continuously from one budget year to another[52].

Years	Budget for judiciary/ALL
2019	3 005 910 000
2020	3 409 150 000
2021	3 444 200 000
2022	3 759 808 000
2023	4 684 713 846
2024	4 967 459 000

Table 5 - Change of the budget for the judiciary from 2019 to 2024



Graph 5 - Budget for judiciary/mln euro

approved budget for 2023, for some independent institutions, created by law"; VKM no. 834, 28.12.2023, "For a change in decision no. 929, 17.11.2010, of the Council of Ministers "On the creation and use of the special fund"; VKM no. 795, 28.12.2023 "On the remuneration of central government employees in the process of analytical review of ACQUIS (screening), within the process of negotiations with the European Union.

[51] Budget and Finance Director at the KLGJ, Xhevdet Haxhiu

[52] Law no. 97/2023 "On the 2024 budget"; KLGJ, annual report 2023, KLGJ, annual report 2022, KLGJ, annual report 2021, KLGJ, annual report 2020, KLGJ, annual report 2019

Despite the upward trend of the judicial budget in relation to the State budget, calculated as percentage against the budget it has remained unchanged at 0.75%, from 2019 onwards, because the State budget was increased. Meanwhile, the specific weight of this budget to GDP experienced a slight upward trend, if we compare 2022 with previous years (0.33% in 2019, vis-a-vis 0.35% in 2022), according to the KLGJ report for 2022. The approved budget for 2022 is approximately 11.2 EUR/inhabitant, that for 2023 is 14 EUR/inhabitant, while the average of European countries is 45.8 EUR/inhabitant[53].

The 2023 annual report on the activity of the Committee for Strategic Planning of Administration and Budget in the KLGJ[54], emphasizes the need for the "independence" of the budget for the judiciary from the Ministry of Finance. "During this financial year (2023), the Council (KLGJ) has encountered numerous obstacles in relation to accessing the budget fund approved by the Assembly of the Republic of Albania. This fund has been blocked in several cases by the Ministry of Finance in violation of any regulatory act that regulates the use of budget funds, putting us in obvious difficulties in reaching economic needs and wasting time and human resources work in order to solve them.

The adoption of the new judicial map not accompanied by the financial bill has created difficulties in its implementation, accompanied by a degradation of the entire judicial infrastructure, which have remained building fossils of the past, without the possibility to accommodate judges, judicial officers, access in the courts, the creation of obstacles with the expansion of the judicial body where the caseload is beyond the capacity of human coping, not making funds available for the immediate repair of buildings, as well as the constant lack of land for the construction and expansion of courts.

As a result, such a situation forces us to recommend the possibility of proposals for the amendment of law no. 115/2016 "On the governing bodies of the justice system" where the Assembly of Albania is the only public authority with a consultative and decision-making nature in relation to approval of the budget of the KLJ. Only in this way will the independence of the judicial power be guaranteed not only de jure (in principle) but also de facto (actually)", the report emphasizes. These concerns were shared also on the annual report of KLGJ for 2023 [55].

Investments

The KLGJ has concluded in its 2023 annual report that there is an urgent need for the construction of new buildings, to accommodate the Court of General Jurisdiction of Appeal of Tirana, the

[53] <https://rm.coe.int/albania-deliverable-2/1680ad53ab>

[54] 2023 annual report on the activity of the Commission for Strategic Planning of Administration and Budget in the KLGJ, p.34

[55] KLGJ annual report 2023, p.39

the Supreme Court, the courts of First Instance of Tirana, Durrësi, Fieri, Lezha, Kukësi, Berati and Shkodra[56].

Other necessary budget funds are those for investments in Information Technology systems, new software programs, new court case management system and security system in courts.

In relation to investments, KLGJ has been requesting three years ago a new Court of Appeal building in Tirana, but they have not received a response from the municipality of Tirana. Even for the High Court, no construction site was given until the beginning of 2024, and there is still no solution for the new court buildings in Lezha, Durrësi and Fieri. Meanwhile, the construction projects have been made for each of these courts.

Funds dedicated for software programs for the courts have been provided at a “frozen” status. It is about a fund of 361 800 000 ALL or 36 million EUR.

At the Court of Appeal, it is impossible to accommodate 245 approved employees in a space designed for 2.5 times fewer judges and staff. The building lacks adequate office space for judges, and space and facilities for archives and other employees[57]. The Government can solve the problem within a day, by transferring the ownership of the former Albanian Telegraph Agency (ATSH) building nearby, to the Court of Appeal.

In the Supreme Court[58], the stairwells have been reconstructed, turning them into narrow cages where lawyers and prosecutors consult files.

The reception of citizens at the Lushnja court[59] takes place in a narrow space that is not at all adequate for those seeking service from the court.

The court of Durrësi has a lack of space and the lawyers and parties in a trial do not have the opportunity to stay in the court premises. The lawyers stopped legal services for 3 days as a sign of protest. The court has proposed[60] two public buildings for the court, but the Government and the municipality have not yet responded.

The Administrative Court of First Instance in Tirana[61] works in the same premises as it did when it covered only three districts, while now it has taken over the former jurisdiction of three more former administrative courts, that of Korça, Shkodra and of course Tirana. The urgent problem for the court is the establishment and expansion of the physical archive place.

[56] KLGJ, annual report 2023, p.41

[57] Annual job analysis of Appeal Court, 2023, p.48

[58] Communication coordinator, Supreme Court Court, Ida Vodica

[59] The vice chair of the First Instance Administrative Court, Lushnjë, Hazbi Balliu

[60] The vice chair of the First Instance Court of General Jurisdiction, Durrës, Paulin Cera

[61] Director of budget and finance of the First Instance Administrative Court, Tirana, Vilma Bodgani

The Court of Kukësi[62], requires restructuring or relocating to a new building, that could be that of the former city hospital. The Kukësi court, houses a mix of institutions, such as the district prosecutor's office, bailiff's office and the municipal police.

The High Judicial Council has also expressed dissatisfaction with the budget that the Ministry of Finance has foreseen for it for 2024, during a presentation to the Parliamentary Commission of Legal Affairs on November 7, 2023. Out of a total of ALL 4.83 billion, only ALL 250 million has been allocated for investments, while the municipalities have not yet designated the land for new courts buildings and facilities.

During 2023, all courts saw an increase in their annual budget, through the revision of the budget, due to the New Judicial Map and the Constitutional Court Decision that directly affected the increase of the salaries of magistrates, while a smaller increase was also applied to administrative staff.

The Special Court against Corruption and Organized Crime (GJKKO)[63]/ The budget for GJKKO was accomplished at 97%[64]. For the budget items 600 and 601, covering salaries and insurance, in 2023 the amount was increased by 48.87% from the initial plan for the year.

The budget was doubled for the Administrative Court in Tirana, the Court of Appeal in Tirana and the court in Kukësi, while its implementation level was respectively at 100%, 93%, 99.7%[65].

he Supreme Court[66]/ For the Supreme Court, the budget has been increased by 30%, while it was spent 97% of its total[67]. Likewise, for the administrative court in Lushnja, the budget was increased by 30% and 87% of its total was spent.

The High Prosecutor's Council (KLP)[68]/ The budget of KLP from 172 600 000 ALL which was in the initial plan, had a 15% increase, bringing it to 202 585 000 ALL.[69] 99% of the budget amount was performed. The difference is mainly due to investments that have been executed by 93%.

[62] Chancellor of the First Instance Court of General Jurisdiction, Kukes, Shkelzen Mulosmani, meeting on 12.07.2024

[63] The director of the budget at GJKKO, Ciljeta Prifti, meeting on 03.07.2024

[64] GJKKO/Budget monitoring report for the period January - December 2023

[65] Appeal court/Budget monitoring report for the period January - December 2023; Kukës court/Budget monitoring report for the period January - December 2023; Administrative court in Tirana/Budget monitoring report for the period January - December 2023; Budget director of Appeal of the General Jurisdiction, Anjeza Bani, meeting on 21.06.2024; Director of budget and finance of the First Instance Administrative Court, Tirana, Vilma Bodgani, meeting on 18.06.2024

[66] Finance manager, Supreme Court, Filloreta Ajdini, 03.07.2024

[67] Supreme Court/Budget monitoring report for the period January - December 2023

[68] General Secretary of KLP, Emis Cërrava, 07.06.2024

[69] KLP/Budget monitoring report for the period January - December 2023

The Independent Qualification Commission (KPK)[70]/ The KPK budget for 2023, after the revision, was increased to 417 422 470 ALL from the 275 300 000 ALL that was originally foreseen, marking a 66% increase. The execution level for 2023 reached ALL 412 860 951 or 98.9% of the total amount[71].

The Special Prosecutors' Office against Corruption and Organized Crime (SPAK)/ SPAK's budget for 2023 was initially planned to 1 178 000 000 ALL. After the budget revision, it was reduced to 1 077 400 000 ALL. The amount of the budget spent reached 1 042 742 000 ALL, executed in the level of 97% of total amount.[72] According to the actual realization, current expenses account for 99% of the total budget, reaching 1 034 304 000 ALL, while capital expenses comprise only 1% or 8.4 million ALL[73]. The budget for 2023 has almost doubled, compare to the budget implemented for 2022, which was 588 000 000 ALL. SPAK also receives funds from AAPSK (Seized and Confiscated Property Agency). In 2023, SPAK received 169 million ALL from AAPSK[74].

Courts generate revenue from court services, mainly by stamp duty. The administrative courts also collect 1% of the value of the lawsuit claim for damages. The administrative court of first instance in Tirana during 2022 collected a total amount close to the budget spent[75]. In 2022, this court collected 85 million ALL from court services, while the budget for that year was 96 million ALL. In 2023, revenue dropped previous to 61 million ALL due to a decrease of number of cases related to property restitution or damage compensation.

Meanwhile, SPAK and GJKKO contribute to state revenue through seized or confiscated assets. In 2023, the value of confiscated assets amounted to 22 570 776 euros, while seized assets totalled 19 021 647 euros. Together, these figures are approximately equal to the total judicial budget for 2023.

Cost per case

The increase in cost per case in 2023 from the forecast is related to the revision of the budget in current expenses and the percentage of adjudicated cases in the amount of 84%. The number of cases examined by the Judiciary for the year 2023, classified as "Adjudicated cases" is 119 802 cases, or 84% of the planned number. According to the revised annual budget, the realised performance

[70] General Secretary of Independent Qualification Commission (KPK), Edmond Vercani, 13.06.2024; Director of the Economic and Support Services Directorate of KPK, Agim Paskali, 13.06.2024; Communication Coordinator of KPK, Joniada Koci, 13.06.2024

[71] KPK/Budget monitoring report for the period January - December 2023

[72] SPAK/Budget monitoring report for the period January - December 2023

[73] Finance manager at SPAK, Esi Kola and finance specialist at SPAK, Ornela Mala, 02.07.2024

[74] SPAK/Budget monitoring report for the period January - December 2023 p.12,13

[75] Director of budget and finance of the First Instance Administrative Court, Tirana, Vilma Bodgani meeting on 18.06.2024

[76] KLGJ/Annual budget monitoring annexes for the year 2023

for current expenses reached 97%, amounting 3 999 474 025 ALL, against to planned amount of 4 109 645 564 ALL. The actual cost per unit is 33 384.5 ALL/issue, against 23 111 ALL/issue programmed at the beginning of the year, or in other words the cost is 30% higher than planned[77]. The increase in cost from the forecast is related to the revision of budget's current expenses (the reasonable increase in salaries for judges) and the realization rate of the cases by 84%.

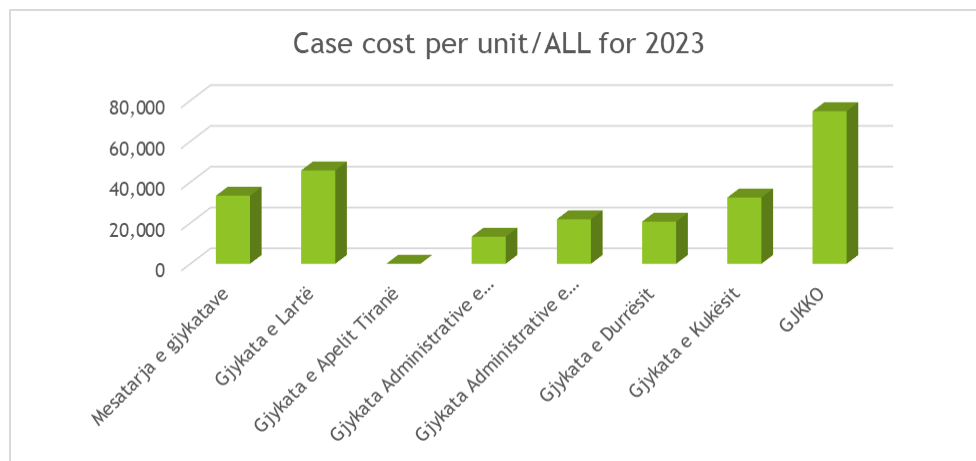
Years	No. of adjudicated case	Cost product/ALL	per Cost per unit of product/ALL
2019	153 989	2 392 685	15 538
2020	128 374	2 418 546 000	18 839
2021	142 491	2 486 572 000	17 450
2022	131 865	2 659 597 000	20 169
2023	119 802	3 999 474 025	33 384

Table 6 - Average cost per unit of the product "adjudicated cases" in the judiciary 2019-2023

The table shows that in the last five years, the cost per case found with the code as "adjudicated cases" in the Albanian judiciary has doubled.

Courts	Cost per unit/ALL for 2023
Average of courts	33 384
Supreme Court	45 762
Cort of Appeal of Tirana	52.195
Administrative Court of First Instance of Tirana	13 310
Administrative Court of First Instance of Lushnja	21 860
Court of Durrësi	20 670
Court of Kukësi	32 504
GJKKO	74 797

Table 7 - The variance between the courts average cost per case and the cost per case in monitored courts for 2023



Graph 6 - Case cost per unt/ALL for 2023

The cost per product is also calculated also for some other institutions outside the judiciary.

For the SPAK[77] the cost per case is calculated for the product 'completed file'. There were planned 190 cases to be completed for the year 2023, while 193 cases were actually completed. The budget spent for current expenses on the product "completed files" is 1 034 304 000 ALL. This amount includes budget items, 600, 601, 602, 606, respectively covering: salaries, social security, goods and services, transfers for family budgets and individuals. Thus, the cost for a completed file in 2023 is calculated to be 5 359 088 ALL.

Year/no. of files	Budget/ALL	Cost per file/ALL
2021/226	299 528 000	1 325 345
2022/196	568 712 900	2 901 596
2023/ 193	1 034 304 000	5 359 088

Table 8 - Cost for the product 'completed file' in the years 2021-2023

For the KLP, the cost was calculated for the product "decisions taken by the Council"[78].

Year/No. of decisions	Cost per decision/ALL
2021/200	710 750
2022/200	712 727
2023/406	460 579

Table 9 - Costs for decisions taken by the KLP during 2021-2023

For the KPK[79], the cost per unit of 'reviewed files' has been calculated, taking into account the budget for current expenses, which includes salaries, insurance, current expenses and the number of files reviewed by the KPK. For the year 2023, the budget for current expenses was 412 860 951 and the number of files reviewed was 200, from which it follows that the cost per unit is 2 064 305 ALL, almost double compared to the cost of 2022. Thus, a case in 2023 costs 1 251 607 ALL more than in 2022. This big increase of the costs for the year 2023 came as a result of the budget review with an additional amount of 65% alongside with a decrease in the number of files reviewed.

[77] SPAK/Annual budget monitoring annexes for the year 2023

[78] KLP/Annual budget monitoring annexes for the year 2023

[79] KPK/Annual budget monitoring annexes for the year 2023

Year	Cost per file/ALL
2020	427 977
2021	511 363
2022	812 698
2023	2 064 305

Table 10 - Cost per file reviewed in KPK in 2020-2023

Procurements

The KLGJ[80] has provided in the procurement register (Forecast Register) 48 procurement procedures, of which 4 with open international procedures, 7 with open national procedures, the others are more simple procedures or procedures for small amounts. KLGJ has framework agreements in 4 cases, all for the purchase of fuel or oil for cars. The KLGJ has carried out 31 procurements according to the register of performed procurements. Through online procurement, KLGJ has managed to save funds due to competition, with saves in the procurement values starting from 1-9%.

The GJKKO had planned to carry out 33 procurements, all financed from the State budget. At the end of 2023, all 33 procurements were completed.

In general, the value of the ceiling fund for a procurement and the value achieved in the action have small differences. For example, in the case of the purchase of fuel, the ceiling fund was 4 million ALL, while the value of the contract was 3 996 537 ALL, or otherwise 99.91% of the limit fund. But in the case of vehicle insurance, the value of the contract is 82% of the value of the limit fund.

The Administrative Court of First Instance in Lushnja[81] during 2023 has carried out 12 procurements, 4 of which are of small value and the others of less than 100 000 ALL. 14 procurements were planned first for the year 2023.

The Administrative Court of First Instance of Tirana[82] has carried out 23 procurements during the year 2023. 7 of the small value purchases, such fuel, MKZ (defence against fire), heating and ventilation works, installation of air conditioners, cleaning tools, reconstruction, etc. were procured with almost half of the announced value (the ceiling fund). The others are close to the declared value 90% to 99%.

[80] KLGJ/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[81] Administrative court of First Instance, Lushnja/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[82] Administrative court of First Instance, Tirana/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

The Tirana Court of Appeal[83] had foreseen 18 procurement procedures while 27 procurements have been carried out. The difference between the forecast and the performance is related to the change in the structure of the Court of Appeal in February 2023. Purchases were made below the value of the fund by 10-40% reduction in most cases. 15 procurements are of small value, i.e. less than 1 million ALL, 3 are simple open actions. A simple open tender, the one for fuel exceeded the limit (the ceiling fund), while the other two were obtained at significantly lower values than the procurement value.

The tender procedure of the Tirana Court of Appeal building reconstruction had no complaints in the KPP and the process has already been completed. The basement, which is mainly used for archives but also for other services, has been reconstructed. In the excel tables of the procurement register, in the column 'types of procurement procedure' it was used English language (simple open tender, small value) unlike of the other courts that explains them in Albanian language.

According to the register of procurements, the Supreme Court[84] has developed 52 procurement procedures, which include 34 procedures worth less than ALL 100 000, as well as other procurement procedures. 3 cases are framework agreements. In at least 90% of the cases of purchases with the procurement procedure, an offer smaller than the ceiling fund was obtained, although in some cases the procedure varies to the value between 90-95% of the available (ceiling) fund. There are some cases where the purchase is worth up to 60% of the limit fund or less, such as the case of the purchase of disinfectants with 52% of the value of the ceiling fund, or "printing purchases" with nearly 50% of the limit fund. During the year 2023, an emergency purchase procedure was carried out in the amount of 38 000 ALL for the purchase of two car tires.

The First Instance Court of General Jurisdiction of Durrësi[85] has developed three online procurements related to investment projects, one for a "Project" in the value of 600 000 ALL, the other for the restructuring of the server room in the value of 13 200 000 ALL and another for the purchase of furniture in the value of 360 000 ALL. The first procurement was carried out online in the amount of 300 000 ALL, by saving half of the fund, the second procurement was carried out online but one participant had made a complaint to the KPP and the procedure was cancelled, while the third procurement was carried out for the amount of 208 000 ALL, with the winning offer, with an amount 35% less than the announced fund.

The First Instance Court of General Jurisdiction of Kukësi[86] has foreseen 23 purchase

[83] Appeal court of Tirana/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[84] Supreme Court/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[85] Court of Durrësi/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[86] Court of Kukës/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

procedures, of which 14 were under the value of 100 000 ALL and 9 procurement procedures with a small value under 1 million ALL. The court has carried out 21 procurements.

The High Prosecutor's Council (KLP)[87] had foreseen 31 procurements for the year 2023, of which 4 are in the investment item, which include the purchase of vehicles and reconstruction of offices. In the register of procurements, there are 19 completed procurements. 4 of them are simple open procedure, while others are small purchases. In the car purchase procedure, 89% of the ceiling fund was used. While for the office reconstruction procedure, 96% of the limit fund was used. In the register of performed procurement[88], the dates of conclusion of the contracts and the dates of completion of the contracts in 15 procurements are missing. Meanwhile, in relation to the procurement for the purchase of fuel, there is no data on the value of the contract, but only the ceiling fund.

The Independent Qualification Commission (KPK)[89], throughout the year 2023 had foreseen 28 procurements, while it has performed 25 procurements. 17 procurements are below the value of 100 000 ALL, while 8 procurements are of small value. In 20 cases, the procurement value is less than the call, in 5 cases this value is the same. The KPK does not have a procurement unit and its role for purchases over 1 million ALL is that of a contracting entity. These procurements are carried out by the ASHPP (State Agency of Centralized Procurement). KPK has small expenses. For example, as an institution it spends approximately 30 Liters of fuel per month.

The SPAK[90] has initiated 50 procurement procedures and concluded 46 contracts/mini-contracts with economic operators. One procurement was in the form of a secret closed procedure, due to the nature of the service (purchase of equipment of operational technique). That procurement was also supported by other sources that of the State budget, in the value of approximately 1 million EUR. An open international procurement for the purchase of electronic equipment was carried out and other source of funding amounting to 39 934 083 ALL (approximately 400 000 EUR) have been used, in addition to State funds. 9 procurements are of small value. Ten procurements are open tenders, while 5 are purchases under the value of 100 thousand ALL. For the purchase of cars in the ceiling fund of 10 million ALL, 8 million ALL were spent, with a saving of 2 million ALL. The purchase of office equipment was performed with a saving of about 0.3 million ALL.

For the product scanner for the detection of vehicles, as well as the operational equipment product, the ceiling fund through a market study resulted in a significantly higher value than the approved budget for the purchase of this product.

[87] KLP/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[88] The same as above

[89] KPK/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

[90] SPAK/Register of forecast of public procurements 2023; Register of realization of public procurements 2023

Transparency

In terms of transparency regarding data and information related to the budget, a total of 11 institutions mentioned in the monitoring report above have been monitored for their practices.

The institutions of Justice have published the Transparency Program online on their official webpages and based on the law "On the right to information[91]", they must publish the main relevant documents such as legislation, strategic documents, reports and annual reports on their work and activity that are of relevance for the general public. Meanwhile, the Instruction no. 22 of the Ministry of Finance for budget monitoring[92] requires central public institutions to publish 4-monthly, 8-monthly and annual budget monitoring reports (including annexes) on this online section of institutions' website.

The publication of information is monitored in the three rubrics of the Transparency Program, mandatory to be published there. The three monitored rubrics are: "Information on the budget and financial data" where: the annual budget, the annual budget implementation monitoring report followed by annual budget monitoring annexes, the annual report or annual analysis are published; "Information on procurement procedures/competitive procedures of concession/public private partnership", where, among other things, the Forecast and Performance Registers are published; "Register of requests and responses" where all requests for information and their responses must be published.

The level of clarity and comprehensibility of the published documents was also evaluated. All the data gathered have been processed based on a short and simple evaluation form through closed questions "Yes" or "No" and with the possibility of comments about findings.

Below is the table with the data that reflects the level of transparency of publication of documents selected to be monitored based on three rubrics of Transparency Program regarding: the budget, procurement registers of the institutions and responses to requests for information.

Institutions Required documents	Budget 2023	Budget Monitoring Reports and annexes	Annual Reports/ Analyses	Procu. Register (p/r)	Requests and Answers Register	Comments
KL Gj	Yes	No	Yes	Yes	Yes	In some cases when the responses to the request contain documents, those documents are not attached
GJKKO	Yes	Yes	Yes	Yes	Yes	
Adm. Court of Lushnja	No	No	No	Yes	Yes	The answers are not uploaded
Ad Court F.L Tirana	Yes	No	No	Yes	Yes	

[91]Article 4, 6, 7, 8, Law "On the right to information"

[92] Instruction of FM no. 22 dated 17.11.2016 "On Standard Monitoring Procedures of Central Government Units"

Court of Ap. Gen. Jur.	Yes	No	Yes	Yes	Yes	The register of requests and responses is placed in the "right to information" section
Supreme Court	Yes	Yes / Annexes are missing	Yes	Yes	Yes	The answers are not published
Court of Durrësi	Yes	No	No	No	Yes	The answers are not published
Court of Kukësi	Yes	No	No	Partly	Yes	
KLP	Yes	Yes	Yes	Yes	Yes	Answers are not reflected in the transparency program but in another area of the site
KPK	Yes	Yes	Yes	Yes	Yes	
SPAK	Yes	Yes	Yes	Yes	Yes	

Table 11 - Transparency of Justice institutions through the publication of budget and financial documents

As it can be seen from the table above, 4 of the 11 monitored institutions have published all the documents selected for monitoring which are SPAK, KLP, KPK, GJKKO, while 7 of 11 monitored institutions have partially published them. It is worth mentioning that some of these institutions have added the publications after communicating with the project team, beyond monitoring timeline, like Court of Durres, KPK, Administrative court of Lushnja.

One institution has not published data on the amount of the budget for 2023, 5 institutions have not published the annual report/analysis for 2023, 4 institutions have not published the annual budget implementation monitoring report 2023 following by annual budget monitoring annexes, one institution has not published the procurement register and another has published only the forecast register. Four institutions have not published the answers to the requests they have received.

The published documents related to the budget, specifically, annual budget monitoring annexes, are difficult or partially understandable, due to codes, figures reduced to thousands or millions of ALL, poor scanning and their placement in vertical and not horizontal positions on the page.

FINDINGS AND CONCLUSIONS

Most of the monitored courts have been run by their vice presidents for several years, such as the Durrësi court, Lushnja Administrative Court, the GJKKO, Kukësi court and Tirana administrative court.

The New Judicial Map was not accompanied by a fiscal bill. The New Judicial Map encountered challenges related not only to the magistrates' vacancies but also to the necessary premises to create sufficient space for the normal functioning of daily work. This problem takes time to solve, as the Government is reluctant to provide funds for capital investments. It is urgent to improve the system's physical infrastructure through the construction of new buildings for the Supreme Court, the Court of Appeal of General Jurisdiction, the Courts of First Instance of General Jurisdiction in Tirana, Fieri, Lezha, Berati and Durrësi.

There was no prior plan to address the expected and foreseeable consequences of the full and immediate implementation of the New Judicial Map. (For example, it was quite easy to understand that in the Court of Appeal in Tirana it was impossible to unite 5 courts of appeal with almost 2.5 times more judges and judicial administration. The former coffee house of the court has been adapted as an office space).

The New Judicial Map has not affected the reduction of the stock of cases and has not widely ensured the reduction of the workload of judges or its distribution in a more proportional way. Meanwhile, the Supreme Court, which was not affected by the New Judicial Map, has a high CR, 3 times more than the norm, even though it was slightly influenced by the DT by keeping the length time to resolve one case for a duration of 5 years.

The stock of cases in the judiciary began to grow rapidly in 2017-2018. For 5 years, the governing institutions of Justice did not fully address this important issue. Meanwhile, only in July 2023, the KLGJ took the first measures by setting up a working group and proposing measures that, among other things, affect the budget. Neither the Government nor the Parliament have yet announced any progress in relation to the demands of the KLGJ.

The budgeting of the judiciary has a marked and noticeable upward trend since 2019. The budget of the judiciary in relation to the State Budget continues to comprise 0.75% of the total budget since 2019. The approved budget for 2024 is approximately 14 euros/inhabitant, while the average of European countries is 45.8 euros/inhabitant.

The year 2023 has been a specific budget year, as there were legal changes in salaries for both magistrates and other employees of the Justice administration, as well as the New Judicial Map came into effect. Both factors brought about frequent reallocations in the budget and increases in the cost of planned products. The budget of the KLGJ was revised 8 times during the year 2023 with additions to the budget, while there were also 5 changes within the budget items. The necessary approvals from the Ministry of Finance in some cases were carried out within 2-4 weeks, while in some other cases it took even three months. This affects the normal continuation of work in the

KLJG affecting also the judiciary system as a whole.

In some cases, the revisions in the budget during 2023 have not only affected the budget items 600 and 601, that were affected due to the salary increase, but also the funds for other expenses have been increased. This has happened not only in the budget of the judiciary, but also in other independent institutions such as the KLP, SPAK. It did not occur in the Supreme Court and in the KPK.

There is a lack of experts in the courts for drafting the investment budget. This absence brought about the situation in which some courts have partly engaged expertise informally.

The request of the KLJG for the budget for 2023 was 31% higher than the budget approved by the Parliament. The investment budget was approved to the extent of 59% of the requests presented by the KLJG.

The opening of some funds by the Ministry of Finance at a “freeze” status for KLJG, led to the performance of only 13% of the investment fund. “Freeze” status is lighter than “block” one, but it still prevents the use of such funds.

According to the SWOT analysis developed by the KLJG, described in the "Strategic Plan 2022-2024", several weaknesses and threats have been identified, among which are the insufficient budget as well as the lack of useful information technology systems in the courts.

The salary structure of magistrates is based at around 40% on bonuses for various reasons, which makes the system vulnerable and open to an unfriendly salary initiative.

The difference between the salary of magistrates and the salary of judicial administration staff varies from 1:3 to 1:7, or in other words means that a magistrate has a salary 3-7 times higher than a judicial administration employee.

The organizational chart foresees 1 595 employees in the judiciary, of which 408 are judges. During 2023, the actual number of judges was 329, 11 judges more than in 2022, while the number of judges who effectively exercised their function was only 247.

According to the decree, the number of magistrates per 100 000 inhabitants is 14.60. Albania has 8.2 judges per 100 000 inhabitants. This ratio is less than 40% of the European norm (22.2 judges per 100 000 inhabitants). The number of non-judge staff per 100 000 inhabitants for Albania in 2023 is 37.44, against the European average for 2020 of 55.59.

During the year 2023, only 60.5% of the judges were effectively in office. From the beginning of the transitional reassessment process by decision of the KPK, a total of 137 judges have been dismissed from office, with a financial effect of 614 817 337 ALL until December 31, 2023. Yet the dismissed judges were paid from the KPK waiting for the decision from the KPA, have continued to be paid

from the KPK amounting of a total of 1.9 million euros comprising 5% of the judiciary budget. During 2023, citizens turned to the courts less, bringing a decrease of 9.5% of new registered cases, compared to the previous year.

During 2023, only 60.5% of the judges were effectively in office, in comparison with the number of the organizational chart.

The number of completed cases for 2023 is 119 802 cases, or 84% of the planned number. The cost per case is ALL 33 384.5/case. During 2022, the cost per case was 20 000 ALL/case. The cost of a case in the GJKKO is 74 797 ALL, 23% higher than that of the previous year.

The Administrative Court of First Instance in Tirana, but also other courts, have a complicated payment process for judicial services that make payments costly in time. The other alternative, such as payment from the bank, makes these payments costly in money, because the commissions of the banks sometimes exceed 5 times the service fee.

Judges of the Supreme Court, despite performing the same duty, have different level salaries. The President of the Supreme Court and the Deputy President are paid less than some judges of the Supreme Court who come from the GJKKO or the Special Court of Appeal. In July 2023, the court council removed the 80% hardship allowance from this group of judges, but they appealed to the court and won the case.

At the end of 2024, the KPK terminates its mandate, if this deadline is not changed by the Parliament. The KPK has not foreseen a clear exit strategy, while many specialists are leaving for new jobs. The KPK had a budget revision for 2023 with an increase of 64% compared to the forecast. Most of this increase went to employee wages. There were no increases in capital expenditures and spending on goods and services. The budget for 2023 is almost double the budget for this institution in 2021 and 2022. A special decision of the Parliament adopted in May 2022, determines that the legal and economic advisor can receive up to 3 additional salaries for work difficulties and the employees of the KPK can receive a monthly supplement of 10% of the monthly salary for the special nature of their work.

The cost per case has increased exponentially for the year 2023, while the number of examined subjects has decreased.

The KPK did not publish a sponsored activity of the institution from a private entity in 2021, even after the positive court's decision regarding this matter.

SPAK needs new premises because the working conditions are quite difficult, considering the specifics of the work and activity of SPAK. There are 4 BKH investigators per office. While one of them is interrogating one person, the other three have to leave the office. This leads to a decrease in effectiveness at work, as it happens that a person is interrogated for 8 hours. Also, 9 finance specialists work in a small not suitable office.

The initial project for the reconstruction of an additional building for SPAK was estimated in 153 million ALL. A second project, this time prepared from the State Institute of Construction, predicted the need for a fund 3 times larger, 459 million ALL. Now the fund reallocation is being carried out by the Ministry of Finance.

In 2025, the SPAK will assume the functions of the commissioners of the KPK, appealing whenever it deems necessary the decision-making result from the Vetting process, that will be carried out in the future by the KLGJ and the KLP for all those magistrates who have not completed the Vetting process until December of 2024.

10 legal advisers are foreseen for 2025, with an impact on the budget of 53 million ALL. Meanwhile, premises are also needed for this new function of SPAK.

SPAK has large expenses in the equipment infrastructure, their maintenance, especially for the interception sectors, the expertise sector, the IT sector, etc. The issue is even more complicated, as large investments are required, products or services are often monopolies and foreign manufacturing companies should have a partner company in Albania, where SPAK is forced by law to contract. The Public Procurement law does not allow SPAK to engage in direct agreements with these types of companies or the first manufacturer, making it necessary to procure with the company's partners in the country, by unreasonably increasing the price of the needed product/equipment.

Regarding the division into lots of some current expenditure procurements, the budget officials in SPAK reasoned that this happened to increase competitiveness, while the division into lots is also done to identify the products from each other. For example, the division of the purchase of car fuel into lots is done, because there are purchases of diesel and gasoline and also because the price changes often and SPAK officials try to capture the most profitable prices.

SPAK also receives funds from the AAPSK (Seized and Confiscated Property Agency). This agency has a committee that makes decisions on fund distribution.

SPAK has had an inspection by the Department of Harmonization of the Ministry of Finance, which has made an assessment based on the self-assessment report that the institution prepares every year. The Directorate of Harmonization monitors the implementation of the law and by-laws, the activities of internal control, while it deals only with the administrative part.

RECOMMENDATIONS

- The KLGJ needs to fulfil urgently all the vacancies in the judicial administration.
 - There are frequent reallocations of the budget for the year 2023. But there were also reallocations for the year 2022, but the frequent reallocations are not only related to specific decision-making of the judiciary. The practice for frequent revisions and allocations in the judicial budget increases the power and influence of the Ministry of Finance, due to the need for approval. Justice institutions should be more prepared in budget planning and make more studied and elaborated budget forecasts, either in the first phase or in the second phase of the Mid-Term Budget Program (PBA).
 - The proposal highlighted in the KLGJ 2023 annual report, according to which the Parliament of Albania should be the only public authority with a consultative and decision-making nature, in relation to the approval of the budget of the KLGJ needs to be discussed in wider forums of magistrates and non-judicial administration, as well as with interest groups, thereby diminishing the power of the Ministry of Finance from the decision-making process of Justice budget.
 - The Executive, the central and local Government must not become contributors to the case stock crisis, making it possible to obtain construction land and sites for the Justice system, enabling this way to start the construction of new buildings for the courts such as the Supreme Court, the Appeal Court of General Jurisdiction, the First Instance Court of General Jurisdiction in Tirana, Fieri, Kukësi and Durrësi. The reconstructions in other courts that are also in great need, such as the Administrative Court of First Instance in Tirana, the Administrative Court of First Instance in Lushnja etc should be accelerated and facilitated. Almost all courts, even the Supreme Court of Justice, have proposed solutions by identifying concrete public properties or locations in Tirana and other districts that can be passed in ownership to the courts.
 - The State Cadastre should carry out the actions to pass to the ownership to the courts (Ministry of Justice), of the buildings that have not yet carried out this transfer of property, to enable the continuation of the procedures for the reconstruction permit (Lushnja court case).
 - The KLGJ should, through a mechanism (task force), assist the courts in cases where they do not have expertise for the preparation of various offers related to important procurements for capital investments, beyond the capacities of human resources in the courts. The KLGJ must assist the courts in drafting the budget for the investment item, as the courts do not have specialists such as engineers, economists or IT experts.
 - The courts should analyse the 'cost per case' indicator especially when the average cost has been increased more than twice.
 - Finance offices on courts should review procurement practices with smaller purchases, to ensure more competition for those cases where the fund falls short of the forecast.
-

- The Parliament should stabilize the salary of the magistrates, by reducing to the maximum the weight to salary of bonuses or allowances. The magistrates' salary structure is based at around 40% on bonuses for various reasons, which makes it vulnerable to an unfriendly salary initiative.
- The KLGJ has to solve the issue of salary hierarchy in the Supreme Court, but also in other institutions if there are such cases. The head of the Supreme Court is paid less than a subordinate judge, due to legal complications regarding the salaries of magistrates. The hierarchy of payments in the system for non-judicial administration should also be resolved, as well as the issue of supplementary insurance payments for GJKKO and GJAKKO.
- KPK has not provided a clear exit strategy in order to preserve human resources and the quality of work until the end of the term of the institution. The Assembly should intervene immediately to ensure an exit with legal guarantees for KPK employees.
- The KLP should address in its annual reports the issue of stock in the prosecutor's office. In 2022, this issue was slightly addressed, while in 2023, this issue was not addressed at all.
- The State Cadastre must invoice the courts and prosecutors when it produces information and not for those cases where there is no information.
- The Justice institutions should review expenses with the aim of reorienting them in function of judicial processes, investments and facilitating the needs of citizens from the judiciary.
- The budget drafting procedures should obligatorily include obtaining the opinion of interest groups, such as lawyers, bailiff's officers, civil society dealing with the Justice sector, human rights groups, etc. The court council needs to discuss in a general meeting of judges the budget drafting procedure, in addition to the administration officials who cover the finances.
- Following the KLGJ's Communication Plan 2022 - 2024, the KLGJ should clearly define the budget and procurement documents that must be published in the court transparency program (CTFI will suggest a list of documents). The timeline of their mandatory publication should also be determined.
- The KLGJ should also determine the density of data for a wide public, the content of tables and annexes with a logical connection between them, taking into consideration the user-friendly approach, beyond just implementing the instructions and guidelines from the Ministry of Finance and Public Procurement Agency. (In the procurement registers there are two models in use by the courts, one which is in Albanian as in the Supreme Court and another which is in English, as in most courts. In the excel tables of the procurement register, in the column 'types of procurement procedure' designations are in English (open simple, small value).

- The judiciary and the other Justice institutions should publish on their internet sites the explanations for tenders that can be discussed in public or the media, having high expenses or which are incomprehensible to the public, with the aim to not only maintain public control over the budget, but also to strengthen citizens' trust in the Justice system. The SPAK must explain in detail the increase in the financing of the reconstruction of the former UKT building, the values higher than the projections for the provision of some specific equipment and services. The KPK should publish the private sponsor of an activity the institution made in 2021.
- It is recommended that the KLGJ, its courts and other Justice institutions to proactively use social networks to provide information for the Justice system, while taking into account the protection of personal data based on the respective Albanian law and European standards.

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