
BALKAN NETWORK TEMPLATE ALBANIA

ALBANIA

Official name in original language	Këshilli i Lartë i Drejtësisë
Official name in English	High Council of Justice
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Brief description (300-400 character)	<p>The High Council of Justice is the state authority responsible for the protection, appointment, transfer, discharge, education, moral and professional evaluation, career and oversight of the activity of judges of first Instance courts and the courts of appeal. The independence of this institution is guaranteed in the Constitution. The High Council of Justice consists of the President of the Republic, the President of the High Court, the Minister of Justice, three members elected by the Assembly of the Republic of Albania and nine judges of all levels elected by the National Judicial Conference. All members are part-time members, except of the Deputy Chairman of the High Council of Justice. The High Council of Justice is a legal entity and its activities are financed from the state budget. Directorate of Administration and Finance is responsible for managing the budget and its preparation based on annual ceilings set by the Ministry of Finance.</p>
Legal acts regulating the Status of the Organization	Article 147 of the Constitution, Law no. 8811, dated 17.05.2001, "On the organization and functioning of the High Council of Justice", as amended
Composition (Generally)	
	1. Total number of members:
	15 members
	2. Term of office of the members
	5 years
	3. Election process:

BALKAN NETWORK TEMPLATE ALBANIA

1. Members of the High Council of Justice being elected by the National Judicial Conference shall have been judges for no less than ten years.

2. Members of the High Council of Justice being elected by the Assembly shall be lawyers, not judges, with no less than 15 years experience in the profession.

The High Council of Justice, on the proposal of the President, elects a Deputy Chairman from the ranks of its members elected by the Assembly.

4. Is there a possibility to be renewed as a member?

Yes, but without the right of immediate re-election.

5. Do the members have a full-time position or not?

No, all members are part-time members, except of the Deputy Chairman of the High Council of Justice.

Is there a majority of Judges?

Yes

Presidency (Generally)

The president of the Republic is the Chairman of the High Council of Justice

Role of the Presidency

The Chairman shall convene and chair the meeting of the High Council of Justice and cares for the implementation of the law during the conduct of meetings and taking of decisions.

The Deputy Chairman of the High Council of Justice shall exercise the following duties: a) Taking care of the normal activity of the High Council of Justice; b) organizing and presiding over the activity of the Inspectorate and the administration of the High Council of Justice; c) Following the actions of the Inspectorate of the High Council of Justice in verifying complaints and data about judges as well as for the implementation of the duties charged by the Council, in cases of disciplinary proceedings instituted by the Minister of Justice; ç) Organizing the preparatory work for the agenda and the normal conduct of the meeting of the High Council of Justice. 3. The Deputy Chairman shall, at his absence or due to an impediment and with his authorization, replace the Chairman of the High Council of Justice in the exercise of the above mentioned function.

BALKAN NETWORK TEMPLATE ALBANIA

Main Competences of the Council:

The High Council of Justice assumes the following duties: a) Proposing to the President of the Republic the appointment of judges of the courts of the first instance and the courts of appeal; b) Deciding on the discharge of judges of the courts of the first instance and the courts of appeal; c) Deciding on the transfer of judges; d) Deciding on the taking of disciplinary measures against judges; e) Taking care of the training of judges; f) Deciding on the criteria for the evaluation of judges, overseeing and guaranteeing the process of evaluation and examining complaints of judges about their evaluation; g) Appointing and discharging the chairmen and vice chairmen of the courts of the first instance and the courts of appeal; h) Appointing and discharging the inspectors of the Inspectorate of the High Council of Justice;

1. **Career of judges and/or prosecutors: yes**

2. **Judicial training: no**

3. **Discipline: yes**

4. **Ethics: yes**

5. **Opinions on legislation/other opinions: n/a**

6. **Others:**

**Status of decisions
(Opinion, authorization,
recommendation,
decision)**

**Supervision
(Transparency)**

BALKAN NETWORK TEMPLATE ALBANIA

1. Over the Council: N/A

2. Over the decisions: N/A

International relations

1. Global relations: N/A

2. Regional relations: Member of the Balkan Network / Observer at the ENCJ

3. Bilateral relations: N/A

Ongoing projects

1. With the European Union: N/A

2. Regional: N/A

3. Internal: N/A