

## Laws adopted under the Justice Reform Process (13 Nov 2017)

Albania is currently undertaking a comprehensive justice reform. In the night between 21 and 22 July 2016 the Parliament approved the **constitutional amendments** related to the justice reform. The amendments **entered into force on 11 August 2016**. Following the constitutional amendments 7 laws were adopted which implement the constitutional reform:

No	Law	Entry into force	Status
1	Law "On transitional re-evaluation of judges and prosecutors in the Republic of Albania" ( <b>Vetting Law</b> )  Adopted on: 30.08.2016	7.10.2016	<ul style="list-style-type: none"> <li>• Two complaints were filed at the Constitutional Court.</li> <li>• In both cases the Court decided to reject the claims (Decision no. 1/2017; the second decision has not yet been published)</li> </ul>
2	Law 'On the Status of judges and prosecutors in the Republic of Albania' ( <b>Status Law</b> )  Adopted on: 06.10.2016	22.11.2016	<ul style="list-style-type: none"> <li>• Two complaints were filed at the Constitutional Court.</li> <li>• In decision no. 34/2017 the Court repealed some articles of this Law. The decision on the latest complaint did not repeal any article of this law and is expected to be published soon.</li> <li>• The Assembly has started the procedure of an amendment to the Status Law in order to reintroduce the disciplinary liability scheme for judges and prosecutors and repair other gaps created.</li> </ul>
3	Law on the Organisation of the Judicial Power ( <b>Judicial Power Law</b> )  Adopted on: 06.10.2016	22.11.2016	
4	Law 'On the organisation and functioning of the prosecution office in the Republic of Albania" ( <b>Prosecution Office Law</b> ) Adopted on: 06.10.2016	22.11.2016	
5	Law 'On the organization and functioning of institutions for combating corruption and organized crime' ( <b>SPAK Law</b> )  Adopted on: 06.10.2016	22.11.2016	
6	Law 'on the organization and functioning of the constitutional court of the Republic of Albania' ( <b>Constitutional Court Law</b> )  Adopted on: 06.10.2016	23.11.2016	
7	Law "On the Governance Institutions of the Justice System" ( <b>Governance Law</b> )	16.12.2016	<ul style="list-style-type: none"> <li>• Two complaints were filed at the Constitutional Court.</li> <li>• The first decision repealed the disciplinary liability scheme for members and the possibility to decide in panels (foreseen in Constitution, recommended by VC).</li> <li>• The decision of CC on the latest complaint is expected to be published soon. It will repeal one additional provision</li> </ul>

	Adopted on 03.11.2016		<p>of the Governance Law.</p> <ul style="list-style-type: none"> <li>The Assembly has started the procedure of an amendment to the Governance Law in order to reintroduce the disciplinary liability scheme for members of the HJC/HPC and repair other gaps created.</li> </ul>
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## Laws adopted before Election Moratorium in May 2017

### 1<sup>st</sup> Priority

No	Substantial amendments/new law	No	Technical Amendments
<b>1</b>	Law no. 7905, dated 21/03/1995 on "Criminal Procedure Code of the Republic of Albania  Adopted on: <b>30 March 2017</b> Entry into force: <b>1 August 2017</b>	<b>7</b>	Law no. 49/2012 on the "Organization and Functioning of Administrative Courts and the Adjudication of Administrative Disputes of the Republic of Albania"  Adopted on: <b>30 March 2017</b> Entry into force: <b>6 May 2017</b>
<b>2</b>	Civil Procedure Code of the Republic of Albania, no. 7491, dated 29/04/1991  Adopted on: <b>30 March 2017</b> Entry into force: <b>5 November 2017</b>	<b>8</b>	Law 152/2013 'On the civil servants'  Adopted on: <b>30 March 2017</b> Entry into force: <b>6 May 2017</b>
<b>3</b>	NEW Code on Juveniles of the Republic of Albania  Adopted on: <b>30 March 2017</b> Entry into force: <b>1 January 2018</b>	<b>9</b>	Law no. 8678, dated 14/05/2001 on "Ministry of Justice of the Republic of Albania  Adopted on: <b>30 March 2017</b> Entry into force: <b>6 May 2017</b>
<b>4</b>	Law no. 7895, dated 27/01/1995 on "Criminal Code of the Republic of Albania"  Adopted on: <b>30 March 2017</b> Entry into force: <b>20 May 2017</b>	<b>10</b>	Draft Amendments to the Law 10192/2014 "On preventing and striking at organized crime, trafficking and corruption through preventive measures against assets." (Anti-mafia law)  Adopted on: <b>27 April 2017</b> Entry into force: <b>22 June 2017</b>
<b>5</b>	Law no.9049, dated 10/4/2003 "On Declaration and Control of Assets and Financial Duties of Elected Persons and Some public Officials" –HIDAACI  Adopted on: <b>6 April 2017</b> Entry into force: <b>6 May 2017</b>	<b>11</b>	Law No. 10173, dated 22.10.2009 " On witness protection and Justice Collaborators"  Adopted on: <b>30 March 2017</b> Entry into force: <b>1 August 2017</b>
<b>6</b>	Law No 9157 dated 4.12.2003 " On the interception of electronic communications"  Adopted on: <b>27 April 2017</b> Entry into force: <b>6 June 2017</b>	<b>12</b>	Law no 9917 dated 19.05.2008 " On prevention of the money laundering and financing of terrorism"  Adopted on: <b>6 April 2017</b> Entry into force: <b>6 May 2017</b>

		<b>13</b>	Law No. 157 dated 10.10.2013 'On the measures against terrorism financing'  Adopted on: <b>6 April 2017</b> Entry into force: <b>6 May 2017</b>
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## Laws adopted in the new legislature period after the elections

### 2<sup>nd</sup> Priority<sup>1</sup>

No	Substantial amendments/new law	No	Technical Amendments
<b>1</b>	Draft Law no. 10039, dated 22/12/2008 "On legal aid" of the Republic of Albania  <b>Adopted in principle by the Law Committee, article by article adoption is ongoing</b>	<b>9</b>	Law 'On Court Fees of the Republic of Albania'  Adopted on: <b>2 November 2017</b> Entry into force: <b>1 June 2018</b>
<b>2</b>	Draft Law no. 7829, dated 0106/1994 on the "Notary of the Republic of Albania"  <b>Adopted in principle by the Law Committee, article by article adoption is ongoing</b>	<b>10</b>	Draft law "On amendments and additions to the law no. 9936, dated 26/6/2008, "On management of budgetary system in the Republic of Albania"  <b>In process of elaboration</b>
<b>3</b>	Draft Law no. 9109, dated 17/07/2003 on "Profession of Advocate of the Republic of Albania"  <b>In process of elaboration</b>		
<b>4</b>	Draft Law no. 8677, dated 2/11/2000 'On Organization and operation of judicial police'  <b>In process of elaboration</b>		
<b>5</b>	Draft Law no. 10385, dated 24/2/2011 on "Mediation in dispute resolution of the Republic of Albania"  <b>In process of elaboration</b>		

<sup>1</sup> Based on the agreement reached between the Parliament and the Ministry of Justice, some of the reform laws will be revised by the Ministry and presented as a legislative initiative of the Ministry/Council of Ministers, such as: (i) Law no. 10018, dated 13/11/2008 on "State's Advocate of the Republic of Albania"; (ii) Draft Law "For the enforcement of criminal decisions"; (iii) Draft Law "For the detention and pre-detention rights of detainees". Please note that the law on organization of the Institution of the President of the Republic maybe will be deleted from the program.

6	<p>Draft law on "State Exam of the Republic of Albania"</p> <p><b>In process of elaboration</b></p>		
7	<p>Draft Law no. 10031, dated 11/12/2008 on "Private bailiffs of the Republic of Albania"</p> <p><b>In process of elaboration</b></p>		
8	<p>Strategy on "legal education of citizens of the Republic of Albania"</p> <p><b>In process of elaboration</b></p>		