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ANNEX I

to Commission Implementing Decision on the financing of the annual action plan in favour of Albania for 2021

Action Document for “EU for Justice”

1. SYNOPSIS

1.1. Action Summary Table

Title	EU for Justice Annual Action Plan in favour of Albania for 2021			
CRIS number	IPA III/2021/ 043-666/1			
Basic Act	Financed under the Instrument for Pre-accession Assistance (IPA III)			
Team Europe Initiative	No			
Zone benefiting from the action	The action shall be carried out in Albania			
Programming document	IPA III Programming Framework			
PRIORITY AREAS AND SECTOR INFORMATION				
Window and thematic priority	W1: Rule of Law, Fundamental Rights and Democracy TP1: Judiciary			
Sustainable Development Goals (SDGs)	Main SDG (1 only): 16: Peace, Justice and Strong Institutions. Other significant SDGs (up to 9) and where appropriate, targets: 5: Achieve gender equality and empower all women and girls.			
DAC code(s)	Main DAC code 15130 - Legal and judicial development (100%)			
Main Delivery Channel	12000 – Recipient Government			
Markers (from DAC form)	General policy objective	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women’s and girl’s empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Internal markers	Policy objectives	Not targeted	Significant objective	Principal objective
	Digitalisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BUDGET INFORMATION

Amounts concerned	Budget line: 15.020101.01 Total estimated cost: EUR 8 000 000 Total amount of EU budget contribution EUR 8 000 000
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MANAGEMENT AND IMPLEMENTATION

Type of financing and method(s) of implementation	Project Modality Direct management through Twinning grants, Procurement
Relevant priorities and flagships from Economic and Investment Plan for the Western Balkans	Priorities: "Governance, Rule of Law, PAR"
Final Date for conclusion of Financing Agreement	At the latest by 31 December N+1
Final date for concluding contribution / delegation agreements, procurement and grant contracts	3 years following the date of conclusion of the Financing Agreement, with the exception of cases listed under Article 114(2) of the Financial Regulation

Indicative operational implementation period	72 months following the conclusion of the Financing Agreement
Final date for implementing the Financing Agreement	12 years following the conclusion of the Financing Agreement

1.2. Summary of the Action

The Action aims to support the Albanian authorities through targeted key investments and capacity building in the implementation of the ambitious justice reform, with a specific focus on increasing the efficiency and transparency of the justice system and further improving the professionalism of the Albanian justice system.

One of the current priorities of the reform of justice is an urgent need to modernise the information technology used through an Integrated Case Management System that will interface with other relevant databases. An integral part of this will be the possibility to generate statistical data necessary to follow the functioning of the courts and other related bodies in line with the best European standards. Such statistics should enable to measure clearly the efficiency and transparency of the system via automatic data on clearance rate, backlog of cases, number of cases per judge, the average duration of cases and the duration of ongoing cases. This Action supports the establishment of a modern integrated case management system, including - in addition to technical solutions and hardware - also the rules of its functioning, training relevant staff and users, and assisting in the organisation of the long-term maintenance and security of the system.

The Action shall also increase the professionalism of the Albanian justice system by supporting the Ministry of Justice (MoJ) in addressing the analytical and legal drafting needs and aiding the overall legal approximation process. It will contribute to updating the legal framework and capacities of the MoJ as Albania prepares for EU membership and harmonising of the Albanian legislation with the EU *acquis* in the field of justice.

2. RATIONALE

2.1. Context Analysis

The ongoing justice reform process is building an independent, accountable, and efficient justice system. Besides the adoption of the relevant legislation, a coherent institutional set up has been established, and has already produced tangible results. Some of the main achievements of the justice reform in these past four years are summarised below.

The vetting process has continued steadily. As of 15 September 2021 the vetting institutions have completed 437 vetting cases at first instance, including all priority files. Of the 437 decisions, 298 decisions are final (i.e. after appeal). Overall, about 62 % of the vetting dossiers processed so far have resulted in dismissals and termination due to resignations by the assesseses or reaching the retirement age. For 23 dismissed magistrates, the Special Prosecution has followed up with conducting criminal investigations on assets declarations. The process of establishing independent judicial governance institutions, such as the High Judicial Council (HJC), the High Prosecution Council (HPC) and the High Justice Inspector (HJI) has been completed successfully, and these institutions are fully operational. The Justice Appointment Council has been summoned and successfully completed the procedures for the selection of candidates for six Constitutional Court judges and the HJI. A new comprehensive institutional architecture for the fight against corruption and organised crime has been set up. The Special Anti-Corruption and Organised Crime Structure consists of the National Bureau of Investigation (NBI) and the Special Prosecution Office (SPO), and the Special Court of first instance and the Special Court of Appeals for adjudicating cases of Corruption and Organised Crime. A new Prosecutor General, selected in a transparent manner amongst the candidates that have passed the re-evaluation process (vetting), was appointed in December 2019. With the appointment of six Constitutional Court judges, the Constitutional Court has resumed its full functionality. The process of the re-establishment of the High Court concluded with the promotion by the HJC of six new judges in March and July 2021. With nine judges in office, the High Court disposes of the necessary quorum to perform its jurisdictional functions, including by ruling on recourses against the decisions of Anti-Corruption and Organised Crime Specialised Courts and on unification of case law. Following the new appointments to the High Court, the clearance rate increased considerably by 46% compared to the last year. The High Court has delivered 3690 decisions since it regained its functionality in March 2020 until June 2021. During the first quarter of 2021, the High Court has delivered 647 final decisions, out of which: 145 adopted by the administrative college, 241 by the civil college and 261

by the criminal college. In July 2020, the High Court adopted guidelines for the reduction of backlog and increase of efficiency for the High Court. Since 2016, 869 additional staff have been employed within the judiciary. Furthermore, major infrastructural investments have been carried out, among which the building of the Justice Centre, and significant investment for the premises of the vetting bodies, SPAK, and the HJI.

The HJC and the HPC, in collaboration with the School of Magistrates, are multiplying their efforts to fill the vacancies in the judiciary. Appointments of judges and prosecutors are exclusively managed by the new independent institutions of the judiciary, subject to completion of compulsory initial training at the School of Magistrates, which is a significant additional guarantee of magistrates' independence. The recruitment process for the School of Magistrates has improved. The HJC and HPC check candidates' merits and assets prior to their admission. The HJC and HPC have worked towards establishing the adequate framework on the ethical-professional evaluation of judges, in order to ensure accountability of judges and prosecutors.

The backlog of cases is still an issue, accounting for 77,853 cases in 2019, of which 72% are recorded in Tirana's courts. Most of the cases are civil proceedings (48.1%) and commercial proceedings (33.5%). Most cases are recorded in the Appellate courts (i.e. 58% of the cases in Tirana). The ongoing preparation of a Judicial Map on the re-organisation of the court system aims to increase the efficiency in the justice system. The process is based on an assessment of the need for the redistribution of human resources in the Courts, seen in relation to the number of cases registered in each particular district including the backlog, evidencing the importance of statistical data in drafting the Judicial Map. The goal is to maximise human and financial resources, to increase court efficiency, to improve clearance rate and disposition time, and to improve access to justice for citizens. An Inter-Institutional Working Group, composed of representatives from domestic courts, the HJC, Ministry of Justice (MoJ) and international partners, such as the Council of Europe, EURALIUS and Justice for All Project-USAID, is working on finalising the new Judicial Map.

Equally, work is being carried out regarding the establishment of a new modern, comprehensive and integrated case management system (ICMS) that is also interconnected with other relevant public databases. According to the legal provisions in force, the IT electronic system for courts should be developed, coordinated, managed and maintained by the HJC. This is to ensure the establishment of the applicable case management system and to establish the rules for the functioning and security of the electronic case management system and the protection of the personal data saved and used by the system. In December 2019, HJC approved its new organigram, including a special directorate of IT systems of the courts, and the post for a general director. The Information Technology Centre for the Justice System attached to the High Judicial Council has been created by a Council of Minister decision and includes a multi-disciplinary participation from justice institutions. A study has been conducted by the HJC, with the support of EURALIUS V Mission, putting forward the options for the ICMS development and the interface with all other relevant public databases. The next step is for the IT Centre to approve a consolidated action plan/roadmap for the digitalisation of the justice system in Albania and start the roll out of the new ICMS. In October 2021, the HJC has prepared a draft roadmap laying out concrete steps towards the effective functioning of the Case Management System, in close coordination with the independent institutions for the governance of the judiciary.

The Ministry of Justice, in cooperation with all new justice institutions and assisted by EURALIUS V experts, is currently drafting a new Cross-Sector Justice Strategy for 2021-2025, its Action Plan and the accompanying passport of indicators, in order to address the new challenges that lie ahead for the second phase of the implementation of the justice reform in Albania. This process was initiated in May 2020 by the drafting of a Mid-term review of the Strategy in force, which took stock of the situation. The new Cross-Cutting Justice Strategy 2021-2025 – expected to be adopted by the end of 2021 – is based on a clear vision to increase the effectiveness of the reformed judicial system and to improve services in line with European standards.

The Ministry of Justice is the lead responsible institution for Chapter 23 of the Accession negotiations with the EU. It is, among others, responsible for the implementation of the section of the National Plan for European Integration (NPEI) defined Chapter 23 "Judiciary and fundamental rights" as key for accession negotiations. It is estimated that 126 acts ("hard *acquis*" consisting of 61 acts and "soft *acquis*" consisting of 65 acts) need to be scrutinised, and legal gaps in the alignment with the Union *acquis* are to be identified and processed. The justice sector is part of the Government's Medium-Term Budget Programmes including the Ministry of Justice with eight budget programmes and the Independent Institutions of the Judiciary System with a further eight Budget Programmes. The total financial allocation amounts to approximately EUR 115 Million in 2020, or 4% of total Budget Expenditure. Moreover, the justice reform priorities as set forth in the draft Cross-Sector Justice Strategy are currently being taken into consideration for the purpose of drafting the new Medium Term Budget Programme for 2022-2024.

2.2. Problem analysis by areas of support

Area of Support #1: Efficiency and transparency of the justice system

The judicial system is urgently in need of an adequate and fully functional Integrated Case Management System (ICMS). The first case management system in Albania was established in 2007 (ICMIS-Integrated Case Management System) and it is used by all courts, with the exception of the Tirana District Court. The Commission Report 2021¹ however observed that the current electronic case management system has many shortcomings: Albania has made limited progress on the 2020 recommendation to improve the case management system, which remains outstanding. The Commission recommended that Albania should take in the coming year decisive steps towards a roll-out of a new integrated case management system, and ensure its inter-operability across the entire justice system, in line with European Commission for the Efficiency of Justice (CEPEJ) methodology. Current budgetary and human resources capacities allocated to the ICMS are insufficient to establish and overhaul the existing system and to create a comprehensive case management system. District and appellate courts are in the need of support to gain efficiency for trials, as citizens expect faster and more effective services from courts. The current system lacks many functionalities and it does not provide sound, reliable and coherent statistical data based on the CEPEJ methodology. There is no proper interoperability with other governmental system/databases. Moreover, sufficiently trained technical staff are not available. The lack of proper functioning of a case management system impacts the data collection mechanisms that might be used for statistical purposes. The random allocation of cases within the prosecution system still remains to be implemented as a matter of priority.

The HJC has prepared a draft action plan/roadmap for the digitalisation of the judicial system in Albania (the draft ICMS roadmap), according to which the establishment of the new ICMS should follow four steps: 1) establishment of the case management system (software), 2) establishment of the Data Centre (hardware), 3) establishment of the communication infrastructure between courts (hardware and software) and 4) improvement of the Technology for Information and Communication (TIC) of each court (hardware). The design of the software (step 1) has partially started but requires also finalisation of the necessary legal framework (sub-legal acts) to determine the key functions of the ICMS. This includes the level of the integration of courts, prosecution and possibly police systems and interfacing with other relevant databases and IT systems, such as the Electronic Bailiff Case & Document Management System (ALBIS), the Financial Intelligent Unit (FIU) system, the property digital cadastre, notary digital registers, or the electronic database of the High Inspectorate of Declaration and Audit of Assets and Conflicts of Interest (HIDAACI). However, though a draft action plan/roadmap has been prepared, a number of elements remain to be addressed. Notably, it provides for an excessively long timeline for implementation and it lacks an effective monitoring mechanism. Moreover, missing nominations for the board of the IT-centre and the subsequent lack of appointment of its Director delayed the approval of the roadmap. The implementation of the adopted action plan/roadmap should begin in 2022.

At the end of 2020, the Council of Ministers (CoM decision no 972, dated 02.12.2020) established the rules for the organisation and functioning of the Information Technology Centre for the Judicial System. The Centre is to be located in Tirana, and run administratively by the High Judicial Council. The centre has a special budget approved on yearly basis. The core function of the IT Centre is to set the standards and policies in line with the rules for the general state policies for the information technology system for the justice system for the effective operations of information processing technology and data systems (hardware and software), ensuring that the needs of the justice system institutions are met. Such rules include the general strategy for the IT technology of the justice system, data protection rules, general policies for the capacity of IT staff, priorities of new projects for the digitalisation and similar competences. The IT Centre is an inter-institutional structure, comprising representatives from all justice institutions, including courts and prosecution offices as well as the Ministry of Justice and the School of Magistrates. The Centre still remains to be established (the establishment of the Governing Board and appointment of the Executive Director is expected by the end of 2021). The IT Centre will be assisted by the Advisory Panel composed of the highest ranking IT staff from each justice institution.

The High Judicial Council (and the Information Technology Centre for the Justice System), the High Prosecutorial Council, the General Prosecutor Office, the courts and prosecution offices at all levels, including the Specialised Anti-Corruption and Organised Crime structures, are the main stakeholders. Key stakeholders are the future users of the ICMS: National Investigation Bureau, the Albanian State Police, the Electronic Bailiff Case & Document Management System (ALBIS), and the Financial Intelligent Unit (FIU). In addition, other stakeholders are the Ministry of Justice, the Information and Data Protection Commissioner, the Ministry of Economy and Finance, and the Council of Ministers.

¹ SWD(2021) 289 final

Special access should be granted to the specific data base of unified cases of the High Court and Judicial Practice for the School of Magistrates.

The Action is fully in line with Commission's recommendations, as well as both the current and the (draft) Cross-Sector Justice Strategy 2021-2025, Specific Objective 4.1: Full development of integrated virtual justice system (e-justice) with unified identifiers, updated case management systems, electronic registration based on the Internet for all three areas (criminal, administrative, civil) and links to relevant national registries and databases (including institutional capacity development, equipment, software). Moreover, it is linked with Specific Objective 2.4: Improving the judicial system in order to increase the effectiveness and efficiency of all levels of the judicial system, including the High Court, and ensuring the delivery of transparent justice, without delays and accessible to citizens.

Area of Support #2: Professionalism of the justice system strengthened.

The MoJ acts as a coordinator of the justice reform, with responsibility for analysis, legal drafting and coordination of stakeholders, in the framework of the EU accession negotiations. The MoJ has, however, insufficient capacities both in terms of policy implementation and for the legal approximation and preparations for accession negotiations in order to ensure full compliance and harmonisation of the legislation in the area of the judiciary, but not limited to, the relevant EU *acquis*. The MoJ has identified that its capacities need to be improved in order to cope with the requirements of its policy development tasks and the accession process, under which legal acts will be scrutinised and legal gaps in the alignment with the Union *acquis* duly identified and processed. The Codification Directorate which will be responsible for legal approximation, requires support. Moreover, the members of the Inter-Institutional Working Group for Chapter 23 (IWGEU 23) lack expertise regarding the analysis of the legislation, legal writing and translations.

As to the MoJ, the General Directorate of Policies and the Directorate of Codification are in charge of the strategies covering the justice system and the overall process of legislative drafting. Further important stakeholders in this process are the members of the IWGEI 23.

The Action is fully in line with both the current and the (draft) Cross-Sector Justice Strategy 2021-2025, Specific Objective 4.4: Update the legal framework and capacities of the MoJ and improvements in the field of global international legal cooperation, and Albania prepares for EU membership by harmonizing Albanian legislation with the EU *acquis* and other EU integration acts in the field of justice. The Commission Report 2021² recommended that the Cross-Sector Justice Strategy 2021-2025 and its Action Plan need to be adopted timely.

Furthermore, the national strategy defines the need to improve the operation of the judicial system by strengthening its efficiency, transparency and accessibility in line with European standards, thus fully in line with the scope of this Action.

2.3. Relevance and complementarity with strategies supported by key national stakeholders

Albania has established a comprehensive system for policy-making and coordination. The Integrated Planning System (IPS) provides the overall architecture to ensure that government policy planning, budgeting and monitoring are linked and operate efficiently. The IPS is composed of three cornerstones: the national and sector strategies providing guidance to high-level policy making; the European integration process describing the planning and resource requirements to achieve the objectives under the EU integration agenda; and the medium-term budget process detailing the short and medium-term planning and financial arrangements for the delivery of policies by each ministry and government agency. Policy in the sector is monitored and reported through the monitoring reports on progress with implementation of the National Strategy for Development and Integration (NSDI). The main policy coordination mechanism of the Government is through the Integrated Policy Management Group (IPMG) mechanism for policy consultation, monitoring, EU Integration and National Plan for European Integration monitoring and coordination which was reactivated in late 2018, by the Order of the Prime Minister no. 157, dated 22.10.2018. The IPMGs have a crucial role in the programming and monitoring of the implementation of the Albanian sector strategies, including coordination of various stakeholders, discussion and assurance of sustainable and harmonised approaches, in line with the NSDI and Medium-Term Budget Planning.

As regards the justice sector, the latest sectoral monitoring report identified that the human, financial and logistical resources of the MoJ, the School of Magistrates and the independent institutions need significant strengthening; an integrated case management system is necessary for district and appellate courts to gain efficiency. The sector approach on the Cross-sector Justice Strategy is governed by the Sectoral Steering Committee for Justice Reform. The latest monitoring report for the justice sector strategy (May 2021) identifies the lack of a fully integrated case management

² SWD(2021) 289 final

system and human and budgetary resources to implement key priority areas as the main shortcomings. The Ministry of Justice, responsible for the implementation and the coordination of the Strategy, has prepared the draft strategy for the justice sector 2021-2025. The key priority of this strategy, reflected already in Objective 1, 4 and 5, is the establishment of a new integrated case management system. The new system relates to the efficiency of the system, overall management of courts and judicial files as much as the capacity of the MoJ and other judicial institutions to produce qualitative analysis on the basis of reliable data.

The IPS system ensures that the policies of the judiciary are linked to the Medium-Term Budget Planning (MTBP), under specific budget programmes of the Ministry of Justice, and dedicated programmes for the independent institutions (HJC; HPC; Prosecution Office; HJI etc.) detailing the short and medium-term outputs and their costs.

2.4. Relevance and complementarity with EU policy and EU and other donors' assistance

The Action's objectives and expected outputs are fully in line with the **IPA III Programming Framework**'s aim to contribute to improving the efficiency, accountability, professionalism of the justice system as a whole, and provide services to citizens based on the best EU standards. Furthermore, the Action is consistent with the envisaged IPA III support for organisational aspects, introducing a modern case management system, beefing up the capacity to monitor and evaluate the performance, using data in a proactive manner and for planning purposes, and the use of data and information and communications technology tools such as the digitalisation of management systems. This support is crucial to ensure fair and timely proceedings and improve the efficiency of service delivery and the legal predictability for professionals and court users. Coherently with the Thematic Priority 1, this Action shall strengthen the systems to ensure and monitor integrity of the magistrates, improve transparency of the justice system and deliver better communication to the public on the functioning of the justice system.

The Action is in line with the **Western Balkans Strategy**³ which requires the achievement of concrete results in the judicial reform and reinforcement of institutions at all levels in the administration of justice in particular, as well as with the Stabilisation and Association Agreement (SAA, 2009) that under art. 78, requires Albania to strengthen the independence of the judiciary.

As regards the functioning of the judiciary, the **Commission Albania 2021 Report**⁴ states that limited progress was made on the recommendation to improve the case management system, which remains outstanding and recommends that in the immediate future Albania should take decisive steps towards a roll-out of a new integrated case management system, and ensure its inter-operability across the entire justice system, in line with European Commission for the Efficiency of Justice (CEPEJ) methodology.

The Action is also aligned with the main priorities for the Justice Sector under the **National Plan for European Integration 2021-2023** / Chapter 23 "Judiciary and Fundamental Rights": approval of the new judicial map and strengthen the effective use of an improved case management system, with sound statistical capacity based on the CEPEJ methodology, which ensures randomness in case allocation.

The action is complementary to **other EU-funded projects** in support of the Albanian justice reform, namely Euralius V and Pameca V which have assisted with the respective case management systems of the judiciary (ICMIS) and prosecution (CAMs), the SEJ project in the framework of the EU-Council of Europe Horizontal Facility which has focused on justice efficiency and especially the standardisation of statistics and legal basis, and the upcoming support to the High Judicial Council (IPA 2020) which will continue the work initiated by Euralius V and assist HJC. The action is also complementary to the technical assistance to the Ministry of Justice in coordination and monitoring of the justice reform, upcoming twinning for School of Magistrates (IPA 2020). Thanks to these interventions, the Sector Reform Contract in support of the justice reform and the EU International Monitoring Operation for the re-evaluation process (vetting), the EU provides comprehensive support to all the main institutions and independent bodies of the Albanian justice system.

2.5. Lessons learned and links with previous financial assistance.

The EU has provided substantial support to the Albanian authorities in the areas of Rule of Law and Justice Reform. The most significant, cross-cutting lesson learned through the implementation of previous financial assistance is that full engagement of the stakeholders and strong coordination, monitoring and follow-up need to be ensured by the lead beneficiary institutions to maximise the benefits of the assistance.

³ COM(2018) 65 final

⁴ SWD(2021) 289 final

The IPA 2018 Sector Reform Contract in support of the reform in the Justice Sector focuses on key institutional reforms – and capacity building of the various judiciary and rule of law actors, primarily through assistance for the modernisation of the justice system and support to increase the efficiency of law enforcement agencies and the prosecution service. The main lessons learned through IPA assistance is the need for a higher level of ownership by the beneficiary country to ensure both the appropriate targeting of funds and effective implementation. Donor interventions cannot substitute in-country systems and their insufficient use for the delivery and management of justice. This includes continued strengthening of statistics, reporting capacities, monitoring and the ability for analysis. This particularly applies to the Ministry of Justice which holds the key responsibility for policy coordination and policy design.

The final report of the “Evaluation of Justice and Home Affairs (JHA) sector IPA programmes in Albania” concluded that the impact of EU support for the improvement of the rule of law and law enforcement standards is still limited by systemic weaknesses but would improve once the justice reform removes existing structural obstacles. The report highlights that the series of EURALIUS and PAMECA projects have a successful record of achievements in the justice and law enforcement sectors. Better coordination of the outputs of past interventions is required with regard to technical infrastructure. The report recommends that for future EURALIUS and PAMECA support focuses on monitoring the judicial and prosecutorial performance. Other important areas of intervention are: (i) capacity building for the implementation of the new justice sector strategy with regard to planning, monitoring, legislative drafting and legislative/regulatory assessment; (ii) the development of a judicial career system; (iii) improvement of the integrated case management system; (iv) assessment of the quality and revision of the legislative framework in several areas to ensure compliance with EU *acquis* and best practice, and (v) strengthening of the statistical system for judicial data.

Previous experience with implementation of the integrated case management software has shown that a crucial factor is the availability of a sufficient number of trained technical staff who can assist the users in effectively using and further contributing to building the system. These areas highlighted in the paper where future support might focus are broadly in line with most of the actions proposed under this document.

3. DESCRIPTION OF THE ACTION

3.1. Planned results and intervention logic

The Action contributes to strengthening the rule of law and to increase trust in the justice system in Albania.

Outcome 1 - Integrated Case Management System established - shall be achieved through three outputs:

Output 1 - Policy and legal framework for ICMS is in place,

Output 2 - ICMS is established and functional and

Output 3 - IT staff is trained and maintenance strategy is in place.

These outputs will contribute to increasing the efficiency and transparency of the justice system. This will include setting up of policy and legal framework, definition of software and provision of the relevant hardware, as well as training of the system's users. In order to achieve sustainability of the system, a sustainable comprehensive maintenance policy for the system and the training of dedicated IT staff on the Integrated Case Management System's long-term maintenance will be set up. Internal capacities will be built for the maintenance of the new integrated case management system to ensure its future effectiveness and sustainability.

The focus is to address the lack of an effective and fully integrated case management system, updated in line with the current legislative framework, that ensures the random allocation of cases, and which can interface with other relevant public databases. The new integrated case management system shall ensure proper data collection mechanisms for statistical purposes based on CEPEJ methodology and standards for the data collection and reporting. The collaboration with Council of Europe has already started in this respect under the EU-CoE Horizontal Facility, Strengthening Quality and Efficiency of Justice in Albania (SEJ III) and will continue, in particular with regard to the establishment of the relevant legal basis and alignment of all institutions responsible for the integration of the systems (HPC, MoJ, HJC).

Outcome 2 - Improved legal drafting and legal harmonisation with the EU *Acquis* - shall be achieved through two outputs:

Output 1 - Analytical, legal drafting and EU coordination process capacities of the Ministry of Justice are improved

Output 2 - Strengthened legal harmonisation in the area of the judiciary with the relevant EU *acquis*.

Capacities of the Ministry of Justice staff in analysis, legal drafting and coordination of the EU integration process will be improved through coaching and training, mainly to the Codification Department. Capacities for legal harmonisation and alignment with the relevant EU *acquis* will be improved through: the establishment of a methodology for legal drafting, the support for the review of strategic documents within Chapter 23 under the relevant cluster, and the preparation of primary legislation and bylaws in line with EU *acquis*. Furthermore, internal and coordination capacities in the MoJ as well as capacities of the IGWEU 23 for accession negotiations will be improved through training and coaching.

3.2. Indicative type of activities

The Action will support the achievement of Output 1, Output 2 and Output 3 related to Outcome 1 with **technical assistance** and **investment (supplies)** that will include the following:

- Finalisation of the review of the needs and current technical deficiencies of the Integrated Case Management System and assistance in finalising the corresponding policy
- Assistance to the relevant IT departments on the identified deficiencies that need improvement
- Finalisation of the regulatory framework
- Design of the new system (software development)
- Procurement of the required components for the fully functional operation and interoperability of the Integrated Case Management system.
- Design and implementation of a training plan for the ICMS users
- Provision of training for the staff of the IT Centre for the judicial system and IT specialists of all relevant institutions in order to maintain the Integrated Case Management System.
- Development of a long-term maintenance policy, including costing

Output 1 and Output 2 related to Outcome 2 will be achieved through a **twinning**. The planned activities are:

- Peer-to peer support in legal analysis and drafting.
- Preparation of a methodological guideline for legal drafting to be adopted by the General Directorate of Codification and Harmonisation of Legislation.
- Organisation of training and coaching sessions with the Chapter 23 working group to improve the quality of strategic documents in the context of the EU pre-accession negotiation process for all members of IWGEU 23) and methodology and techniques of legislative drafting.
- Mock exercises on bilateral screening.
- Support in the review of strategic documents under Chapter 23 under the relevant cluster.
- Support in the preparation and review of primary legislation and bylaws in line with EU *Acquis*.

3.3. Risks and assumptions

Risks	Risk level (H/M/L)	Mitigating measures
<i>Thematic Priority 1</i>		
Risk 1: Lack of or insufficient human resources, also due to fluctuation of staff	M	Capacity building
Risk 2: Insufficient budgetary means (state budget and/or other co-financing)	M	Close monitoring of and advocacy for the appropriate IT Centre budget allocations Regular donor coordination meetings with the aim of pooling of donor funds
Risk 3: The institutions that are to benefit from the Integrated Case Management System (ICMS) do not have sufficient internal technical expertise to take part in the system development.	H	Establish specific workflows and SoPs and manuals. Implement a comprehensive user training programme, regular interval throughout implementation and beyond
Risk 4: Various institutions managing state databases may negate access and hamper interoperability	M	Establish an inter-institutional dialogue with AKSHI (National Agency of Information Society) and other managers of State databases. Draft and adopt clear procedures ensuring full operability of the systems in accordance with the legislation on data protection and other relevant legislation.
Risk 5: Lack of or sufficient human resources in the MoJ for the approximation of legislation.	M	Engagement in inter-institutional dialogue between the MoJ and other members of the IIWG for Chapter 23.
Risk 6: There are delays in the approval of the ICMS	L	The draft ICMS roadmap has been elaborated and is expected to be soon approved. The EUD will continue policy dialogue with HJC and MoJ in case of delays.
Assumptions		
Assumptions underlying Outcome 1:		
<ul style="list-style-type: none"> • Sufficient financial sources are made available for the establishment, maintenance and upgrade of the Integrated Case Management System 		
Assumptions underlying Outputs 1, 2 and 3 to Outcome 1:		
<ul style="list-style-type: none"> • Inter-institutional cooperation is in place within the justice system • The action plan/roadmap for the digitalisation of the judicial system in Albania is adopted. • The Courts Management Plan is timely prepared and adopted. • The School of Magistrates remains the centralized and sole source for new magistrates in the system, and it increases its staff's capacity. • Retention policy in place in the judiciary system ensures low staff turnover. 		
Assumptions underlying Outcome 2:		
<ul style="list-style-type: none"> • Laws are consulted in coordination with all the judicial bodies but under MoJ coordination. 		
Assumptions underlying the Outputs 1 and 2 for Outcome 2:		
<ul style="list-style-type: none"> • Sufficient financial support is available to implement relevant <i>Acquis</i> Alignment. • Codification department is properly staffed • Retention policy in place in the judiciary system ensures low staff turnover. 		

3.4. Mainstreaming

Gender Equality and Women's and Girls' Empowerment: The Action shall support gender equality and women's and girl's empowerment under all activities in line with the Gender Action Plan III (2021-2025), thus allowing the professional development of women in this sector. In Albania, inequalities still persist between women and men. The gender bias and stereotypes result in the unequal access of women and men to justice. Women face significant barriers in accessing justice in the following areas: land titling, property legalisation/registration, inheritance, division of property in the course of divorce, and maintenance and alimony payments. Lack of proper access to the courts due to the lack of financial means, lack of knowledge and the society's perception of the position of women in the family affect the access of women to justice. There is a rising number of claims from victims of domestic violence. Women are also more likely to be at risk of human trafficking. Statistics show that the majority of those benefiting from legal aid are women.

A modern case management system facilitates case management, ensures random allocation of cases and increases transparency by enabling the following of individual cases and by providing correct and updated statistical information about *i.a.*, case flows, case allocation and case management. This contributes to ensure equal access and equal treatment of women and men within the justice system.

Environment and Climate change: The main objective of the justice reform to which this Action contributes is to strengthen the rule of law, law enforcement and lower the corruption level in government agencies and the judiciary. Increased efficiency of the justice system through better management of the case flow, will increase the capacities of the justice system to handle complex cases, such as cases on environmental matters. A modern case management system will significantly reduce the need to print and copy documents (diminishing the need for copying/printing equipment, storage space, etc.).

The Rights Based Approach: The Action supports the establishment of a modern case management system, which in medium and long terms impacts the functionality of the system and ensures better access to justice and judicial information for all. Better statistics will make the justice system more transparent and contributes to revealing discriminatory patterns and practices.

Engagement with Civil Society: Civil Society Organisations (CSOs) play an important role in the implementation of the Justice Sector Reform through their activities and particularly their role in actively monitoring the justice system. The establishment of a modern case management system will increase transparency and produces reliable statistics, thereby increasing the possibilities of CSO to monitor the system.

Others (such as Resilience and Conflict Sensitivity, Roma, people with disabilities and other vulnerable groups): The Action includes an important component focusing on alignment of legislation in the justice sector with the EU *acquis*. Special attention will be paid under the revision of existing or the development of new legislation to safeguarding the rights, and enabling access to justice, of specific groups, in particular persons belonging to minorities and persons in vulnerable situation such as the Roma and Egyptians, persons with disabilities, LGBTI, the poor, rural communities, the elderly, as well as the socially-stigmatised such as drug users, Sexually Transmitted Disease carriers, and sex workers.

A modern case management system ensures random allocation of cases and increases transparency by enabling the following of individual cases which in turn contributes to ensure equal access and equal treatment of disadvantaged groups. In addition, during the design phase, it will be explored how far disaggregated statistical reporting (based on ethnicity, disability etc.) is possible within the limits of the law.

3.5. Conditions for implementation

For the development of an updated Integrated Case Management System (Outcome 1), in order to ensure smooth implementation of the relevant activities, the following shall apply:

- Establishment of the IT Centre for the Justice System, including staff, necessary equipment and budgetary means before the signature of the Financing Agreement;
- Adoption of the action plan/roadmap for the digitalisation of the justice system in Albania, including costs, timeline and concrete steps for the finalisation of the new Integrated Case Management System (before the signature of the Financing Agreement)
- Appointment of a counterpart/contact point by each beneficiary user of the Integrated Case Management System (throughout the implementation of the programme)

For the support to the analytical, legal drafting and EU coordination process capacities (Outcome 2), in order to ensure smooth implementation of the relevant activities, the following shall apply:

- The Codification Department of the Ministry of Justice must be sufficiently staffed by qualified personnel. At least 17 legal drafting specialist hired and the General Director of the Department is permanently appointed (throughout the implementation of the programme)

Specific arrangements shall be put in place by the NIPAC, the Ministry of Justice and the independent institutions prior to the start of the Action, to ensure that non-sensitive monitoring information is made available by the independent institutions to the NIPAC and the Ministry of Justice in a timely fashion, in accordance with the rules and procedures established by the NIPAC for monitoring the use of IPA III financial assistance.

Failure to comply with the requirements set above may lead to a recovery of funds under this programme and re-allocation of future funding to other identified support areas. The beneficiary should continuously update and report on these key conditionality in the context of the regular Justice Reform Steering Committee.

3.6 Logical Framework

Results	Results chain: Main expected results (maximum 10)	Indicators (at least one indicator per expected result)	Baselines (year)	Targets and target year	Sources of data	Assumptions
Impact	To strengthen the rule of law and increase trust in the justice system in Albania	Progress made towards meeting the accession criteria, progress in the functioning of the judiciary.	Good level of preparation (2021)	Progress is explicitly stated as good-very good level of preparation (2025)	European Commission Report Proposed Instrument for Pre-Accession assistance III Key Performance Indicators	Methodology of the Commission Report does not change.
		WJP Rule of Law Index – Global rank.	78/126 (2020)	60/126	World Justice Project Rule of Law Index	
		CEPEJ Dashboard Usage of the IT system	90% Court 20 % prosecution	100% 2027	CEPEJ Dashboard	The system has been established by 2025 and is integrated at all levels.
Outcome 1	Integrated Case Management System (ICMS) established	Number of reports (with complete statistical data per each Court) produced by the ICMS	0 (2021)	20 (2027)	HJC annual report	Sufficient financial sources are made available for the establishment, maintenance and upgrade of the Integrated Case Management System.
		Consistent reporting on cases of domestic violence, discrimination and property claims with women owners.	0 (2021)	1 (2027)	HJC annual report	
Output 1	Policy and legal framework for ICMS is in place	Approval of regulations to unify the collection of statistical data	2	6	HJC/HPC/GPO Annual Reports	Inter-institutional cooperation is in place within the judiciary system
Output 2	Integrated Case Management System (ICMS) established and functional (hardware and, software)	Number of investigations handled through Integrated Case Management System.	55% (2019) ⁵	100% (2027)	Ministry of Justice and High Judicial Council Reports	The action plan/roadmap for the digitalisation of the judicial system in Albania is adopted The Courts Management Plan is timely prepared and adopted.
		Number of curricula for continuous and primary training at the School of Magistrates for court management, reporting statistical data and data analysis (including gender equality sensitivity for the statistical data analysis)	1 for court management (2021)	1 curriculum for primary and 5 modules for continuous trainings for judges and prosecutors per year (2027)	School of Magistrates annual report	The SoM remains the centralized and sole source for new magistrates in the system. The School increases its staff capacity.

⁵Number of cases in current Case Management System that shall need to be incorporated in the new ICMS.

Results	Results chain: Main expected results (maximum 10)	Indicators (at least one indicator per expected result)	Baselines (year)	Targets and target year	Sources of data	Assumptions
Output 3	IT staff is trained and maintenance strategy is in place	Number (sex-disaggregated) of trained IT specialists to maintain the system in the court and prosecution.	10% of IT staff trained in ICMS	100% of IT staff trained in ICMS (2025)	Monitoring Report of the Cross Sector Justice Strategy; HCJ, GPO	Retention policy in place in the judiciary system ensures low staff turnover.
Outcome2	Improved legal drafting and legal harmonisation with the EU <i>Acquis</i>	The number of draft laws accompanied by a detailed reports including dissenting opinions, language proof read, financial impact and stakeholders comments.	0	80% (2027)	MoJ annual report. Parliament activity weekly report.	Laws are consulted in coordination with all the judicial bodies but under MoJ coordination.
Output 1	Analytical, legal drafting and EU coordination process capacities of the Ministry of Justice are improved.	% of targeted staff (sex-disaggregated) of relevant institutions trained.	0	100% (2027)	Project monitoring reports; Ministry of Justice Report on the Cross-Sector Strategy on Justice 2021-2025	Sufficient financial support is available to implement relevant <i>Acquis</i> Alignment. Codification department is properly staffed
Output 2	Strengthened legal harmonisation in the area of the judiciary with the relevant EU <i>acquis</i>	Level of approximation expressed as % of the legal acts being in line with EU <i>Acquis</i> (Chapter 23).	26% of national legislation aligned (2019)	80% (2027)	Commission reports	Retention policy in place in the judiciary system ensures low staff turnover.

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4. IMPLEMENTATION ARRANGEMENTS

4.1. Financing agreement

In order to implement this action, it is foreseen to conclude a financing agreement with the Republic of Albania.

4.2. Implementation of the budget support component

N/A

4.3. Implementation modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures⁶.

4.3.1. Direct Management (Grants)

Grants: (direct management)

(a) Purpose of the grant(s)

The twinning grant will contribute to achieving of the **Outcome 2** (Improved legal drafting and legal harmonisation with the EU *Acquis*) and the two related outputs: 1) improved analytical, legal drafting and EU coordination process capacities of the Ministry of Justice, and 2) strengthened legal harmonisation in the area of the judiciary with the relevant EU *acquis*.

(b) Type of applicants targeted

Applicants must be EU Member State administrations or their mandated bodies.

4.3.2. Direct Management (Prizes)

N/A

4.3.3. Direct Management (Procurement)

Outcome 1 and its related outputs 1, 2 and 3 will be achieved through service and supplies contracts.

The purpose of the procurement is to provide technical assistance for design (including software design) of the new ICMS system, to provide the necessary hardware, deliver training to both users and IT staff and provide for initial maintenance support.

⁶ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

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Subject	Indicative type (works, supplies, services)	Indicative trimester of launch of the procedure
Integrated Case Management System (ICMS) established and interfaced with other state databases, maintenance policy put in place and IT staff trained for maintaining the Integrated Case Management System	Services and supplies	III/2022

4.3.4. Indirect management with [an] entrusted entity[ies] (i.e. Member State Organisation, third donor country, EU specialised (traditional/regulatory) agency, international organisation)

N/A

4.3.5. Indirect management with an IPA III beneficiary

N/A

4.3.6. Contribution to <name of the relevant Regional Blending Facility/Platform>

N/A

4.3.7. EFSD+ operations covered by budgetary guarantees

N/A

4.3.8 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

In exceptional circumstances and upon authorisation of the European Commission, changes from indirect to direct management mode (and vice versa) are possible, as well as other changes in the management and procurement modes.

In case the action will be implemented in indirect management with an entity, this will be selected by the Commission’s services using the following criteria:

- i. Mandate of the entrusted entity covering the nature of the action.
- ii. Experience of the potential entity in particular in the context of the European Union and in Albania.
- iii. Operational capacity/technical expertise, logistical & management capacities, including at the local level.
- iv. Impact, results, leverage effect of cooperation with other entities/donors, also covering effectiveness of the delegation of tasks, included in Albania.
- v. Reduced transaction costs
- vi. The capacity of the entity for providing possible co-financing
- vii. Experience in the sector of justice and rule of law

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4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provision:

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

4.5. Indicative budget

	EU contribution (amount in EUR)	Indicative third-party contribution (amount in EUR)
Outcome 1: Efficiency of the justice system increased composed of	7 500 000	N.A.
Direct management (Procurement) – cf. section 4.3.3	N.A.	
Outcome 2: Professionalism of the justice system strengthened, composed of:	500 000	N.A.
Direct management (Twinning grant) – cf. section 4.3.1	N.A.	
Grants – total envelope under section 4.3.1	500 000	N.A.
Procurement - total envelope under section 4.3.3	7 500 000	N.A.
Evaluation (cf. section 5.3)	will be covered by another decision	N.A.
Audit/Expenditure verification(cf. section 6)	will be covered by another decision	N.A.
Communication and visibility (cf. section 7)	0	N.A.
Contingencies	0	N.A.
Total	8 000 000	N.A.

4.6. Organisational set-up and responsibilities

The Action will rely on a variety of partners such as national authorities, the independent justice institutions and a number of agencies and organisations.

In the case of direct management, the Contracting Authority will be the EU Delegation in Albania. The EUD shall be responsible for all contractual arrangements with the selected contractors.

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The main counterparts to the Contracting Authority(es) during implementation of the Action shall be the Council of Ministers (CoM), High Judicial Council (HJC), General Prosecutor’s Office (GPO), and the Ministry Justice (MoJ) as the Lead Beneficiaries of the Action. Due to the close involvement of a number of independent institutions and other national and local level stakeholders, and in accordance with the European Code for Conduct of Partnership, the CoM, HJC and MoJ shall closely coordinate with all the relevant stakeholders during the implementation of the activities.

A Project Steering Committee (PSC) will be established for and will steer implementation. The PSC shall involve representatives from the main stakeholders, and include the National IPA Coordinator (NIPAC) and EUD. The PSC shall closely monitor the fulfilment of the contract objective and the Action results.

The NIPAC has the mandate for overall coordination of the programming of the IPA and is the main counterpart of the European Commission for overall process of strategic planning, coordination of programming, monitoring of implementation, evaluation and reporting of IPA II assistance at programme level. The NIPAC shall have the role of monitoring the fulfilment of the objectives at Action level and ensure that the European Code for Conduct of Partnership is adhered to during the implementation phase, too.

For overall policy and assistance coordination, the Government of Albania has an inter-institutional and operational organisational structure in place for managing the implementation of a broad sectoral/cross-sectoral approach through the Integrated Planning System (IPS), which acts as the main system that sets the tools and mechanisms for integrated public policy planning. The Prime Minister Order No. 157 of 22 October 2018 revised the Integrated Policy Management Groups (IPMGs) and associated sectoral steering committees’ structures for implementation of a broad sectoral/cross-sectoral approach to manage and coordinate policies of priority areas and sectors of special importance, as well as inter-sectoral programming through the formation of a sectoral / cross-sectoral management mechanism. The Sectoral Steering Committees (SSCs) provide cooperation at the steering level, within the sectors of special importance for reforms and inter-institutional coordination. Thematic groups (TGs) provide for cooperation at technical level including with development partners, within the specific sectors of the respective priority area. The Sectoral SSC for Justice Reform under the responsibility of the Ministry of Justice shall oversee implementation of the Action.

5. PERFORMANCE/RESULTS MONITORING AND REPORTING

5.1. Internal monitoring

At national level, the implementation of the reform is based on policy goals and programme objectives, as part of the Government’s Integrated Planning System (IPS) coordinated by the Prime Minister’s Office and the Cross-Sector Justice Strategy 2021-2025 expected to be adopted in April 2021. Progress with harmonisation and alignment of the legislative framework with the EU *acquis* shall be monitored annually and reported under the National Plan for European Integration.

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In accordance with the implementation arrangements set up under section 4.6, the Council of Ministers (CoM), High Judicial Council (HJC) and the Ministry of Justice (MoJ) shall undertake responsibility for monitoring and reporting progress of activities. The day-to-day technical monitoring of the implementation of this Action will be a continuous process. Regular reporting and scrutiny of the Action’s progress shall be carried out by the Cross-sector working group for the Justice reform, for which the MoJ performs the technical secretariat based on the Action Document and the relevant targets included under the logframe matrix.

5.2. Roles & responsibilities for data collection, analysis & reporting

The Action will be subject to monitoring from the EU Delegation in Albania, in line with the European Commission rules and procedures set in the Financing Agreement.

During the inception phase, the beneficiaries of this Action will establish, in agreement with the EU Delegation, the means used for the collecting, processing and reporting of the relevant data. Ideally, the data collection system(s) established shall comprehensively ensure at all stages the timely availability of the information necessary for monitoring and reviewing progress and determining whether the commitments made have been fulfilled.

Progress in the achievement of the outputs and outcomes will regularly be monitored by the Council of Ministers, High Justice Council and the Ministry of Justice and reported to the National IPA Coordinator (NIPAC), the relevant Sectoral Monitoring Committees and the IPA Monitoring Committee. The HJC and MoJ shall have the overall responsibility for collecting the data concerning the indicators and targets, and report in a timely fashion to the NIPAC.

The justice sector progress reports are published every six months by the Ministry of Justice. The Ministry of Justice is the coordinator of the justice strategy and the responsible authority to collect data, analyse, consult and publish them. Every six months MoJ convenes the steering committee of the Strategy to discuss the progress report. The revised strategy will incorporate indicators against which reporting can be done, thus strengthening of the overall monitoring and reporting in sector.

5.3. Evaluation

Having regard to the importance of the action, a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

Final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision).

The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

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6. AUDIT

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

7. COMMUNICATION AND VISIBILITY

Visibility of EU funding and communication about objectives and impact of Actions are a legal obligation for all Actions funded by the EU, as set out in the EU communication and visibility requirements in force.

In particular, the recipients of EU funding shall acknowledge the origin of the EU funding and ensure its proper visibility by:

- providing a statement highlighting the support received from the EU in a visible manner on all documents and communication material relating to the implementation of the funds, including on an official website and social media accounts, where these exist; and
- promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including the media.

Visibility and communication measures shall be implemented, as relevant, by the national administrations (for instance, concerning the reforms linked to EU budget support), entrusted entities, contractors and grant beneficiaries. Appropriate contractual obligations shall be included, respectively, in financing agreements, delegation agreements, and procurement and grant contracts.

The measures shall be based on a specific Communication and Visibility Plan, established and implemented in line with the EU communication and visibility requirements in force. The plan shall include, inter alia, a communication narrative and master messages for the Action, customised for the various target audiences (stakeholders, civil society, general public, etc.)

Visibility and communication measures specific to this Action shall be complementary to the broader communication activities implemented directly by the European Commission services and/or the EU Delegation. The European Commission and the EU Delegation should be fully informed of the planning and implementation of the specific visibility and communication activities, notably with respect to the communication narrative and master messages.

8. SUSTAINABILITY

Full ownership of the justice and rule of law reform process by the Albanian institutions, based on a coherent strategy which aligns to the EU *acquis* and international good practice, is a cornerstone of its sustainability. Consequently, special attention shall be paid to ensuring ownership of the national stakeholders when the development of legislation and procedures are supported by technical assistance. Sustainability also relies on the existence and retention of qualified human resources. Capacity building under this Action is of fundamental importance. Training of users (including administrative and non-administrative staff) as well as IT and maintenance professionals will be given a paramount importance as one of the ways of ensuring proper use and sustainability of the newly established ICMS. It is foreseen that in a follow-up phase, the ICMA training will be incorporated to the curriculum of and carried out by or in

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collaboration with the School of Magistrates. The focus will be on ensuring empowerment and retaining the knowledge and capacities.

Furthermore, the sustainability of this intervention depends on political, financial and structural factors. The justice reform as approved with the amendments to the Albanian Constitution is the result of political negotiations and agreement between the left and right political wings. The action being rooted in and one of the priorities of the Cross-Sectoral Justice Strategy is an excellent starting point for its implementation. Continued and well-coordinated support for the reform by the international community is an important element for its sustainability.

Financial sustainability of the reform requires proper costing and budgeting to support new recruitment, salaries and maintenance costs for new IT systems and infrastructure, and investments in new infrastructure and/or rehabilitation of existing premises as well as their maintenance. Full commitment of Albanian institutions in ensuring the proper infrastructure, human resources and financial means through proper planning of the Medium-Term Budget Programme is needed to ensure full sustainability of this action.