



IPA 2013

CONSOLIDATION OF THE JUSTICE SYSTEM IN ALBANIA

EURALIUS IV

Draft Work Plan

17 December 2014 – 17 June 2015

Specific Objective 1

To improve the independence, transparency, efficiency and effectiveness of the Albanian justice system pursuant to a clear and comprehensive reform strategy developed by the Albanian Ministry of Justice (MoJ) and other actors in the system.

Expected Result 1.1

A justice system strategy with a concrete action plan for the period 2014 – 2017 and with a view to guaranteeing independence, transparency and efficiency is in place.

EURALIUS Activity 1.1.1	
Title	Support the relevant Albanian institutions in drafting a justice reform strategy accompanied with a concrete action plan for the period 2014 – 2017 streamlining the Cross-Cutting Justice Strategy covering the years 2011-2013 helping the institutions focus more directly on key reforms, including those aimed at enhancing the independence, accountability and professionalism of the judicial system in line with the EU <i>acquis</i> and best practices. Support for the drafting and adoption process of the new Cross-Cutting Justice Reform Strategy will be done through an inclusive and consultative process in which Albanian authorities will also engage with the Venice Commission and take into consideration the latter's findings
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1 (team 2 for the institutions, team 3 for criminal procedure code, team 4 on efficiency of the justice system)
Counterpart Institutions	MoJ, Parliament
Activities to be undertaken between 17/12/14 – 17/06/15	Participation in the reform process, as per the timetable of the committee; Activity 1.1.1. has already started, takes about the upcoming six months and will last until the summer brake of Parliament in June 2015 (months 4 to 10).
Expected outputs by 17/06/15	Justice reform strategy draft/final version or similar assessment paper (from EURALIUS); Time-table/ Agenda/ Action plan of the reform process.
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumptions: Political commitment to continue with the reform. Capacity and willingness to cooperate of the MoJ, codification department, and the working structure in Parliament. Open communication, sharing of documents and comments by all stakeholders. Risk: The political process is not following the recommendations.

EURALIUS Activity 1.1.2	
Title	Support the implementation and monitoring of the new Cross-Cutting Justice Reform Strategy and its action plan, i.e. among other things by assisting the MoJ in drafting or amending necessary laws and by-laws that are called for by the strategy. Ensure that these measures take into consideration relevant measures of the anti-corruption strategy
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1
Counterpart Institutions	MoJ, Parliament
Activities to be undertaken between 17/12/14 – 17/06/15	Activities depend on the content of the strategy which is unknown so far; Implementation starts after the finalization of the strategy, starting in month 11 in the second half year.
Expected outputs by 17/06/15	Assessment papers, law drafts called for by the strategy, proposals for by-laws, assessment of strategy in regard to implementation,
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Assumption: MoJ is nominating counterparts of the codification department and they are willing to cooperate with the project. Risk: Politics does not recognize suggestions and follows political priorities.

EURALIUS Activity 1.1.3	
Title	Assist the MoJ in assessing and planning relevant human resources and budgetary needs for funding the initiatives called for by the strategy. In particular, assist the MoJ in implementing and monitoring the new Cross-Cutting Justice Reform Strategy
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1
Counterpart Institutions	MoJ, Parliament
Activities to be undertaken between 17/12/14 – 17/06/15	In the case EURALIUS is involved successfully within activities 1.1.1. and 1.1.2, budgetary needs and additional human resources should be included immediately in the reform process and activity 1.1.3. will not have a separate timing; In the case budgetary needs and additional human resources are upcoming later, this activity should be introduced at least at the end of activity 1.1.1. or whenever upcoming, probably then starting in the second half year.
Expected outputs by 17/06/15	Strategy and/or action plan includes chapters about human resources and budgetary needs (first half year as a part of the reform process within activity 1.1.1.); Reasoning of law drafts contains a needs evaluation (during implementation of the strategy within activity 1.1.2.);

	Assessment paper of EURALIUS (assessment and evaluation of the budgetary needs), if not included in activity 1.1.2.
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	MoJ cooperates with the project. Commitment of Parliament. Awareness of the need to plan and honourable assessment of relevant human resources and budgetary needs. Financing made available by the State budget.

Expected Result 1.2

Professionalism and accountability of the services of the MoJ and subordinate authorities are enhanced.

EURALIUS Activity 1.2.1	
Title	Assist the MoJ in strengthening and adding a core team of experts in the Codification and International Judicial Cooperation Department
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1
Counterpart Institutions	MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	Observation and assessment of the capacities of the international and the codification department (months 4 – 12) Assessment in the third half year; Possible secondment of judges and prosecutors to the MoJ for a specific duration can provide the MoJ with relevant expertise from the practice.
Expected outputs by 17/06/15	Minutes of a meeting with the departments; Minutes of a meeting with the counterparts;
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Assumption: The MoJ is enabling an assessment of the directorate and the staff and is open for improvements. Judges and prosecutors can be seconded to the MoJ. Needed legislation comes into place. Risk: The MoJ does not see any need to change the structure in place. In a first brainstorming the project obtained the comment, that the existing structure is sufficient and cannot be changed easily as the structure is given by act of the Prime Minister and is not subject to the decision of the minister. In regard to requested comments to pieces of legislation the project was not able to obtain the necessary information from the Codification Directorate. Such a cooperation will be an assumption to implement this activity.

EURALIUS Activity 1.2.2	
Title	Organise and deliver trainings on budget planning, budget allocation and resources management to the Judiciary Budget Administration Office
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1
Counterpart Institutions	MoJ, OAJB, Ministry of Finance
Activities to be undertaken between 17/12/14 – 17/06/15	Analyse with the MoJ and the OAJB in May 2015 the request for funding to the minister of finance; Discussions in September 2015 the negotiations for the budget 2016; The project will elaborate until April 2016 a report showing the status quo and present needs and until April 2017 (for the budget 2018)
Expected outputs by 17/06/15	Minutes of the joint meetings; Budget training agenda; Budget increase
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Assumption: The board of OAJB includes EURALIUS during the budget planning activities. Information about costs per case (or similar) is available. Risk: Funds are not made available by the Ministry of Finance despite requests.

EURALIUS Activity 1.2.3	
Title	Support the "zero tolerance" policy regarding corruption and /or misuse of funds inside the MoJ and implement internal control standards, assuring coordination with the GoA's overall anti-corruption strategy
Duration of implementation	
EURALIUS Experts	Team 3
Counterpart Institutions	Staff of MoJ.
Activities to be undertaken between 17/12/14 – 17/06/15	Finalisation of the anti-corruption strategy; Assessment on corruption and /or misuse of funds inside the MoJ Follow up of recommendations of project "Assessment of the anti-corruption framework in Albania", output 8 and 9.
Expected outputs by 17/06/15	Assessment of possible areas of corruption in the MoJ Proposal for internal control standards Training needs assessment for staff in corruption sensitive entities and for controllers Manual "anti-corruption in the MoJ".

Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	<p>Assumptions: Awareness of possible corruption risks. Readiness of the MoJ and affected staff to actively fight corruption, acceptance of control mechanisms.</p> <p>Risk: Hidden or sophisticated corruption mechanisms cannot be identified.</p>

EURALIUS Activity 1.2.4	
Title	With the aim of establishing a clear track record of investigations, prosecutions and convictions, support the capacities of the MoJ to elaborate statistics and improve the reporting system in coordination with the GPO, Ministry of Interior, the Albanian State Police (ASP)
Duration of implementation	March 2015-June 2017
EURALIUS Experts	Team 3
Counterpart Institutions	MoJ, GPO, ASP
Activities to be undertaken between 17/12/14 – 17/06/15	Assessing and monitoring the current situation concerning harmonised statistical data and track records.
Expected outputs by 17/06/15	Assessment report of the status quo
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	<p>Assumptions: Cooperation between the actors involved, political willingness to have better statistics. Statistical data are available; statistic system in judicial institutions is working.</p> <p>Risk: Statistical data are unavailable, unusable or not shared.</p>

EURALIUS Activity 1.2.5	
Title	Improve the human resource management in the MoJ regarding appointment and the transfer of personnel based on close consultation, meritocracy and clear and pre-defined criteria, carefully following developments with and implementation of the new Law on the Civil Servant
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1

Counterpart Institutions	MoJ and its human resources department
Activities to be undertaken between 17/12/14 – 17/06/15	Verification of the status of the staff (half year 2); Assessment of new legislation on civil servant (in half year 3); Training needs to be identified.
Expected outputs by 17/06/15	Report “staff in the MoJ under the civil service law” Assessment “Human resources in the MoJ”. Report “Human resources recommendations in the MoJ”.
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Assumption: The MoJ and its human resources department are willing to cooperate and to improve. This includes access to personal files if needed (TL only).

EURALIUS Activity 1.2.6	
Title	Support the Budget and Finance Directorate of the MoJ in procurement proceedings and optimal allocation of resources
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS experts	Team 1
Counterpart Institutions	Directorates in the MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	Evaluation of practical handling (half year 4); Assessment of training needs and desired support activities (half year 4) ; Coaching upon request (when procurement procedures are upcoming)
Expected outputs by 17/06/15	Report on evaluation and assessment
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Assumption: Access to procurement files and active involvement of the relevant person(s) in charge.

Expected Result 1.3

Access to courts is open to anyone, i.e. there are no barriers for example for indigent people and/or members of minorities.

EURALIUS Activity 1.3.1	
Title	Provide support to the State Commission of Legal Aid (SCLA) and the implementation of recent amendments to the Law on Legal Aid, providing for more support to vulnerable groups at the local level. This includes the provision of support regarding the necessary

	budget allocation to set up local offices in order to encourage development of efficient legal aid services at local level
Duration of implementation	Dec 2014 – Feb 2017
EURALIUS Experts	Team 5, Input team 1 (budget)
Counterpart Institutions	MoJ, SCLA
Activities to be undertaken between 17/12/14 – 17/06/15	-
Expected outputs by 17/06/15	-
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	
Assumptions and risks	Assumption: The willingness of Albanian institutions to proceed and achieve improvements in regard to access to justice for vulnerable groups is assumed. Risk: There is a risk that budgetary restraints and other prioritization hampers progress in this field.

EURALIUS Activity 1.3.2	
Title	Support Albanian civil society institutions in their efforts to provide legal aid, in coordination with the SCLA and NCA
Duration of implementation	Dec 2014 – Feb 2017
EURALIUS Experts	Team 5
Counterpart Institutions	MoJ, SCLA, NCA, civil society
Activities to be undertaken between 17/12/14 – 17/06/15	-
Expected outputs by 17/06/15	-
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumption: Sufficient state budget to implement legal aid replacing NGO's. Risk: International donors will cut back the support to legal aid NGOs and budgetary restraints will hamper the implementation of the Legal Aid Law.

EURALIUS Activity 1.3.3	
Title	Review the existing judicial fee structure with a view to ensuring simplified and efficient access to justice for all parts of the Albanian society including underprivileged people

Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	Ministry of Justice, State Commission on Legal Aid, Courts, Office of the Administration of Judicial Budget, and the Ministry of Finance
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis
Expected outputs by 17/06/15	Minutes of working group(s)
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Solutions can be found within the competence of the MoJ and the courts, and if not cooperation with third parties, such as the SCLA, is possible. Statistical data to measure indicators can be made available. Risk: State budget on Legal Aid could be decreased, instead of being increased.

Expected Result 1.4

Transparency of judicial proceedings is enhanced, i.e. the general public has better information about court activities, enhancing their trust

EURALIUS Activity 1.4.1	
Title	Support the systematic publication of courts' decisions taking into account all necessary aspects relating to the protection of personal data
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	Courts, Ministry of Justice, Center for Official Publications, Commissioner of Personal Data Protection
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current requirements to data protection Analysis of current publications
Expected outputs by 17/06/15	Draft report on the status quo of publications of Court Decisions and compliance to the National Albanian and EU Data Protection Requirements
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Courts are willing to invest more time to check the decisions manually; Risk: Anonymisation software is costly as well as its integration.

	Budget and human resources are available for establishing a centralized systematic publication forum for court decisions.
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EURALIUS Activity 1.4.2	
Title	Support the Judicial Documentation Centre among other measures in updating the electronic database and promoting its use among relevant judicial staff; explore the status of other electronic data bases at the SoM, MoJ and elsewhere assisting in planning for expansion and coordination of them
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1
Counterpart Institutions	MoJ, SoM
Activities to be undertaken between 17/12/14 – 17/06/15	Assessment of the legal basis, financial situation (in half year 4). Meeting with MoJ and SoM on the publication of laws (half year 3). Currently the MoJ is negotiating with Austria in order to purchase Possible combination of the activities related to publication and research in one place (in the fourth half year).
Expected outputs by 17/06/15	Web-site with laws (consolidated versions in Albanian and English) Link-list with search tools (legislation, judgments, international search tools) Assessment on storage problems for court files, including recommendations for action
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Risk: No sufficient budget becomes available for implementation.

EURALIUS Activity 1.4.3	
Title	Improve the public relations of courts with the general public, working among others with the National Judicial Conference (NJC) and its relevant commission, the NJC Executive Council and the Union of Albanian Judges (UAJ)
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1 together with team 5 (media training)
Counterpart Institutions	Courts all over the country, MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	Awareness campaign for convincing judges on introduction of the “Press judge” (The timing depends on the availability of the MTE). Identification of the expert, possible trainers of the trainers or interested participants and available training materials start in month 8.
Expected outputs by 17/06/15	Agenda media training, list of interested participants, training materials. If applicable: Law draft to change the competence of the Chancellor.
Achieved outputs	

Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	Assumption: Interest in press matters despite previous failure of similar activities.

Expected Result 1.5

Transparency of judicial proceedings is enhanced, i.e. the general public has better information about court activities, enhancing their trust

EURALIUS Activity 1.5.1	
Title	Assist the HCJ in the implementation of its internal rules in order to reduce discretion and improve transparency of the decisions; assist the MoJ and the HCJ in evaluating amendments to the 2001 Law on the HCJ to further these principles as well as resolve other problems that have been shown to exist
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 2
Counterpart Institutions	HCJ, MoJ, Assembly
Activities to be undertaken between 17/12/14 – 17/06/15	Background/Comparative analysis: the composition, competences, organisation and functioning is currently in the focus of legislative amendments and part of the justice reform An analysis will be carried out in order to identify the deficiencies of the current structure and show possible solutions
Expected outputs by 17/06/15	Background/comparative analysis
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumptions: There is an underlying risk of a missing or weak political willingness to refrain from provisions that establish clearer separation of powers. Moreover, the risk to limit consultation and ensure an inclusive process with a view of long term sustainability is existing. Risk: The willingness for cooperation at the working level might jeopardize the achievement of the expected results.

EURALIUS Activity 1.5.2	
Title	Assist the HCJ in implementing the new secondary legislation governing the promotion and transfer of judges according to objective criteria
Duration of implementation	June 2015-December 2015
EURALIUS Experts	Team 2

Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	Background/comparative analysis: issues that need to be revised will be identified as well as options and best practices
Expected outputs by 17/06/15	Report
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Risk: There is an underlying risk of a missing or weak political willingness to refrain from provisions that establish clearer separation of powers and to revise once again the respective laws. Moreover, the risk to limit consultation and ensure an inclusive process with a view of long term sustainability is existing. Also, the willingness for cooperation at the working level might jeopardize the achievement of the expected results.

EURALIUS Activity 1.5.3	
Title	Assist the HCJ in the implementation and/or review of the evaluation system for judges. Assist the further development of the inspection system taking into account international best practice and EU standards and with a view to a long-term solution (beyond the current MoU) for the overlapping inspectorates
Duration of implementation	December 2014-December 2017
EURALIUS Experts	Team 2
Counterpart Institutions	HCJ, MoJ, Assembly
Activities to be undertaken between 17/12/14 – 17/06/15	Comments to the draft Law on the Evaluation of Judges Establishment of a Working Group (WG) WG meetings Consultation with interested parties Assistance in revision of the draft law Assistance in the elaboration of a Regulation for an evaluation scheme of inspectors
Expected outputs by 17/06/15	Comments to the draft Law WG established and operational Minutes of meetings Final version of a draft law Comments to the draft Regulation on the evaluation of inspectors
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The willingness of the political instances to improve the legal framework for evaluation is assumed and already demonstrated. Risk: Weak or missing readiness for a thorough consultation process and to give precedence to speedy visibly results than to quality and sustainability.

EURALIUS Activity 1.5.4	
Title	Assist the HCJ in reviewing and amending the rules on disciplinary procedures against judges according to EU standards
Duration of implementation	December 2014 – December 2017
EURALIUS Experts	Team 2
Counterpart Institutions	HCJ, MoJ, Assembly
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status, agreement with a joint agenda and timing perspective with Albanian and international stakeholders, including Slynn and ENCJ Comparative and background analysis workshops with Slynn Foundation and ENCJ
Expected outputs by 17/06/15	Reports
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Risks: Missing or weak political willingness to introduce clear cut accountability mechanisms and at the same time to refrain from provisions that establish clearer separation of powers. The risk to limit consultation and ensure an inclusive process with a view of long term sustainability is existing. The willingness for cooperation at the working level might jeopardize the achievement of the expected results.

EURALIUS Activity 1.5.5	
Title	Support the "zero tolerance" policy regarding corruption in the HCJ and work with the HCJ to extend similar policy to the courts, assisting in the development and implementation of internal control standards and assuring coordination with the GoA's overall anti-corruption strategy
Duration of implementation	July 2015 – December 2017
EURALIUS Experts	Team 2, input team 3
Counterpart Institutions	HCJ, courts
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The political willingness to fight corruption is assumed.

	Risk: There is a general risk that the fight against corruption is not pursued with the necessary determination by all relevant stakeholders and the corporatism and other interests prevail over efficient and determined actions.
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Expected Result 1.6
Independence, efficiency and effectiveness of the High Court have been improved ensuring that the court can fulfill its constitutional task to provide guidance to all other Albanian courts by unifying the judicial practice.

EURALIUS Activity 1.6.1	
Title	Provide assistance to the High Court in improving its internal organisational structure, among other things as to reduce the backlog of cases in line with the latest amendments to the law, and also with special attention to the changes necessitated by the introduction of a new administrative chamber
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4 (internal organisation), Team 1 and 2 (legislative review, court of cassation)
Counterpart Institutions	HC, Assembly
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis on backlog of the administrative cases, with use of a consultation process.
Expected outputs by 17/06/15	Draft strategy on prioritization and sequencing of remedies for the administrative law cases.
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The HC collaborates and is ready for adopting new best practice standards. Statistical data or other indicators are available. Risk: willingness to revise and improve the internal organisation in order to enhance efficiency.

EURALIUS Activity 1.6.2	
Title	Assist the MoJ and other relevant institutions including Parliament in considering changes to the appointment process of judges to the High Court with a view to make the High Court more independent and impartial, in particular assisting the MoJ in the drafting of appropriate legislative and/or constitutional changes
Duration of implementation	December 2014 – December 2017
EURALIUS Experts	Team 2
Counterpart Institutions	HC, HCJ, MoJ
Activities to be	Analysis of current status regarding the appointment of HC judges,

undertaken between 17/12/14 – 17/06/15	the HC as court of cassation, accountability of HC judges Comparative and background analysis
Expected outputs by 17/06/15	Reports providing results of the analysis
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The quality of justice will not deteriorate when the HC moves to the position of a Court of Cassation by limiting appeals to the HC. Risk: Lack or weak political willingness to loose the influence in the appointment process of HC judges and the willingness to widen the competences of the HCJ. On the other hand there is the risk that the HCJ is not ready for taking over the additional competences regarding the HC.

EURALIUS Activity 1.6.3	
Title	Provide assistance to the High Court in preparing and implementing a comprehensive programme for disseminating information about the unification of judicial practice and analysing its legal precedents (case law) to date with a view to including them in the dissemination programme
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	High Court, Center for Official Publications
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background Setting up a working group on this subject
Expected outputs by 17/06/15	Establishing a Working Group on this subject in the High Court
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Risk: missing financial and human resources to implement a proper program or search tools for dissemination of decisions and unification of judicial practice.

Expected Result 1.7

Issues pertaining to judicial cooperation among stakeholders of the Albanian justice system and international partners are managed in a more coherent manner.

EURALIUS Activity 1.7.1	
Title	Provide assistance to the MoJ, in collaboration with the HCJ in implementing the courts' territorial reorganisation, determining the number of judges and organising the transfer and redistribution of judges; the territorial reorganisation must be carried out in collaboration with the GPO, ASP and all other relevant justice system and law enforcement bodies
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 1, input from team 4 and team 2
Counterpart Institutions	MoJ, HCJ, GPO and ASP
Activities to be undertaken between 17/12/14 – 17/06/15	Sett up a court map based on the existing territorial division of the courts (December 2014); First half of 2015 collect statistics on the workload of each court and judges of the courts, as well the population living in court territory. Perform visits to different courts by the second half of 2015; In 2016 draft a report on findings regarding the optimality of the distribution of the courts and judges; In 2017 roundtable with HCJ with regard to the input from Team 4 (efficiency of the courts)
Expected outputs by 17/06/15	Court map and territorial map; Prepare a report with the aim of evaluating a reorganization of the courts in proportion with territorial geographic division in force, and number of cases of the courts, workload of the judges
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	<u>Data available</u> Considering that there is not timetable for the ruling of the CC, there is the risk that the report is useless if is based on the abolished law or if the new law is taken into consideration but is considered unconstitutional;

EURALIUS Activity 1.7.2	
Title	Support the implementation of the Memorandum of Understanding (MoU) between the MoJ and the HCJ inspectorates through the conduct of joint inspections
Duration of implementation	
EURALIUS Experts	Team 2
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	

Expected outputs by 17/06/15	
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	<p>Risks: The revision of the inspection system in Albania would need changes in the law. The overall general underlying risk is the political willingness to carry out a comprehensive justice sector reform. Moreover, the risk to limit consultation and ensure an inclusive process with a view of long term sustainability is existing.</p> <p>Risks: Even when there is a general willingness to proceed with a justice reform, missing or weak local ownership might hamper progress. This risk does have an effect on all levels of the Albanian institutions, from decision taking down to working level, where the risk may materialise e.g. in the lack of attendance and interest of the target groups in each of the planned activities.</p> <p>Risks: Moreover, the willingness for cooperation might jeopardize the achievement of the expected results as well as insufficient budget or human resources. Aside from this there is finally the risk that the Albanian counterparts are not or only partially willing to implement recommendations and to adjust existing practices and established systems to best practices' examples.</p>

EURALIUS Activity 1.7.3	
Title	Support to MoJ, HCJ and the High Court in policy analysis and reporting through the establishment of a trial monitoring system of the most relevant judicial cases
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	High Court, other Courts, High Council of Justice and the Ministry of Justice
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis; Working groups established, prioritization and sequencing.
Expected outputs by 17/06/15	Study Report on how this topic is handled in EU Member States A first working group is operational
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	<p>Assumption: all the counterparts are willing to cooperate in making more explicit timelines and case management guidelines.</p> <p>Risk: overlap with CoE / CEPEJ activities (coordination is established to overcome the risk).</p>

EURALIUS Activity 1.7.4	
Title	Assist the MoJ, the GPO and the courts in the implementation of international instruments for judicial cooperation, including the new cooperation agreement with EUROJUST, and the adoption of additional international instruments that may be necessary or desirable for such cooperation
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	Courts, MoJ, GPO
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis
Expected outputs by 17/06/15	Report on status quo, international instruments and availability of practical tools
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Enough resources are available at the MoJ. Cooperation of EUROJUST

EURALIUS Activity 1.7.5	
Title	Assist the provision of universal access to international legal data base (e.g. Lawtel, Westlaw, etc) via internet to all judges, prosecutors, the SoM, the MoJ and law enforcement bodies or assist in the development of reasonable lower cost alternatives
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	SoM, MoJ, Courts, Prosecution Offices, Police
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis Consultation process, prioritization and sequencing Elaboration of a strategy on a national approach to access
Expected outputs by 17/06/15	Strategy report
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: A national approach to search in laws and courts jurisprudence is accepted by the government; Risk: The budget of the MoJ for publication is decreasing from 70,4 million ALL in 2010 to 49.1 million ALL in 2013; while increase in budget is needed.

Specific Objective 2

To improve the organizational, administrative, technical and resource management capacities, as well as the case management capabilities of the judiciary in order to improve the efficiency of courts and their transparency.

Expected Result 2.1

The School of Magistrates (SoM) will continue to be the central institution to ensure high-quality education of judges and prosecutors on the basis of a solid financial basis and refined training curricula.

EURALIUS Activity 2.1.1	
Title	Provide assistance to the SoM in developing and delivering training to judges in improving the reasoning and quality of decisions and management of trials
Duration of implementation	Jan 2015 – Aug 2016
EURALIUS Experts	Team 5 Input Team 4
Counterpart Institutions	SoM, MoJ, courts
Activities to be undertaken between 17/12/14 – 17/06/15	A Training Need Assessment for judges and HCJ inspectors will be carried out possibly in collaboration with EU/CoE project.
Expected outputs by 17/06/15	Assessment report of the situation for training of the judges and HCJ inspectors
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	The assumption underlying this activity is that financial means and human resources are available to expand the training program. A general risk for all training activities is the availability of trainees who due to the huge workload might face difficulties in attending training programs.

EURALIUS Activity 2.1.2	
Title	Provide assistance to the SoM to further develop the continuous training for judges and prosecutors, stressing introducing the recent adopted national legislation as well as international legislation and case law (including the European Court of Justice)
Duration of implementation	Feb 2015 – Aug 2017
EURALIUS Experts	Team 5
Counterpart Institutions	SoM, MoJ, courts, GPO
Activities to be undertaken between 17/12/14 – 17/06/15	A Training Need Assessment for judges and HCJ inspectors will be carried out possibly in collaboration with EU/CoE project.
Expected outputs by 17/06/15	Assessment report of the situation for training of the judges and HCJ inspectors
Achieved outputs	--
Reasons for divergence	--

of expected and achieved outputs	
Assessment	--
Agenda	--
Assumptions and risks	The assumption underlying this activity is that financial means and human resources are available to expand the training program. A general risk for all training activities is the availability of trainees who due to the huge workload might face difficulties in attending training programs.

EURALIUS Activity 2.1.3	
Title	Monitor the procedures followed by the SoM in selecting the curricula, professors and organising transparent and clear selection procedures
Duration of implementation	Mar 2015 – Feb 2016
EURALIUS Experts	Team 5
Counterpart Institutions	SoM
Activities to be undertaken between 17/12/14 – 17/06/15	Monitor the selection process of the professors of the SoM
Expected outputs by 17/06/15	Monitoring Report of the process of selection of the professors of the SoM
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The new Steering Council and the new Director will co-operate fully with EURALIUS and sufficient financial means are available. The transition phase implies the risk that good practices and institution knowledge gets lost. Assumption: The right of judges and prosecutors to go back to their own previous position without clear rules on career advancement might be a low incentive for really well prepared judges and prosecutors to act as teachers at the SoM. Assumption: A precondition for successful mental and psychological test is highly qualified expertise in this regard. If this is not available it might endanger the results of the selection process. Risk: There are concerns that the mental and psychological test might be susceptible to improper interference due to the lack of expertise in the country.

EURALIUS Activity 2.1.4	
Title	Assist in ensuring the necessary financial means for the SoM to facilitate contemporary training methods and attract highly qualified trainers. In doing so, assist the SoM in ensuring continuous bilateral international support already provided to the SoM

Duration of implementation	Mar 2015 – Dec 2017
EURALIUS Experts	Team 5
Counterpart Institutions	SoM, MoJ, CoM
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	The risks underlying the implementation are the commitment of the SoM in the collaboration for implementation, political commitment of the Government to allocate necessary budget funds to SoM and the willingness of international donors to further support the Schools activities.

EURALIUS Activity 2.1.5	
Title	Support the "zero tolerance" policy of the SoM regarding corruption inside the SoM and implement internal control standards, assuring coordination with the GoA's overall anti-corruption strategy
Duration of implementation	Support the "zero tolerance" policy of the SoM regarding corruption inside the SoM and implement internal control standards, assuring coordination with the GoA's overall anti-corruption strategy
EURALIUS Experts	Jun 2015 – Feb 2017
Counterpart Institutions	Team 5, Input Team 3, anti-corruption
Activities to be undertaken between 17/12/14 – 17/06/15	SoM
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The political willingness to fight corruption is assumed. Risk: The fight against corruption is not pursued with the necessary determination by all relevant stakeholders and the nepotism and other interests prevail over efficient and determined actions.

Expected Result 2.2

Court proceedings are held in a more efficient and transparent manner facilitating a reduction of trial durations and thereby the backlog of court cases.

EURALIUS Activity 2.2.1	
Title	Based on the existing procedural framework assist judges in working out methods for a more efficient management of court trials in civil, criminal and administrative matters
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	Courts, MoJ and Chamber of Advocacy and the Ministry for the Economic Development
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis Working groups, prioritized based on inventarisation
Expected outputs by 17/06/15	Report on status quo in backlog, findings by CoE / CEPEJ, OSCE and other projects and facts on delays and possible solutions to fight backlog and expedite cases. Conclusions of small working groups
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Commitment to increase the efficiency by implementing the existing law more effectively. Risk: Use of discretion by judges is not changed by law or culture.

EURALIUS Activity 2.2.2	
Title	Assist in empowering judges to effectively use their procedural rights to streamline proceedings, among other things by taking disciplinary actions against lawyers and witnesses for unjustified absence in proceedings (including coordination with the NCA on this issue)
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	Courts, MoJ, NCA, SoM and the Chambers of Advocacy
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis Working groups in civil, criminal and administrative law, prioritized based on inventarisation
Expected outputs by 17/06/15	Working group findings and/or guidelines on how to reduce unproductive hearings by disciplining the behavior of lawyers and experts in amendments to the law or by using the existing provisions in the law
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--

achieved outputs	
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Willingness to discipline the behavior of lawyers, prosecutors and experts that lead to unreasonable delays in hearings (and cases). Availability of data for indicators. Assumption: Political willingness to amend the procedural legislation as proposed. Risk: Parliament will completely choose another approach in Law.

EURALIUS Activity 2.2.3	
Title	Assist in establishing a functional and efficient framework for court experts
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	Courts, Experts, MoJ (IT)
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis Consultation process, prioritization and sequencing Elaboration of a strategy on a national approach with use of IT
Expected outputs by 17/06/15	Report on status quo, an elaborated strategy and an implementation plan
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Collaboration of all the courts and experts to establish a national on-line database with the names and generalities of the licensed experts and the on-line maintenance by the experts; Risk: Availability of budget to establish and maintain the national database; level of data protection available in national solution in which experts maintain their data on the database.

Expected Result 2.3

A country-wide implementation of a unified electronic case management system (ICMIS) assuring random allocation of cases and smooth functioning of the progress of the cases, as well as providing reliable statistics and publication of court decisions, is in place.

EURALIUS Activity 2.3.1	
Title	Assist the MoJ and the Office for Administration of Judicial Budget on the unification of the case management system in all the courts in Albania, in particular by incorporating the courts in Tirana into the ICMIS
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis in IT, Working group on the use of ICMIS in Tirana Courts, Analysis of current case management practices in all Courts in Albania.
Expected outputs by 17/06/15	Report on status quo of the use of ICMIS in all Courts in Albania, focusing first on the Courts of Tirana, and recommendations on its further unification;
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: First Instance Courts in Tirana will start using the ICMIS system; Risk: Changing to the new system will hamper the performance of these courts and increase the backlog.

EURALIUS Activity 2.3.2	
Title	Support the MoJ in the full application of a computerised management system and random allocation of cases in all courts
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	MoJ, Courts, GPO
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis, Consultation process with Courts and MoJ on prioritization of desired new functionality in ICMIS and strategic planning 2015-2017
Expected outputs by 17/06/15	Report on the status quo, with the roll-out to Administrative Courts and advantages of the ARK-IT system that need to be retained
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--

Assessment	--
Agenda	--
Assumptions and risks	Assumption: the Ministry is willing to work in cooperation in adapting the present ICMIS and develop a new version that is planned for 2016 and become operational in 2016-2017. Risk: Donors and the MoJ do not fund this needed new generation of ICMIS.

EURALIUS Activity 2.3.3	
Title	Assist the MoJ in the further extension of the use of electronic applications and tools in the judiciary such as audio recording with a view to making court proceedings more efficient, effective and transparent
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4
Counterpart Institutions	MoJ, Courts, GPO, Ministry of Interior, municipalities
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis Consultation process, prioritization and sequencing Elaboration of a strategy on the civil registry and use within ICMIS
Expected outputs by 17/06/15	Report on status quo (assessment of the use of electronic means and IT applications at the courts)
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: EURALIUS is able to influence the introduction and use of (new) technologies to make it contribute to more efficiency. Audio recording remains available and is maintained. Risk: New IT is out of control by the MoJ, since it is paid for and installed by third parties such as JuST/USAID

Expected Result 2.4

The performance of the administrative court staff has improved on the basis of clear job descriptions and enhanced managerial capacities leading to a more professional and efficient management and organization of the courts.

EURALIUS Activity 2.4.1	
Title	Assist the MoJ in the review of the Law on the Judicial Administration with a view to establish a "Judicial Civil Service" in line with EU standards and promote a broad consultation process for the revisions to the law needed in light of the Constitutional Court decision repealing the law of April 2013
Duration of implementation	December 2014 – December 2017
EURALIUS Experts	Team 2 (Law Review) , Team 4 (Implementation)
Counterpart Institutions	MoJ, courts, Assembly
Activities to be	<ul style="list-style-type: none"> Establishment of a WG

undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Identification of issues that need changes • Consultation on options for changes
Expected outputs by 17/06/15	Report on issues and options that need to be changed in the light of the CC decision Minutes of WG
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Political willingness to have a clear delineation of competences between judicial and administrative staff

EURALIUS Activity 2.4.2	
Title	Assist the SoM in developing and delivering training to chancellors, court officers and other judicial administrators following up on the Council of Europe project implemented several years ago
Duration of implementation	Feb 2015 – Feb 2017
EURALIUS Experts	Team 5, Input Team 4 (content of training)
Counterpart Institutions	SoM
Activities to be undertaken between 17/12/14 – 17/06/15	A training Need Assessment will be carried out to assess the need of training for chancellors and court officers, possibly in collaboration with EU/CoE project
Expected outputs by 17/06/15	Assessment Report
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	The assumption underlying this activity is that financial means and human resources are available to expand the training program. A general risk for all training activities is the availability of trainees who due to the huge workload particularly at administrative courts might face difficulties in attending training programs.

EURALIUS Activity 2.4.3	
Title	Assist the MoJ in other measures (e.g. in drafting internal rules and manuals) to strengthen the managerial capacities of administrative court staff; encourage broad consultation with the HCJ, the courts, the Union of Albanian Judges and other stakeholders in supporting and implementing the measures
Duration of implementation	January 2015 – November 2017
EURALIUS Experts	Team 4

Counterpart Institutions	HCJ, MoJ, the Courts, the Union of Albanian Judges
Activities to be undertaken between 17/12/14 – 17/06/15	Analysis of current status and background analysis; Working Group on Court Management and the EFQM model; Elaboration of a strategy, with indicators for excellence and implementation planning
Expected outputs by 17/06/15	Report on status quo in Court Management
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Courts are willing to proceed in court management excellence. Risk: The chief judges do not take responsibility for court management.

Expected Result 2.5

Professionalism of Albanian lawyers involved in judicial proceedings has improved. The recently established School for Lawyers is functional and providing high quality initial and continuous training for Albanian lawyers.

EURALIUS Activity 2.5.1	
Title	Support the MoJ and the National Chamber of Advocacy (NCA) in the implementation of the Law on the profession of lawyers, the new disciplinary procedures for lawyers and the new requirements for professional liability insurance
Duration of implementation	Dec 2014 – Agu 2016
EURALIUS Experts	Team 5
Counterpart Institutions	NCA
Activities to be undertaken between 17/12/14 – 17/06/15	Background and comparative analysis to improve the performance of lawyers including disciplinary proceeding.
Expected outputs by 17/06/15	Background/comparative analysis
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumptions: Willingness of the advocates to work on the improvement of the professional performance and on tools to sanction improper behaviour. Risk: The lack or weak commitment of the NCA to ensure proper implementation of the law is a general risk underlying this activity.

EURALIUS Activity 2.5.2	
Title	Support the NCA in further improving the School for Lawyers and in developing and implementing a training program for lawyers and lawyer candidates (initial and continuous training). Assist the NCA in others issues related to the setting up and putting into operation the new School of Lawyers
Duration of implementation	Dec 2014 – Feb 2017
EURALIUS Experts	Team 5
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	A Training Need Assessment for the National School of Lawyers will be carried out.
Expected outputs by 17/06/15	Assessment Report on the NSL
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	The risks underlying the implementation of these activities are the cooperation of the NCA and their willingness to implement the legal requirements regarding the training of the lawyers and candidate lawyers, the willingness of the NCA to allocate the necessary funds for the School of Advocates.

EURALIUS Activity 2.5.3	
Title	Support the NCA in the implementation of the Lawyer's Code of Ethics
Duration of implementation	Sep 2015 – Feb 2017
EURALIUS Experts	Team 5
Counterpart Institutions	NCA
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	A general risk underlying this activity is a weak or missing commitment of the NCA to engage in activities relating to the Code of Ethics and to improve the conduct and ethics of lawyers as well as the commitment of lawyers to attend trainings and follow the rules.

Expected Result 2.6

Professionalism of Albanian notaries involved in judicial proceedings and otherwise has improved.

EURALIUS Activity 2.6.1	
Title	Provide support to the National Chambers of Notaries (NCN) regarding its internal organisation and functioning, especially also with regard to the disciplinary procedures for notaries
Duration of implementation	Dec 2014 – Feb 2017
EURALIUS Experts	Team 5, Input Team 4
Counterpart Institutions	NCN
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Risk: There is a risk of a weak or missing involvement and capacity of the NCA and the MoJ (inspectors).

EURALIUS Activity 2.6.2	
Title	Support the Ministry of Justice and the NCN in the implementation of a training program for notaries and notary' candidates
Duration of implementation	Mar 2015 – Aug 2016
EURALIUS Experts	Team 5, input Team 4
Counterpart Institutions	NCN
Activities to be undertaken between 17/12/14 – 17/06/15	Background analysis of the training for notaries and candidate notaries will be carried out
Expected outputs by 17/06/15	Background/comparative analysis
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumptions: The commitment of the NCN to set up a comprehensive system for initial and continuous training in a sustainable manner. Risk: There is a general risk that budgetary and human resource constraints jeopardize the achievement of concrete results.

EURALIUS Activity 2.6.3	
Title	Support the MoJ and the NCN in the further implementation of the immovable property registration scheme initiated several years ago that simplifies the registration through the notaries' office and electronic registration
Duration of implementation	Jun 2015 – Dec 2017
EURALIUS Experts	Team 5, input Team 4
Counterpart Institutions	NCN, MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: Capacity of the project and the beneficiaries to take part and to implement suggested options, cooperation of the institutions involved.

Specific Objective 3
To align the Albanian criminal justice system to EU standards.

Expected Result 3.1

The legislative framework in criminal matters including international cooperation has been aligned to EU and Council of Europe standards, in particular with regard to legislative measures in the field of anti-corruption and fighting organized crime.

EURALIUS Activity 3.1.1	
Title	Assist the MoJ (in particular the Codification Department) in reviewing the Criminal Code and Criminal Procedure Code, in particular finalizing the work of the “Task Force” and working group on the Criminal Procedure Code over the last two years, in accordance with EU and Council of Europe standards and in particular with regard to the implementation of the 2012 constitutional reform limiting the immunity of judges and deputies
Duration of implementation	December 2014- December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	MoJ, GPO, courts
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Working group meetings/roundtables with MoJ, GPO and other institutions involved • Study on status quo • Consolidated version of proposals or draft “Criminal Procedure Code 2015” or analysis paper showing possible options as a basis for the MoJ/legislator. • Assistance on Criminal Code proposed amendments and Criminal legislation
Expected outputs by 17/06/15	<ul style="list-style-type: none"> • Coordination with the institutions involved • Consolidation version of proposals or draft of CPC • Comments on Criminal Code amendments and other criminal legislation.
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	<p>Assumption: MoJ codification department shares ongoing work and joins actively working group. Commitment of involved stakeholders</p> <p>Assumption: Willingness to cooperate by the criminal justice institutions involved</p> <p>Assumption: Political commitment to further reform the criminal law framework practices, commitment of the GPO to implement the proposed measures. Political willingness to adopt a new Criminal Procedure Code</p>

EURALIUS Activity 3.1.2	
Title	Support the further reform and modernisation of the Criminal Justice legal and Institutional Framework, among other things by reviewing the other criminal legislation (e.g. the civil forfeiture or “anti-mafia” law) in particular those elements of the legislation relating to anti-corruption measures
Duration of implementation	December 2014- December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	Moj GPO, Serious Crime Court,
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Study of the status quo • Training needs assessment for Serious Crimes Court • Monitoring and coordination with other international partners and GPO
Expected outputs by 17/06/15	<ul style="list-style-type: none"> • The situation is assessed • Main goals identified • Coordination with international partners and GPO is established
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	<p>Assumption: Albania finalizes Anti-corruption strategy 2015. Selection of Albanian authorities to study Croatian solution USKOK further. Legislative changes provide admissibility of evidence that is taken within investigation.</p> <p>Assumption: Willingness to cooperate by the criminal justice institutions involved. Political commitment to further reform the criminal law framework practices Commitment of the GPO to implement the proposed measures.</p>

EURALIUS Activity 3.1.3	
Title	Support the implementation of the existing legislation in international cooperation in criminal matters and develop, in coordination with the SoM, GPO or other stakeholders, training programs to increase familiarity with the procedures of such legislation
Duration of implementation	August 2015-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • <i>The activities will start in the next six month period</i>
Expected outputs by 17/06/15	-
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-

Assessment	-
Agenda	-
Assumptions and risks	Assumptions: -Willingness to cooperate by the criminal justice institutions involved. - Political commitment to further reform the criminal law framework practices -Commitment of the GPO to implement the proposals

Expected Result 3.2

Criminal investigations, in particular regarding specialized areas of criminal activity, are handled in a more efficient and effective way.

EURALIUS Activity 3.2.1	
Title	Assist the General Prosecution Office in upgrading technical skills of the prosecution service regarding specialised areas such as white-collar crime (e.g. financial investigations) and cybercrime, also supporting the joint investigative units in Tirana and other districts on economic and financial crime
Duration of implementation	March 2015-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO,
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Coordination with similar activities of PAMECA IV to build synergies • Monitoring the current situation
Expected outputs by 17/06/15	Coordination with PAMECA IV achieved
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumption: Cooperation of GPO.

EURALIUS Activity 3.2.2	
Title	Assist the General Prosecution Office in the implementation of the existing legislation, in particular regarding measures for fighting organised crime (e.g. asset confiscation)
Duration of implementation	April-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Coordination with PAMECA IV to build synergies in fighting organised crime.
Expected outputs by	<ul style="list-style-type: none"> • Coordination with PAMECA achieved

17/06/15	
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumption: Willingness to cooperate by the criminal justice institutions and projects involved. -Political commitment to further reform the criminal law framework practices -Commitment of the GPO to implement the proposed measures.

EURALIUS Activity 3.2.3	
Title	Support the implementation of memoranda to strengthen cooperation between institutions involved in the fight against organised crime and financing of terrorism (joint activities with PAMECA as regards cooperation prosecution service and police)
Duration of implementation	February 2015-July 2017
EURALIUS Experts	Team 3
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Coordination with PAMECA IV to build synergies in fighting organised crime.
Expected outputs by 17/06/15	<ul style="list-style-type: none"> • Coordination with PAMECA achieved
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Cooperation of stakeholders. Willingness to cooperate by the criminal justice institutions involved. Political commitment to further reform the criminal law framework practices Commitment of the GPO to implement the proposed measures.

EURALIUS Activity 3.2.4	
Title	Follow closely the development of the new electronic case management system currently being developed at the GPO, assist in its implementation and training activities when it is completed; assist in general in improving IT matters at the GPO with a view to enhanced compatibility with the IT systems of the police and courts as well as the prosecution services in EUMS
Duration of implementation	October 2014- December 2017
EURALIUS Experts	Team 3 coordination with Team 4
Counterpart Institutions	MoJ, GPO

Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> Meetings and coordination with staff implementing the case management system at the GPO
Expected outputs by 17/06/15	<ul style="list-style-type: none"> Meetings and coordination established
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumptions: IT staff is available within the Albanian counterparts. Willingness to combine systems of the GPO with ICMIS.

Expected Result 3.3

Efficiency and accountability of the Albanian prosecution service has improved among other measures due to an increased professionalism of the prosecutors.

EURALIUS Activity 3.3.1	
Title	Assist the GPO and the Council of the Prosecutors in the implementation and/or review of the evaluation system for prosecutors; in connection with this assist the GPO in analyzing the role of the Council of the Prosecutors with a view to finding possible alternatives
Duration of implementation	September 2015- December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO
Activities to be undertaken between 15/02/08 -17/06/15	<ul style="list-style-type: none"> The activities will start in the future period
Expected outputs by 17/06/15	-
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumptions: Willingness to cooperate by the criminal justice institutions involved. Political commitment to further reform the criminal law framework practices Commitment of the GPO to implement the proposed measures.

EURALIUS Activity 3.3.2	
Title	Assist the GPO and the Council of Prosecutors in establishing in and implementing a true system of advancement in career with clear criteria
Duration of implementation	September 2015-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO
Activities to be undertaken between 15/02/08 -17/06/15	<ul style="list-style-type: none"> The activities will start in the future period
Expected outputs by 17/06/15	-
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Commitment of MOJ, GPO and Council of Prosecutors.

EURALIUS Activity 3.3.3	
Title	Support the Association of Prosecutors and the GPO in the implementation of the Codes of Ethics for prosecutors
Duration of implementation	September 2015-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO
Activities to be undertaken between 15/02/08 -17/06/15	<ul style="list-style-type: none"> The activities will start in the future period
Expected outputs by 17/06/15	-
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumption: Willingness to cooperate by the criminal justice institutions involved. Political commitment to further reform the criminal law framework practices Commitment of the GPO to implement the proposed measures.

EURALIUS Activity 3.3.4	
Title	Assessment of the current institutional set up of the GPO and other prosecutor's offices with the aim of evaluating the current independence and accountability (in particular, an analysis of the existing checks and balances) of prosecutors in line with EU standards
Duration of implementation	February 2015-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO
Activities to be undertaken between 15/02/08 -17/06/15	<ul style="list-style-type: none"> Assessment of the current situation. Other activities might depend and covered within the justice reform
Expected outputs by 17/06/15	<ul style="list-style-type: none"> Current situation assessed
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumption: Willingness to cooperate by the criminal justice institutions involved. Political commitment to further reform the criminal law framework practices Commitment of the GPO to implement the proposed measures.

EURALIUS Activity 3.3.5	
Title	Support the General Prosecutors Office in reviewing its own internal organisational structure, human resources and financial management and that of the district prosecutor's offices, for the purpose of overall improvement of functioning
Duration of implementation	December 2015-December 2017
EURALIUS Experts	Team 3
Counterpart Institutions	GPO
Activities to be undertaken between 15/02/08 -17/06/15	<ul style="list-style-type: none"> Assessment of the current situation
Expected outputs by 17/06/15	<ul style="list-style-type: none"> Needs and problems identified.
Achieved outputs	-
Reasons for divergence of expected and achieved outputs	-
Assessment	-
Agenda	-
Assumptions and risks	Assumptions: Substantial judiciary reform is going to happen. Willingness to cooperate by the criminal justice institutions involved. Political commitment to further reform the criminal law framework practices Commitment of the GPO to implement the proposed measures.

Specific Objective 4
To align the Albanian civil and administrative justice system to EU standards.

Expected Result 4.1
 The newly established administrative courts are functioning well, producing efficient, transparent and effective judicial decisions.

EURALIUS Activity 4.1.1	
Title	Provide assistance to the HCJ and the MoJ in preparing the necessary sub-legal acts for the Law on Justice and the Administrative Courts
Duration of implementation	Dec 2014-Dec 2017
EURALIUS Experts	Team 2
Counterpart Institutions	MoJ, administrative courts
Activities to be undertaken between 17/12/14 – 17/06/15	<ul style="list-style-type: none"> • Analysis of the current status • Monitor the recruitment of legal advisors
Expected outputs by 17/06/15	<ul style="list-style-type: none"> • Status report • Report on recruitment process
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	<p>Assumption: It is assumed that the listed sublegal acts are in compliance with the law and will ensure a proper functioning of the administrative courts. Moreover, it is expected that the recruitment process foreseen in Article 6/1 to 6/5 AC Law is implemented and legal assistants are finally recruited.</p> <p>The following risks may jeopardize the process: willingness of the competent bodies and units to implement the procedure or the lack of budgetary means hinders the recruitment.</p>

EURALIUS Activity 4.1.2	
Title	Assist the HCJ in evaluating the implementation of the selection and appointment procedures that took place for the new administrative court judges and provide continuing assistance to the HCJ and the SoM in the future implementation of these procedures
Duration of implementation	
EURALIUS Experts	Team 2
Counterpart Institutions	HCJ, administrative courts, SoM
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by	--

17/06/15	
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	Assumption: The political willingness to address the issue, ensure proper budgeting and find options for fair and sound framework is a precondition for a solution.

EURALIUS Activity 4.1.3	
Title	Provide assistance to the SoM in preparing a training needs assessment and to develop and deliver a general training program for the administrative court judges that will be sustainable and will bring their performance up to EU standards
Duration of implementation	Mar 2015 – Aug 2016
EURALIUS Experts	Team 5, input team 2 (content administrative law)
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	Training Need Assessment for the need for training of judges of administrative courts and civil servants will be carried out possibly in cooperation with the project of EU/CoE
Expected outputs by 17/06/15	Assessment report
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	The assumption underlying this activity is that financial means and human resources are available to expand the training program. A general risk for all training activities is the availability of trainees who due to the huge workload particularly at administrative courts might face difficulties in attending training programs.

EURALIUS Activity 4.1.4	
Title	Provide assistance to the SoM in preparing an advanced training program for the administrative court judges focusing on the case law of the European Court of Justice, the Court of First Instance (General Court) and other EUMS high courts on the handling of administrative law issues
Duration of implementation	Jul 2015 – Aug 2017
EURALIUS Experts	Team 5, input team 2 (content administrative law)
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	A training need assessment will be carried out

Expected outputs by 17/06/15	Assessment Report
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	The assumption underlying this activity is that financial means and human resources are available to expand the training program. A general risk for all training activities is the availability of trainees who due to the huge workload particularly at administrative courts might face difficulties in attending training programs.

EURALIUS Activity 4.1.5	
Title	Provide assistance concerning final improvements to and adoption of the new Administrative Procedures Code, assisting the MoJ in having a broad consultation process that includes the new administrative court judges as well as existing judges with administrative experience and the legislation and interpretation of administrative jurisdiction in line with EU standards
Duration of implementation	
EURALIUS Experts	Team 2
Counterpart Institutions	
Activities to be undertaken between 17/12/14 – 17/06/15	•
Expected outputs by 17/06/15	•
Achieved outputs	
Reasons for divergence of expected and achieved outputs	
Assessment	
Agenda	
Assumptions and risks	The process of adoption is currently pending at the Assembly's Law Commission. Several provisions have been introduced into the draft law in the last minute. There is a risk that an unreflected adoption of the last version jeopardizes the quality and the work of several years. Furthermore, the adoption depends on the political willingness to adopt a new code which is in compliance with international standards and fits into the national legal order.

Expected Result 4.2

The civil law reform continues, taking into consideration latest EU developments.

EURALIUS Activity 4.2.1	
Title	Provide assistance to the MoJ (Codification Directorate) in a review of issues under the Civil Code with a view to updating the Code especially in view of alignment the EU <i>acquis</i>
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 5
Counterpart Institutions	MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	Under this activity a status report will assess the needs for legislative changes and continuous support to reform the legislative framework in civil matters shall be provided.
Expected outputs by 17/06/15	Status/Assessment report for needed legislative changes in alignment with EU <i>acquis</i>
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	It is assumed that the MoJ codification department shares the ongoing work and participates actively in the working group. There is a risk of weak or missing willingness to cooperate of justice institutions involved. Assumption: Political commitment to further reform the civil law framework and to adopt a new Civil Code. Commitment of the courts to implement the proposed measures

EURALIUS Activity 4.2.2	
Title	Provide assistance to the Codification Directorate to review outstanding issues remaining in connection with the ongoing reform of the Civil Procedure Code, especially in view of alignment with the EU <i>acquis</i>
Duration of implementation	Dec 2014 – Dec 2017
EURALIUS Experts	Team 5
Counterpart Institutions	MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	--
Expected outputs by 17/06/15	--
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--

Assumptions and risks	<p>It is assumed that the MoJ codification department shares the ongoing work and participates actively in the working group. There is a risk of weak or missing willingness to cooperate of justice institutions involved.</p> <p>Assumptions: Political commitment to further reform the civil law framework and to adopt a new Civil Procedure Code. Commitment of the courts to implement the proposed measures</p>
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EURALIUS Activity 4.2.3	
Title	Support the MoJ in continuing adoption of legislation regarding international cooperation in civil matters and implementation of that already adopted
Duration of implementation	May 2015 – Feb 2017
EURALIUS Experts	Team 5
Counterpart Institutions	MoJ
Activities to be undertaken between 17/12/14 – 17/06/15	An assessment of the current situation on international judicial cooperation in civil matters will be conducted.
Expected outputs by 17/06/15	Assessment report
Achieved outputs	--
Reasons for divergence of expected and achieved outputs	--
Assessment	--
Agenda	--
Assumptions and risks	<p>The willingness of the MoJ and justice institutions to cooperate is assumed.</p> <p>A risk might be the political commitment to further reform the civil law framework and practices and the commitment of the courts to implement the proposals.</p>