



Strategy
of the Constitutional Court of the Republic of Albania
and its Action Plan
2021-2023

March 2021

Content

| | |
|---|----|
| List of abbreviations | 3 |
| 1. INTRODUCTION | 4 |
| 2. EXECUTIVE SUMMARY | 5 |
| 3. METHODOLOGY | 6 |
| 4. CONSTITUTIONAL COURT VISION, MISSION AND ADJUDICATION PRINCIPLES | 8 |
| 5. BACKGROUND AND LEGAL FRAMEWORK | 9 |
| 6. OVERVIEW OF COURT INDEPENDENCE AND IMPARTIALITY | 12 |
| <i>6.1. Appointment of Constitutional Court Judges</i> | 14 |
| <i>6.2. Funding of the Constitutional Court</i> | 15 |
| <i>6.3. Other factors</i> | 17 |
| 7. SUMMARY OF THE SWOT ANALYSIS | 18 |
| 8. EFFICIENCY AND EFFECTIVENESS OF COURT OPERATIONS | 20 |
| 9. COURT COMMUNICATION, TRANSPARENCY AND COOPERATION | 30 |
| 10. HUMAN RESOURCES AND ORGANIZATIONAL STRUCTURE | 38 |
| 11. COURT PUBLIC FINANCE MANAGEMENT AND WORKING CONDITIONS | 47 |
| 12. CONSTITUTIONAL COURT STRATEGY MONITORING AND REPORTING | 49 |
| 13. STRATEGY FINANCIAL IMPACT | 50 |
| ANNEX 1. ACTION PLAN FOR IMPLEMENTATION OF THE STRATEGY OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ALBANIA | 54 |

List of abbreviations

| | |
|-------|--|
| ACCF | Association of Francophone Constitutional Courts (Association des Cours Constitutionnelles Francophones) |
| ASPA | Albanian School of Public Administration |
| CCJE | Consultative Council of European Judges |
| CEPEJ | European Commission for the Efficiency of Justice |
| ECtHR | European Court of Human Rights |
| KAS | Konrad Adenauer Stiftung |
| JAC | Justice Appointment Council |
| ECHR | European Convention on Human Rights |
| HJC | High Judicial Council |
| HJC | High Prosecutorial Council |
| OSCE | Organization for Security and Cooperation in Europe |
| SWOT | Strengths, Weakness, Opportunities, Threats |

1. INTRODUCTION

Since its establishment in 1992, as the ultimate interpreter of the Constitution, the Constitutional Court has continuously provided valuable contribution in the preservation of balance among powers, in the solution of disputes among them, in guaranteeing fundamental rights and freedoms of citizens. All the above is for the purpose of defending constitutionality and building the rule of law, as well as values and principles that are explicitly provided for in the Constitution of the Republic of Albania.¹

The constitutional and legal amendments undertaken in 2016 re-emphasized the role of the Court as a guarantor of constitutional rights and freedoms of individuals. When it comes to competencies of the Constitutional Court, said amendments produced the expansion of individual constitutional appeal, which now includes all constitutional rights and freedoms, as well as added the competence on the examination of the constitutionality of laws that revise the Constitution, only in regards to the respect of procedure. Moreover, they provided for some changes to the subjects that may put the Constitutional Court in motion, as well as to the formula for the election and appointment of constitutional judges.

The constitutional amendments were reflected in the provisions of the Court's organic law, which was added and amended, further elaborating constitutional norms.

As a result of the implementation of the constitutional amendments that provide for the transitory re-evaluation of all judges and prosecutors, which also included members of the Constitutional Court, since 16 July 2018 the Court found itself lacking the necessary legal quorum for its operations, which continued until the conclusion process for the selection and appointment of the new constitutional members by appointing bodies.

Even though the composition of the Constitutional Court is almost entirely new, it aims at preserving its 29-year case law as well as elaborate it in light of the constitutional amendments. For this purpose, the Court seriously committed in 2020 in an effective medium-term and long-term strategic planning of its activity.

Through this strategy, the Constitutional Court aims at ensuring independent and impartial, transparent and accountable, efficient and effective operations. It aims at achieving its objectives, inter alia, by improving the case management system and building human capacities for a qualitative and efficient management and examination of cases. In order to keep up and operate according to new technological developments, there is need to use information technology and to build the relevant capacities. Furthermore, the Court will undertake steps in terms of public access, by adding information and communication of interested parties, as well as by enhancing communication with the media. The improvement of these factors will contribute, inter alia, to the independence, impartiality, and better operation of the Court and, as a result, also in the increased confidence of the public. The strategy comprises the framework instrument of monitoring, reporting, and activity assessment of the Court in the upcoming short-term and medium-term period. Through this strategy, the Court plans activities and concrete

¹ Speech of the Constitutional Court Chair in the round table "On drafting the 2020 – 2023 strategic Plan of the Constitutional Court of Albania," Korça, 20 February 2020.

measures that will affect the successful tackling of challenges pertaining to its recovery and further development.

2. EXECUTIVE SUMMARY

The Constitutional Court Strategy covers the 2021-2023 period. It includes strategic and specific objectives for the purpose of the Court’s vision. In the aspect of methodology, the progress with the achievement of objectives will be measured through success indicators, determined at a specific objective level and through completion of activities included in its three-year action plan, which is an integral part of the Strategy.

The strategy is composed of the introduction, which describes the purpose for which it was drafted. Then it follows with the executive summary, methodology, vision, mission, as well as principles of constitutional adjudication. The document also contains a summary of the background and legal basis, as well as an overview on the independence, impartiality, and operations of the Court, including the challenges it faces or which it may potentially face in the future.

The main part of the Strategy is composed of strategic and specific objectives for each area in which the Court has decided to take steps for improvement or enhancement. For each area, there is an analysis of the state and challenges identified, as well as solution alternatives the Court determines for the purpose of the aimed objectives. Strategic and specific objectives are concisely presented as follows:

| Strategic objectives | Specific Objectives |
|---|--|
| <p>STRATEGIC OBJECTIVE 1</p> <p>Enabling a functional constitutional justice system and an efficient and effective means of appeal</p> | <p>1.1 Increased efficiency and effectiveness in recording, managing, and monitoring the examination of cases</p> <p>1.2 Providing for a functional and contemporary electronic system on case management and monitoring</p> <p>1.3 Improved quality of scientific research, studies, as well as preservation and development of the Constitutional Court case law</p> <p>1.4 Increased and enhanced cooperation of the Court with domestic and international level institutions</p> |
| <p>STRATEGIC OBJECTIVE 2</p> <p>Strengthening the confidence in the court through continued communication and information with the public and media and promotion of the Court activity</p> | <p>2.1 Enhanced transparency of the Court activity, through continued communication and information with the public</p> <p>2.2 Communication with subjects that put the Constitutional Court in motion and other stakeholders that operate in the area of fundamental human rights and freedoms</p> <p>2.3 Strengthening communication with the media</p> |

| | |
|---|--|
| <p>STRATEGIC OBJECTIVE 3</p> <p>Improvement of the human resources management system, strengthening of integrity, institutional organization, and building capacities of the Constitutional Court</p> | 3.1 Improvement of the internal organization of the Court, which ensures coherence and efficiency of operations |
| | 3.2 Improvement of the human resources management system and strengthening of integrity for the purpose of achievement of the Court's objectives |
| | 3.3 Filling in and building capacities for the achievement of the responsibilities of the Court |
| <p>STRATEGIC OBJECTIVE 4</p> <p>Efficient planning and coordination of financial resources, including projects funded by international partners, risk management, and enabling physical conditions for the operations of the Court.</p> | 4.1 Improvement of planning and coordination of the efficient management of financial resources for the purpose of Court objectives. |
| | 4.2 Strengthened coordination with international partners and donors in order to support the achievement of Court objectives |
| | 4.3 Efficient risk management for the Court |
| | 4.4 Ensuring physical conditions for the operation of the Court |

The last part of the Strategy is composed of the description of monitoring and reporting mechanisms, as well as of a summary of the estimation of financial costs and resources.

The Strategy will also integrally contain the action plan which includes activities, time frames, and responsibilities for the implementation of each activity, costs, and outputs.

3. METHODOLOGY USED TO DRAFT THE STRATEGY

The 2021-2023 Constitutional Court Strategy was drafted on the grounds of an analysis of the circumstances and conditions in which it exercises its activity, taking in consideration the achievements, challenges the Constitutional Court faces, as well as the expected developments during the implementation period. The Strategy drafting process was steered by the Constitutional Court through the Strategic Planning Group composed of representatives of all organizational units of the Court. Judges, legal advisers, and heads of departments have provided continued contribution to enrich this document through active participation in round table, face to face interviews, or submission of materials in written. When it comes to drafting the Strategy, assistance was also provided by international experts Ruzhdi Halili, Ph.D., Shefqet Berisha, and Jeton Bytyqi, with the financial, organizational, and logistical support of the OSCE Presence in Albania and KAS, Office in Albania.

The Strategy drafting process went through the following stages:

- Preparatory phase and planning the strategy.
- Collection of data, information and initial situation analysis.
- Discussions in special round tables with the Court on drafting objectives and activities.
- Drafting the Strategy and Action Plan.
- Estimation of costs and implementation.

Preparatory phase and planning the strategy – By Order No. 9, dated 09 April 2019, the Court established the Strategic Management Group for the purpose of drafting the strategy, monitoring and reporting on its implementation, as well as revising the strategy after the set time frame. Together with representatives of the OSCE Presence in Albania, representatives of the Constitutional Court of the Republic of Kosovo, as well as with the international expert, the working group held its first meeting on the subject of “Concrete steps for the purpose of drafting the Strategic Plan of the Constitutional Court for the 2021-2023 period,” on 20 February 2020 in Korça, where they also discussed the approach and planning of activities for the purpose of drafting the Strategy.

Collection of data, information and initial situation analysis – The situation analysis bears special relevance for the compilation of such a strategic document, and the success of implementation depends on it. Taking this fact into consideration, in this stage, experts worked to identify the achievements and successes of the Constitutional Court, as well as challenges and issues to be addressed. The situation analysis was based on documents made available by the Constitutional Court. There was examination of materials published in its official webpage, as well as materials drafted for this purpose by judges, legal advisers, and relevant directorates and, on 8-11 June 2020, meetings were held with representatives of the Court. Moreover, preparatory video-conferences were held among representatives of the Constitutional Court, OSCE, KAS, and experts.

Drafting of the Strategy and Action Plan was conducted on the ground of data collected, which contributed to the compilation of the SWOT Analysis, as well as problem analysis through the Problem Tree and Objective Tree, which were included in discussions during the tables organized for the purpose of Strategy drafting in July and October 2020 with representatives of the Court, OSCE, KAS-it, and international experts. Furthermore, during the drafting process, there was analysis and use of documents from the ECtHR jurisprudence, instructions of other bodies of the Council of Europe, and especially CEPEJ, Venice Commission, EU, as well as best practices of counterpart European courts and those of the region, in addition to other studies and publications on constitutional justice.

4. VISION, MISSION OF THE CONSTITUTIONAL COURT AND PRINCIPLES OF CONSTITUTIONAL ADJUDICATION

Vision

The Constitutional Court provides constitutional justice of high integrity and public confidence, ensuring the respect and protection of human dignity, rights and freedoms, and rule of law.

Mission

The Mission of the Constitutional Court is to guarantee the supremacy of the Constitution and the enhancement of the country's democracy through constitutional dispute resolution and ultimate interpretation of the Constitution.

Principles

The principles of constitutional adjudication, as described below, are enshrined in the Constitution and² in Law No. 8577, dated 10 February 2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania," as amended (*Law No. 8577/2000*)³, as well as in the decisions of this Court which interpret the norms in question.

Independence - The Constitutional Court is subjected solely to the Constitution.⁴

Collegial examination

The examination of cases in the Constitutional Court is conducted in a collegial manner and the decision is taken only by those judges who participate in the examination of the case.⁵

Public process

The College or the Meeting of Judges decides whether the cases are examined in public plenary session or based on documents. The plenary session or parts of it may be conducted without the presence of the public, when dictated for the purpose of protecting public morals, public order, national security, right to private life, or individual rights.⁶

Use of the Albanian language

Adjudication is conducted in Albanian and, when necessary, the Court provides for translation in Albanian.⁷

² Constitution of the Republic of Albania (updated). See: <https://qbz.gov.al/preview/635d44bd-96ee-4bc5-8d93-d928cf6f2abd>

³ Law No. 8577, dated 10 February 2000 "On the organization and operation of the Constitutional Court of the Republic of Albania" (updated).

See: http://www.gjk.gov.al/web/ligj_per_organizimin_dhe_funksionimin_e_gjykates_kushtetuese_2016_1667.pdf

⁴ Point 2 of Article 124 of the Constitution; Article 3 of Law No. 8577/2000.

⁵ Article 20 of Law No. 8577/2000.

⁶ Article 21 of Law No. 8577/2000.

⁷ Article 22 of Law No. 8577/2000.

Defense in constitutional adjudication

Participants in constitutional trial defend themselves or through legal representation.⁸

Impartiality in constitutional adjudication

In the adjudication of cases, Constitutional Court Judges are impartial and grounded only in the Constitution and the law. They participate in adjudication only in their own quality and represent no state body, social organization, party, or political association, ethnical group, or social group.⁹

Binding power of the decision and transparency

Constitutional Court decisions enter into force on the day of publication in the Official Gazette. The Constitutional Court may order that its decision starts its effects on another date.¹⁰ In the event the decision produces consequences to individuals' constitutional rights, the Court may decide for it to enter into force on the date of announcement.¹¹

Decisions of the Constitutional Court are published in the Official Gazette as well as in other means of public information.¹²

Efficiency and effectiveness - The Court takes care of the swiftness and quality of its decisions.

Integrity – Judges and the administrative staff must display the highest integrity standards, abiding by moral and ethical principles. This must be manifested in responsible accountable conduct.

5. BACKGROUND AND LEGAL FRAMEWORK

The democratic changes that occurred in the beginning of the 90s marked a fundamental turn in the history of the Albanian state and its institutions. The democratic orientation of the state called for the conduct of a serious institutional reform to open the path to democratic changes for the establishment of the rule of law and respect of human rights. The Constitutional Court was established in the framework of these changes, as one of the most important institutions for the purpose of guaranteeing the new constitutional order that was being installed in Albania.¹³ The Constitutional Court of the Republic of Albania was established by constitutional law No. 7561, dated 29 April 1992, "On some amendments and additions to law No. 7491, dated 29 April 1991, "On main constitutional provisions". Articles 17-28 of said law established the Constitutional Court, determined its status, composition, powers, structure and the way of functioning. Moreover, the law also worded the principles to be followed for the purpose of constitutional review. The first five members of the Constitutional Court were appointed by a

⁸ Article 24 of Law No. 8577/2000.

⁹ Article 25 of Law No. 8577/2000.

¹⁰ Article 132 of the Constitution.

¹¹ Point 2 of Article 26 of Law No. 8577/2000.

¹² Ibid.

¹³ Official web page of the Constitutional Court. See: http://www.gjk.gov.al/web/Historiku_97_1.php

decision of the Assembly dated 06.05.1992, whereas the other four members by a decree of President of the Republic dated 18.05.1992. The Constitutional Court started its activity on 19 May 1992, after the ceremony of taking an oath before the President of the Republic. The first court hearing and the first decision of the Constitutional Court of Albania date 13 July 1992.

With the Constitution of the Republic of Albania, which entered into force on 28 November 1998, the Constitutional Court gained an important institutional position. Articles 124-134 of the Constitution are dedicated to the Constitutional Court, as an independent constitutional jurisdiction. The Court is subjected only to the Constitution (Article 124 of the Constitution). These provisions also determine the composition, appointment, and status of judges, its competences, the entities that may put it in motion, the binding power, and implementation of its decisions. According to the article 124, points 1 and 2, of Constitution, the Constitutional Court settles constitutional disputes and makes the final interpretation of the Constitution and it is subject only to the Constitution.

The Constitution required the issuance of legal acts for its purpose. As a result, the Assembly approved Law No. 8577, dated 10 February 2000 "On the organization and operation of the Constitutional Court of the Republic of Albania," as amended by Law No. 99/2016 (*law No. 8577/2000*). This law regulates, inter alia, the status and mandate of the judge, application submission method, early examination, adjudication procedures, effects of the decision, etc.¹⁴

The constitutional amendments of 2016 also affected aspects pertaining to the organization, operation, and competencies of the Constitutional Court, which were also reflected in its organic law. In concrete terms, the formula for the selection and appointment of Constitutional Court judges was changed (for more details, see section 6.1), some competencies were added, and some other competences were revised for the purpose of efficiency and effectiveness.

One of the important aspects of the revised competences, which resulted from the aforementioned legal amendments, is the enhancement of individual constitutional appeal, which provides a broader protection to individuals, stipulating their right to appeal against any act of public power or court decision that affects fundamental rights and freedoms guaranteed by the Constitution, after exhausting, however, the effective legal means for the protection of such rights.

Moreover, the Court was given the competence to check the respect of the approval procedure for laws that revise the Constitution. Furthermore, the law also stipulates the possibility to reopen the process before the Court in the event its decision is considered to be in violation of the obligations stemming from international law by international courts.

Constitutional amendments also changed the circle of subjects that may put the Constitutional Court in motion. Point 1 of Article 134 also added some subjects the core activity of which deals

¹⁴ Official web page "Courts in Albania" see: <http://www.gjykata.gov.al/sistemi-i-drejtësisë/sistemi-gjyqësorit/gjykata-kushtetuese/>.

with the protection of human rights and fundamental freedoms, such as commissioners established by law on the protection of fundamental rights and freedoms guaranteed by the Constitution, as well as HJC and HPC, as constitutional bodies for the government of the justice system.¹⁵

Detailed rules on the organization and functioning of the Constitutional Court and internal procedures have been provided in the Court's Internal Rules of Procedure, which determines procedural rules on the conduct of constitutional adjudication, as well as rules pertaining to the administrative structure of this Court.¹⁶ In the framework of the amendments to the Court's organic law, the need arose to amend the Court's Internal Rules of Procedure and to adapt it to the new legal provisions, as well as for the purpose of reflecting issues encountered during the practical application of the provisions of this act. For this purpose, by order No. 284 of the Constitutional Court Chair, dated 18 November 2016, the Working Group on the Amendments of the Internal Rules of Procedure was established. In 2017, the working group drafted draft rules, which, due to the lack of decision-making quorum in the Meeting of Judges, didn't manage to get discussed and approved.

After the start of work of the Constitutional Court, it was deemed important and immediate to continue with the process to draft the internal rules on the organization and operation of the Court in line with the provisions of its organic law. For this purpose, by the decision dated 07 January 2021, the Meeting of Judges decided to draft two Rules of the Court, the Rules on judicial procedures of the Constitutional Court and the Internal Rules on the administrative activity of the Court. Order Prot. No. 32, dated 14 January 2021, of the Chair of the Constitutional Court established the working group tasked to harmonies and complement procedural and administrative rules with those of the Court's organic law. The working group has submitted a draft of the Rules on judicial procedures, which is under examination by the Meeting of Judges.

The effective legal framework, which directly or indirectly affects certain units that affects the Court's activity, is composed of several laws. This includes, inter alia, Law No. 152/2013 "On civil servants"¹⁷, Law No. 114/2015 "On internal audit in the public sector,"¹⁸ and the Law "On public procurement"¹⁹.

The improvement of the legislation is a continuous process, even though the main legal framework on the operations of the Court is already completed. However, it is worth mentioning that its application is of a special relevance, since it comprises the reason of existence of this legislation. The completion of internal subordinate legal acts, which will ensure the efficient and

¹⁵ Ibid, see: http://www.gjk.gov.al/web/Historiku_97_1.php

¹⁶ Internal Rules of the Constitutional Court, Article 1. See: http://www.gjk.gov.al/web/rregullore_e_brendeshme_81.pdf

¹⁷ Law No.152/2013 "On civil servants". See: <https://qbz.gov.al/eli/ligj/2013/05/30/152-2013/b5d32f00-10b2-4ead-931a-48a7eb62dd1c;q=ligjit%20nr.152%2F2013>

¹⁸ Law No.114/2015 "On internal audit in the public sector" <https://qbz.gov.al/eli/ligj/2015/10/22/114/e12b9d0d-a63d-4efd-be99-d1485ecc667e;q=Ligji%20nr.114%2F2015>

¹⁹ Law "On public procurement". See: <https://qbz.gov.al/eli/ligj/2018/12/13/103>

effective operation of the Court, also achieves the proper implementation of constitutional and legal provisions.

6. OVERVIEW OF THE INDEPENDENCE AND IMPARTIALITY OF THE COURT

Taking into account that the independence of the judiciary is an essential element of the principle of rule of law and democracy, as well as of the right to a due legal process, the independence of the Constitutional Court gains added relevance for the purpose of these fundamental principles and constitutional rights.

The Court has emphasized that the principle of independence, as stated in several provisions of the Constitution, first of all requires that, while providing justice, judges and courts must be subjected only to the Constitution and laws. According to point 1 of Article 145 of the Constitution, besides external independence (independence from other powers), the judicial power also has internal independence, which is equally important. Along with the procedures on the appointment and promotion of judges, individual judicial independence is also enabled on the grounds of professional qualification and personal integrity, as well as through the duration of the exercise of office and financial security, independence in decision-making, as well as guarantee of individual rights.²⁰

The independence of the judiciary also includes the objective element, an indispensable quality of the judiciary as such, and the subjective element, as the right of an individual for their rights and freedoms to be examined by an independent judge. This independence of the judiciary is not a purpose in itself and neither is a personal privilege of judges, but it is justified by the need to allow judges to fulfill their role as guardians of the rights and freedoms of individuals. The independence of judges and, as a result, the reputation of the judiciary in a society depends on many factors. Along with the institutional rules that guarantee independence, a special role is played by the personal character and professional quality of judges who decide on a case. In general, legal culture is also important.²¹

The Constitution of the Republic of Albania and the organic law of the Constitutional Court provide special guarantees that allow judges to preserve their independence during decision-making. The external aspect of the independence of judges is regulated as follows:

- Being a judge of the Constitutional Court does not comply with any other political or state activities, or professional activities exercised against payment, with the exception of teaching, academic, and scientific activities in accordance with the law.²²
- Constitutional Court Judges enjoy immunity about opinions expressed and decisions taken while exercising their function, except for if they act on the grounds of a personal interest or in bad faith.²³

²⁰ Constitutional Court Decision No. 34, dated 10 April 2017, paragraphs 78-80.

²¹ European Commission for Democracy through Law (Venice Commission), Report on the Independence of the Judicial System Part I: The Independence of Judges, 12-13 March 2010. See: <https://rm.coe.int/1680700a63>

²² Article 130 of the Constitution.

²³ Article 126 of the Constitution.

- When examining cases, Constitutional Court Judges are impartial and conduct their duties on the grounds of the Constitution and of the law²⁴. The Constitutional Court examines cases in a collegial manner.²⁵
- Judges are held disciplinarily accountable for the causes envisaged in the organic law of the Constitutional Court. The examination of the disciplinary violation is performed by the Disciplinary Commission, which is composed of 3 judges appointed by lot, without the participation of the judges that participate in the collection of facts and evidence.
- In accordance with Article 124 of the Constitution and its organic law, the Court has a separate budget and independence with the management of its budget and human resources.
- The organic law also stipulates some important aspects of the efficient organization of the Court, such as the selection of the President by the judges of the Court themselves, avoiding external influence in internal matters pertaining to its organization; establishment of the Legal Service Unit, as composed by legal advisers, as a structure of a scientific nature that provides assistance to the decision-making of the Court; cases related to the manner of decision-making, publicity, transparency, as well as adjudication within a reasonable time-frame; relevant regulation pertaining to the implementation of decisions of the Court.

It is clear that beyond the constitutional and legal framework, which are a precondition to the independence of the Court and its operation, its implementation in practice is essential. Therefore, in order to preserve independence, the Court has to manage its entire activity in an efficient manner, also showing accountability before the public. In order to achieve this, the Court must combine an effective leadership, clear action-plans, necessary resources for the implementation of such plans, accurate performance measurement, as well as show public accountability for said performance.

A large part of challenges and problems encountered earlier on with the operation of the Court have been already reflected in the amendments made to the law on its organization and operation in 2016. Even though they highly improved the encountered issues, the legal amendments have simultaneously put the Court before new challenges. Moreover, also in the viewpoint of the Albanian state to implement European Union standards in the near future, along with coherency in decision-making, the Constitutional Court will have to further develop its case law, reflecting the best achievements of the European legal order.

According to the Court, the independence of the judiciary must be understood as *essential independence* (authority of courts to take decisions with impartiality and without influence by interests of any other branch of power) and as *structural independence*, which requires the regulation of the institution that conducts appointments and dismissals of judges by the Constitution. At the same time, this court considers organizational and financial independence²⁶

²⁴ Point 1 of Article 25 of Law No. 8577/2000.

²⁵ Article 20 of Law No. 8577/2000.

²⁶ Constitutional Court Decision No. 25, dated 05 December 2008.

as part of structural independence. The same principles and standards elaborated in the constitutional case law, which relate to independence and impartiality, are also applicable during the exercise of this Court's activity. In this regards, one of the main challenges observed in recent years relates to filling the full number of constitutional judges and ensuring adequate budget of the Court, which help avoiding many other challenges that also have an impact in the independence and impartiality of the Court's decision-making, as well as in the full and efficient exercise of its functions and activities, in line with constitutional and legal provisions.

6.1. Appointment of Constitutional Court Judges

The appointment of constitutional judges has been a challenge that has accompanied the Constitutional Court for a long time. The previous system under which the President's nominees were subject to endorsement by the Assembly, proved to be unsuccessful. The negative sides of this approach as regards efficiency of the Court were mainly to do with: a) the lack of a transparent process for applications' collection and selection; b) prolonged delays in filling the vacancies created due to the resignation of Court judges; c) the lack of clear rules guiding the process of appointment of Court judges, and of clear criteria to be fulfilled by candidates in order to ensure objectivity and impartiality on the part of decision-makers; ç) existing uncertainties on issues pertaining to the constitutional mandate.²⁷

The constitutional amendments, adopted as part of the justice reform legal package changed the appointment procedures for Constitutional Court judges, introducing a different formula, according to which judges shall be elected by the President of the Republic, the Parliament and the High Court (each electing 1/3 of the judges).

However, the new formula, also, manifested implementation problems due to certain issues in the JAC activity involving JAC's operations and functioning as well as shortage of candidacies to be sent to the appointing bodies. Consequently, the Court was without the necessary legal quorum from March 2018 until November 2019, when three new judges were appointed (two by the Assembly and one by the President). At the end of 2020, KED completed the evaluation and scoring procedures for three additional candidates, who were elected as Constitutional Court judges in December 2020, respectively two by the President of the Republic and one by the Assembly. As a result, from December 2020, the Court has had the required legal quorum for convening the Meeting of Judges and holding public hearings. The three vacancies that should be filled by the High Court are still pending, due to the lack of the High Court's necessary legal quorum to appoint the three constitutional judges from among its ranks.

One of the adversities accompanying the total renewal of the CC's judicial body is the challenge to maintain the stability and continuity of the 29-year Constitutional Court jurisprudence and to continue to develop it in the light of the constitutional amendments to the jurisdiction and powers of this Court.

²⁷ Assembly of Albania, Ad hoc Parliamentary Committee on Justice System Reform, *Analizë e Sistemit të Drejtësisë në Shqipëri*, June 2015, p. 25.

6.2. Funding of the Constitutional Court

The concept of independence stipulated by law with regard to budget administration provides for the freedom of the institution to make allocations and re-allocations across the budget categories. Budget responsibility is also related to administrative competencies - including human resource management – that incur certain financial effects (appointment, dismissal of staff), but also the competence to procure goods or services, and other competencies as well. On the other hand, the concept of financial independence and budgetary autonomy requires that constitutional bodies be consulted when, for exceptional reasons, their budgets are cut or blocked. The Constitutional Court has pointed out that, notwithstanding the exceptional cases, in accordance with the constitutional standard of *own administration of the allocated budget*, the intervention of the legislator or the executive to make cuts to the judicial budget, even where driven by the need to avoid budget deficits, shall be considered unjustified, without consulting the judiciary itself²⁸. It is these very aspects of financial independence – which are related to the above-mentioned concepts of budgetary autonomy - that do not permit, from the constitutional point of view, the interference of other powers in the administration of the judicial budget²⁹.

The Constitution of the Republic of Albania guarantees the Constitutional Court independence in budget planning and execution, stating that, *“The Constitutional Court shall have a separate budget, which it administers independently”*.³⁰ According to the organic law, *“The Constitutional Court administers its budget, which, as part of the state budget, is formulated by the Court and submitted to the Assembly of the Republic of Albania for approval.”*³¹

In terms of financial independence, CCJE stated that although court funding is part of the state budget the Ministry of Finance presents to the Parliament, such resources should not be subject to political fluctuations. Although the level of funding that a country can afford to allocate to the courts is a political decision, attention must be paid to guarantee that, in a system based on the principle of separation of powers, neither the executive nor the legislative are able to put pressure on the judiciary when deciding on its budget. Decisions on allocation of funds to the courts must be taken strictly in respect of the independence of the judiciary.³²

In accordance with its competence provided for in Article 124 of the Constitution, as well as in the organic law, the Constitutional Court must program its budget - which it administers independently - into long-term, medium-term or annual plans in response to the real needs of the conduct of its activity. Constitutional amendments providing for Constitutional Court's independence in budget administration were also welcomed by the Venice Commission.³³ On the

²⁸ Constitutional Court Decision No. 11, dated 6 April 2010, paragraph 25.

²⁹ Ibid, paragraph 26.

³⁰ Point 3 of Article 124 of the Constitution.

³¹ Article 6 of Law No. 8577/2000.

³² Consultative Council of European Judges (CCJE), OPINION No 2 (2001), of the Consultative Council of European Judges (CCJE) for the attention of the Committee of Ministers of the Council of Europe on the Funding and Management of Courts with Reference to the Efficiency of the Judiciary and to Article 6 of the European Convention on Human Rights, paragraph 5. See: <https://rm.coe.int/1680747492>)

³³ European Commission for Democracy through Law (Venice Commission) Interim Opinion on the Draft Constitutional Amendments to the Judiciary of Albania, 18-19 December 2015, p. 6. See:

other hand, the competencies accorded to the Ministry of Finance and Economy in respect of budget administration by the law on the budget system management, do not prejudice or limit the competencies of the Court in terms of budgetary autonomy. However, the fact is that the allocations made by the Government and Parliament to the Constitutional Court did not entirely meet its demands, hence constraining the Court's ability to implement its projects towards modernizing management systems, increasing accountability and transparency, building human capacity, as well as improving the working conditions in order to increase the efficiency and effectiveness of its operations.

Figure no. 1 shows that the curve of the budget approved by the Assembly for the past five years is, in most cases, flat and in some cases (2016, 2020) the approved budget is lower than in previous years. The discrepancy between the Court needs reflected in its budget requests over the years and the actual allocations or budget ceilings set for future years continues to grow in particular in the most recent time periods (see Figure No. 1 years 2019, 2020, 2021 and 2022). The economic and social consequences caused by the COVID-19 pandemic, which may affect the state budget, will impose even greater challenges to the Court's effort to ensure the budget allocations necessary to cover its needs.

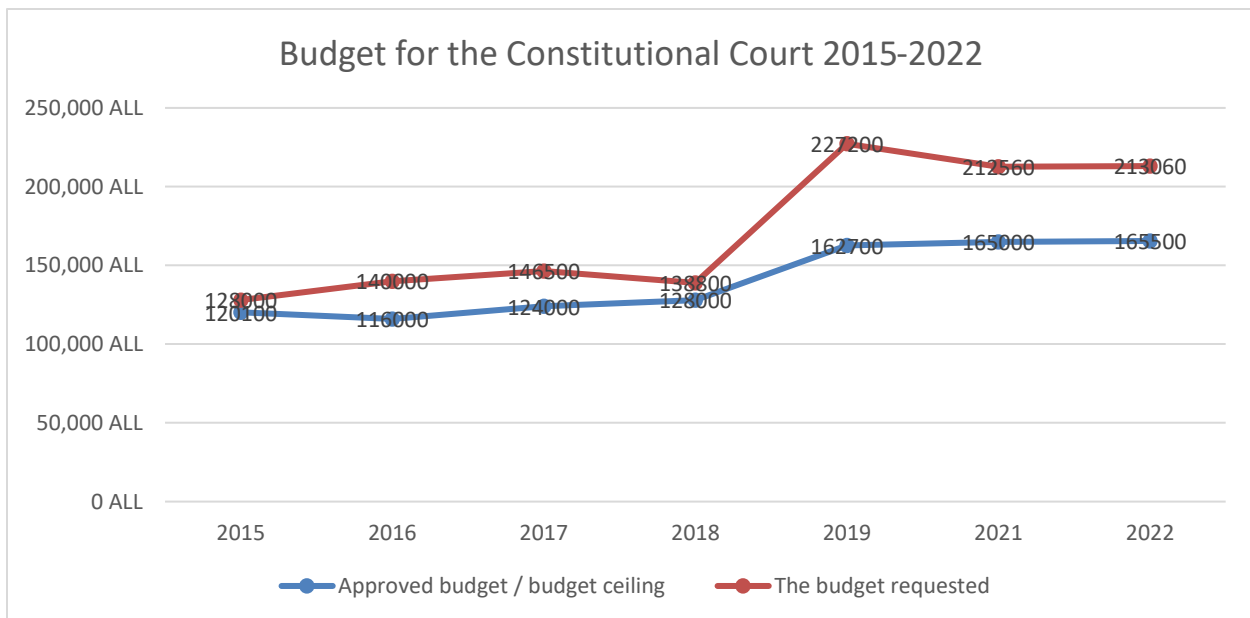


Figure 1: Budget for the Constitutional Court 2015-2022. The data are extracted from the Court's Budget Reports

On the other hand, in addition to budget allocations being lower than required, there are also problems in terms of budget implementation and expenditures. Based on the public finance management system, the budget is divided into certain categories/items; changes or re-allocations from item to item that the Court may need to make in the process of budget implementation are subject to permission/authorization from the Ministry of Finance and

Economy. However, budget independence permits the freedom to move across budget items, thus making this practice an infringement to the relevant constitutional provisions.

In view of these circumstances, the Court, together with the Assembly and the Ministry of Finance, should identify the appropriate mechanisms to resolve the issue of inadequate financial resources in order to secure the Court's independent functioning. The Court should take a proactive approach in building the awareness of the Assembly and its relevant committees, through greater cooperation, as well as through exchanges and discussions with key stakeholders. The media should be used to the maximum, especially during the time of year in which budget planning and budget decision-making take place.

6.3. Other factors

It should be noted that in addition to the above, many other factors, both internal and external, affect the functioning and independence of the Constitutional Court. Among the factors that may be mentioned here are: the level of citizens' trust in the Court, the range of possibilities to implement constitutional and legal changes, the impact of the justice reform, the political and media debates on the functioning and independence of the Court, efficiency and effectiveness of the Court, its professional capacity to examine cases under its jurisdiction, continuity of CC jurisprudence given the newly elected judicial body, the existence of adequate working conditions and the necessary means to carry out its tasks. Such factors are part of the analysis, objectives and measures that follow in the next chapters of this Strategy.

7. SUMMARY OF SWOT ANALYSIS

During strategic planning it is important to use the tools for identifying the problems and challenges, shortcomings, achievements, strengths and other elements. With this in mind, the Strategy Working Group, together with the President of the Court, the judges, its staff and experts, worked with tools such as the Problems Tree analysis and the Objectives Tree analysis. At the roundtable meeting of 8 and 9 July 2020, the SWOT analysis was conducted as part of the efforts to explore the internal and external environment. Through this specific instrument, the Court determined its strengths and weaknesses, as well as the opportunities and the threats to which it may be exposed. The following is a summary of the SWOT analysis of the Constitutional Court. The findings of this analysis also helped identify the relevant objectives and measures to implement the Strategy and its action plan.

| Strengths: | Weaknesses: |
|---|---|
| <ul style="list-style-type: none"> • Organizational, administrative and financial independence of the institution. • The established tradition of constitutional judgment in Albania. • 29-years of the Court’s decision-making and jurisprudence. • Long and varied experience and expertise of the judges in the field of law. • Legal advisors’ experience and expertise. • Establishment of the Legal Service Unit. • Willingness and commitment of the Court’s leadership and judges to the long-term development of the Court and the enhancement of its institutional performance. • Staff motivated to face court challenges. | <ul style="list-style-type: none"> • Insufficient budget to guarantee an even more efficient and effective performance. • Lack of an efficient and modern computer system of case management and internal communication (workflow). • [Need to] improve coordination in the process of planning court activities. • Lack of an integrated and modern performance appraisal system, and need to review job descriptions. • The need for an effective human resource management system and a sustainable and long-term capacity building plan. • Lack of Rules of Procedure in respect of public relations and media. • Insufficient and inadequate infrastructure in terms of building, work premises, archive and storage. |
| Opportunities | Threats: |
| <ul style="list-style-type: none"> • Periodic approval of the budget. • Technical support from donors and international partners. • Membership in international organizations and exchange of experience with similar courts in the region and beyond. • Citizens' and the public's trust in the Court and the constitutional justice. • The impact of the European integration process. | <ul style="list-style-type: none"> • Implementation of constitutional and legal changes of the Court’s jurisdiction and its competencies not tested in practice. • The prospect for the number of cases and the workload of the court to go up. • Impaired independence of the Court, in particular as regards financial and human resource planning and management. • Requests to recruit additional staff not approved. • Political and media pressure. • Frequent legal changes. • Lack of consultation with the Court when setting tasks to be completed under the obligations from the [EU] integration process or membership in international organizations. |

ANALYSIS OF MAIN ISSUES AND STRATEGIC OBJECTIVES

8. EFFICIENCY AND EFFECTIVENESS OF COURT OPERATIONS

Strategic Objective 1. Enabling a functional system of constitutional justice and an efficient and effective remedy.

The efficiency and effectiveness³⁴ of the work of the Court are related to many factors. The key to the effective functioning and efficiency of the work of the Court is the body of judges and its professional and support staff, who are well organized and trained, motivated to perform their duties and aware of the fact that they are there to serve the citizens. The Council of Europe categorizes efficiency measures according to the strategic areas related to organizational performance, governance and organizational structure, human capital, optimization of internal work processes, use of information technology, internal control, etc.

This strategic objective can be fulfilled through the following specific objectives:

| Specific Objective 1.1 | Specific Objective 1.2 | Specific Objective 1.3 | Specific Objective 1.4 |
|---|---|---|--|
| Increased efficiency and effectiveness in recording, managing, and monitoring case review | Operating a functional and contemporary electronic system on case management and monitoring | Improving the quality of research and studies, while maintaining and further developing the Constitutional Court case law | Increasing and enhancing cooperation of the Court with national and international institutions |

Specific objective 1.1. Increased efficiency and effectiveness in recording, managing, and monitoring case review

One of the main concerns for the efficiency of the work of the courts is the length of court proceedings: *How to administer justice at reasonable time periods?* Excessive length of proceedings is a major problem in most European countries. The courts must deal with their case within a reasonable time, as provided for in Article 6 of the European Convention on Human Rights. The ECtHR case-law underlines “*the importance of the administration of justice without delays that may jeopardize its effectiveness and credibility*” (*H v. France*). Delays in the administration of justice endanger the rule of law, as stipulated by the Constitutional Court itself in its decisions, as well as by organizations monitoring the implementation of the principles of due legal process in the country.³⁵ It should be noted that the ECtHR has so far not determined clearly what the overall duration of the proceedings should be, for how long processes at particular levels of justice may be considered reasonable and how to estimate such duration.³⁶ Delays in adjudicating cases, no matter how small, impede the efficient use of administrative and financial resources that could be used to adjudicate more cases. Delays that are apparent,

³⁴ Effectiveness can be defined as the successful achievement of expected results, while efficiency as the degree to which time, effort or cost are well used for the intended task or goal. Council of Europe, Long-term budgetary sustainability and efficiency of the Organization. Measures to enhance efficiency and effectiveness. 13 January 2015. See: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c463b#globalcontainer

³⁵ OSCE Presence in Albania, Towards Justice. See <https://www.osce.org/files/f/documents/d/e/100389.pdf>

³⁶ Council of Europe, Analysis of legislation introduced to deal with protracted domestic proceedings in Albania, November 2017, p. 8. See: <https://rm.coe.int/assessment-length-of-proceedings-eng/16808b7c69>

attributable to the State, and also avoidable may infringe the right of the parties to a fair trial, including the right to a trial within a reasonable time period.³⁷

Regarding the deadlines for case review by the Constitutional Court, Article 47, point 1, of Law no. 8577/2000 stipulates that, as a rule, the review of cases by the panels or the Meeting of Judges should end within three months from the filing of the application, unless otherwise stipulated by the provisions of this law under Chapter VII special procedures, which expressly set deadlines for the Court's proceedings and delivery of decision.³⁸ Point 3 of Article 47 of the law also provides that the final decision must be declared in a reasoned manner no later than 30 days from the end of the hearing, unless otherwise provided by this law.

Also, under article 71/ç of law no. 8577/2000, the parties to the proceedings before the Constitutional Court, or litigants in a trial suspended due to incidental review or constitutional review of the applicable law - as may be requested by other entities under Article 134 of the Constitution – if they deem that the trial was conducted beyond a reasonable time limit, have the right to seek fair compensation from the Constitutional Court, once the latter establishes that prolongation of the process had impaired the enjoyment of rights and freedoms under the Constitution. In these cases, the Court shall assess the nature of the process and the case, as well as the circumstances influencing the decision-making process in order to determine compensations proportionate to the consequences suffered by the applicant due to such prolongation of related proceedings.

Regarding the number of cases reviewed by the Court in the last decade, there was a gradual increase until 2017, which is also the year with the highest number of applications (see figure no. 2).

³⁷ Organization for Security and Cooperation in Europe. Towards Justice. Analysis of civil proceedings in the district courts, 2013, page 8. See: <https://www.osce.org/sq/albania/100389>

³⁸ The review of constitutional compliance of international agreements prior to their ratification, where they have been through the plenary, shall be completed within 3 months from the filing date, (Article 52 of the law). Applications asking for review of electability of deputies shall end within 60 days from the filing date (Article 66/a of the law). Applications for verification of the final result of the referendum shall be concluded with delivery of decision within 30 days from the filing date (Article 67/ç).

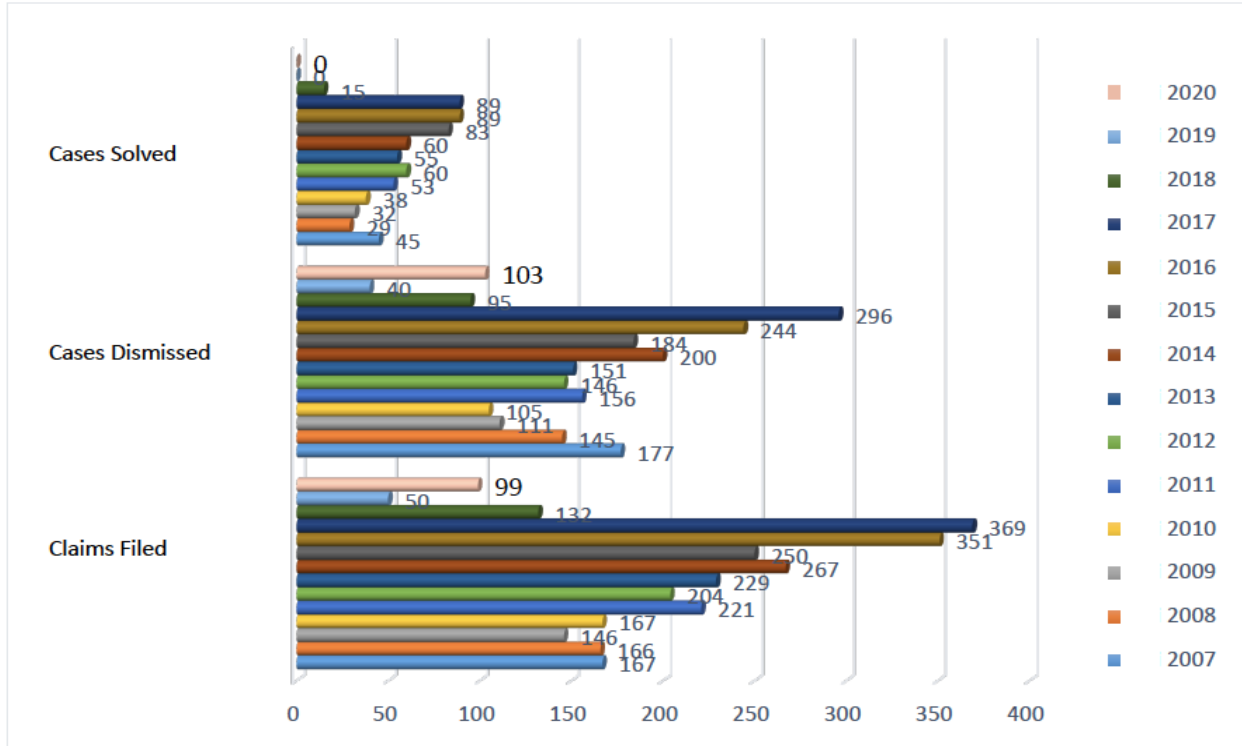


Figure 2: Statistics of claims filed and cases examined by the Court during 2007-2020

The gradual tendency of the increase in the number of cases until 2017 is a positive indicator of the Court functioning and may be interpreted as an indication of the citizens' growing trust in the Court. However, the number of cases during the years 2018-2020 decreased significantly due to a number of factors, especially the inability to review applications and make decisions in the circumstances of the lack of quorum.

On the other hand, the duration of case review by the Court has not been considered problematic. Except in cases where decisions could not be taken due to lack of quorum, the review of cases by panels or the Meeting of Judges over this period was concluded within the three-month period fixed by law, except where other deadlines under the organic law prevailed.³⁹

Organization of work is an important factor affecting the efficiency and effectiveness of the Court operations. Organization of work involves the measures applied in the day-to-day activity of the Court and the management of current cases. In this respect, the Court must take multifaceted organizational measures, because, potentially, the number of cases in the near future may increase rapidly due to several factors, among which:

- Functionalization of the High Court leading to a large number of its decisions being challenged before the Constitutional Court.

³⁹ From the activity held on 8 and 9 July 2020 relative to the drafting of the Strategy of the Constitutional Court.

- Extension of Constitutional Court jurisdiction to review individual constitutional complaints potentially leading to an increased caseload.

Therefore, in addition to other measures, the Court should consider setting internal deadlines and indicators that will help avoid delays in conducting hearings. Also, the Court should adopt rules for determining priority categories in order to speed up the procedures and review the most important and urgent issues, categorizing them into priority, normal or even complex cases. The Court, for this purpose, may take into account the criteria applied by the ECtHR, such as: chronology of cases; their urgency; random selection of issues; selection of issues with special impact on the rights, interests and freedoms of citizens; applications that appear to be grounded, etc.

These criteria have been applied to cases carried over from the period of quorum absence for case review by the Meeting of Judges or the plenary.

Standardization of timeframes is not the only solution to reduce the length of court proceedings; however it has proven to be a useful tool in assessing the functioning of court policies and improving the progress of the judicial process.

Timelines may be considered as operational tools because they are concrete indications of the extent to which each court, the administration of justice in general, observes the suitable time frame for reviewing cases, subsequently also complying with the right to a fair trial within a reasonable time period as provided for by the ECtHR.

One instrument to ensure feedback on the deficiencies that could potentially be identified in the Court's work are surveys of users' trust in the Court's service delivery. Such measurements or surveys may be conducted on a regular or ad hoc basis, depending on the approach the Court decides to take. The Constitutional Court may as well employ the methodology used by CoE member states to conduct surveys.

Another challenge, to which the Court should pay attention, is the high, even increasing number of inadmissibility decisions (see figure no. 3). The Court should conduct enhanced information activities in order to provide concrete information to potential applicants regarding relevant jurisdiction and proceedings before the Constitutional Court. In addition, the Court may increase cooperation with the Chamber of Advocates, various associations and organizations protecting fundamental human rights and freedoms in order to educate and inform the public in respect of the Court powers and the right to appeal to the Constitutional Court.

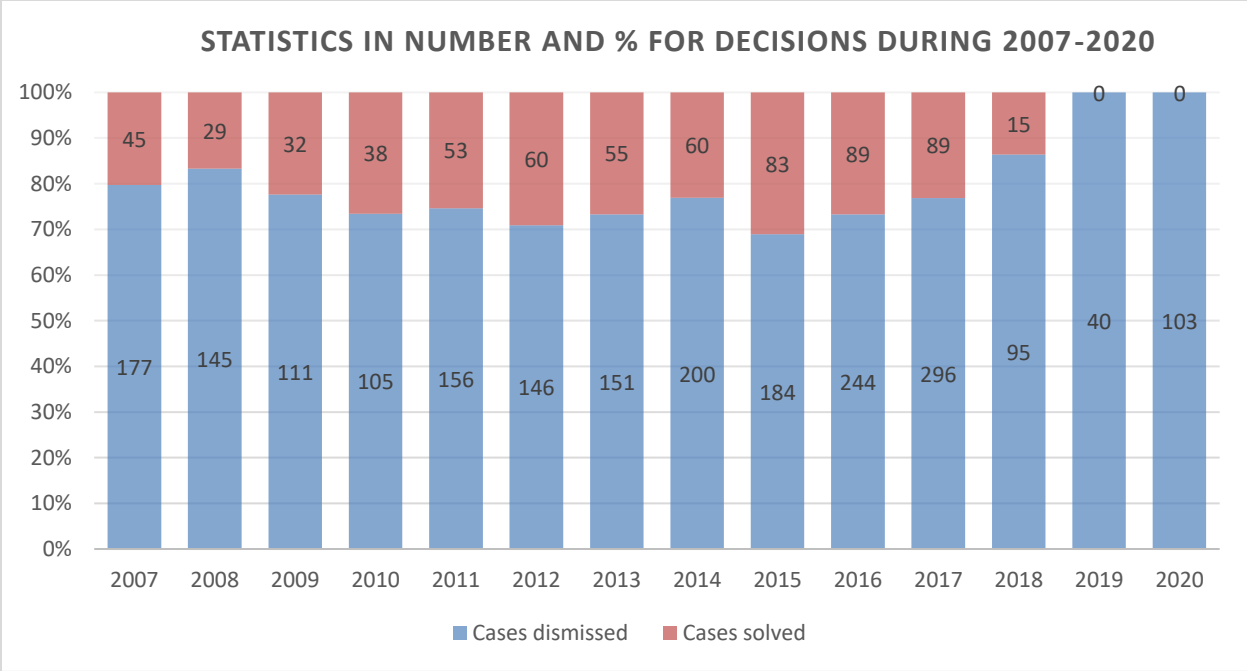


Figure 3: Statistics of Decisions rendered on cases non transferred in plenary session and Final Court Decisions 2007-2020

Specific Objective 1.2. Providing for a functional and contemporary electronic system on case management and monitoring

Adequate information technology to support the court activity in respect of case management, monitoring and evaluation of its work are needed to improve performance and help identify court’s shortcomings and needs in terms of case management in real-time. IT also produces standardized statistics on court performance, case management, and ensures automated early warning systems.⁴⁰ The Constitutional Court has been operating a Case Management System since January 2015; however, this system has not been effective to the extent meant to facilitate the activity of the Court. The use of this system, by staff involved in different stages of Court activity in relation to the issues before it, is a necessity whilst at the same time facilitating the compilation and production of complete statistics in real time with respect to the cases under consideration, the status of relevant proceedings or decision-making by the Court. In addition to improving the electronic Case Management System, it is also important to make it widely accessible to the staff that should also be trained to use it as an essential element to ensure long-term operation. Improving the guidelines for the use of the electronic Case Management System and organizing trainings are also necessary. The Case Management System should be designed to identify the previous case law of the Court and, via references in the Court decisions, also identify the ECtHR case law.

⁴⁰ European Commission, European Semester Thematic Factsheet, Effective Justice Systems. 2016. See: https://ec.europa.eu/info/sites/info/files/european-semester_thematic-factsheet_effective-justice-systems_en.pdf

The duration of procedures and the management of ongoing cases should be monitored through a well-determined and integrated information collection system. Improvement of the Case Management System may serve this purpose. Also, issues lasting longer than a certain period of time may be monitored automatically. The electronic system can provide the judges with a kind of automatic “warning” (sent to judges’ e-mail addresses), alerting them to possible problems.⁴¹ A monitoring system should also be able to provide detailed real-time statistics on the duration of case review in general, as well as identify specific moments that have caused unreasonable or excessive delays. In addition to monitoring and managing court proceedings, the monitoring component should include the monitoring of the day-to-day work of the Court. A precondition for this is to put in place a system of Court objectives broken-down into relevant objectives for units and organization objectives, as well as progress monitoring indicators.

Another very important element that helps to monitor the performance of the courts are the statistics that are kept and published, as tools to contribute towards the success of public policies of the justice system. Therefore, court statistics should enable policymakers and law practitioners to obtain relevant information on the work of the court and the quality of the judicial system, namely the workload of courts and judges, the length of time required to handle such workload, the quality of court results and the amount of human and financial resources that will be allocated to the system to cope with the burden.

The Constitutional Court publishes general case statistics on an annual basis. However, the current demands require the improvement of the statistical reporting and the statistical system through the establishment of mechanisms, procedures, frequency of publication and diversification of types of statistical data or indicators.

Another issue related to the efficiency and effectiveness of the Court's work is the optimization and simplification of administrative procedures within the Court. This includes the tendency towards automation of work processes owing to use of information technology where possible, leading to the simplification of internal procedures and the reduction of the administrative burden for the parties. An example of optimization and simplification of procedures may be the lodging of applications in electronic form, conducting certain procedural steps through information technology, organizing online hearings, etc.

The court will create the opportunity to improve the physical infrastructure in terms of premises where meetings of panel of three judges take place, as well as electronic infrastructure for the courtroom and the hall where plenaries are conducted on the basis of documents in order to improve transparency, communication and ensure the smooth running of court hearings.

The Court may also consider establishing an electronic tracking system, through which the parties may procure information on the status and stage of proceedings in respect of their case, without having to seek information from the Court via electronic channels or to appear in person. The

⁴¹ European Commission for the Efficiency of Justice (CEPEJ). Saturn Guidelines for Judicial Time Management, Comments and Examples, 2017. See: <https://rm.coe.int/komisioni-europian-per-eficencen-e-drejtisesise-cepej-udhezimet-e-saturn/1680788301>

parties may have access to such tracking system through the official website, which should also be reviewed and improved.

Case Study: An example is the barcode-based tracking system, which serves to reduce the need for the public to appear physically at the court premises. The system marks each case with a barcode, also indicating the name of the officials handling the case. The issue is given an identification number and whenever one of the officials accesses the file, the system records the action by reading the barcode. Thus, at any moment, the system may provide information on what stage the case is and what its current status is. This information is available on the website and any user may be informed about the status of his/her request by entering the site. The system is programmed to know how long each step in the procedure should last. It checks every step and if there is a delay in the procedure, the system automatically sends an e-mail to the presiding judge and the judicial directorate so that the issue is quickly addressed and resolved.

Source: *Quality of Public Administration – A Toolbox for Practitioners. Topic 7.3: Modernizing the justice system.* <https://ec.europa.eu/esf>

In order to digitize the systems, an important help in conducting the activity of the Court is provided by the creation of an electronic archive providing real-time access to various materials in the archived court files.

Specific Objective 1.3. Improved quality of research and studies; continuation and development of the Constitutional Court case law

Effective strategic human resource management requires the Court to be thoroughly aware of its resource capacity, and to make reasonable assessments of future needs taking into account the factors that influence caseload increase or decrease.

Following the amendments to its organic law intended to create an advanced research structure towards improving the quality of decisions and enhancing effectiveness and efficiency of its operations, the Constitutional Court created the Legal Service Unit. In this respect, the Legal Service Unit has currently become the legal research and study core group providing advisory and ancillary activities to the Constitutional Court decision-making process, such as: preparing cases for trial, providing legal opinions, researching issues under consideration before the Constitutional Court, and any other duties assigned by the President or the Meeting of Judges.⁴² The Legal Service Unit consists of legal advisors appointed by the Court President, selected from among applicants qualified to be judges and prosecutors, or law professionals such as professors, lawyers or senior legal officials in the public administration with no less than 10 years of experience. Not less than half of the total number of legal advisors should be from among the ranks of magistrates⁴³. As a result, in the recent years important steps have been made in establishing a solid legal basis, especially in the two aspects:

⁴² Point 1 of Article 14/a of Law No. 8577/2000.

⁴³ Ibid, point 2.

1. Sanctioning by law the creation of the Legal Service Unit, which reports directly to the President of the Court, and;
2. Upgrading the position of advisors, by equating their salary with that of the magistrates, including remuneration for job seniority.

According to Court's organic law, not less than half of the total number of legal advisers should have magistrate qualification. Currently, the Legal Service Unit is composed of only advisors from the ranks of law professionals; hence, the challenge remains to recruit the full number of legal advisors and to fill the vacancies with magistrates. It should also be noted that the current number of advisors has successfully coped with the workload; however, the Court should take heed of the fact that the number of cases before the Court may increase in the near future for the reasons mentioned above. In addition, given the advisors' special status, it is necessary to enact regulations on performance appraisal, disciplinary measures, rights and responsibilities, etc.

One of the Court's past challenges related to the lack of research and analysis on specific aspects of its operations (e.g. implementation rate of its decisions). Therefore, in the future, in order to potentiate the performance of the Legal Service Unit, the staff should be proactively involved in research and analysis of certain important issues for the Court, subsequently helping to enhance the quality of their legal opinions. In order to make rational use of both in-house and external capacities, the Court may also cooperate with various specialized research organizations, whether in the civil society sector or higher education system, whilst proactively engaging with the "Venice Commission Forum" and the "Network of Supreme Courts" within the ECtHR, and relying on the ECtHR case law disseminated on a weekly or monthly basis. Research and study requires annual or medium-term planning, through which thematic areas and timeframes are determined. In addition, such planning allows for financial and other resource mobilization which may only be successful if designed and arranged well in advance.

On the other side, deployment and use of information technology by the Court requires the upgrading of capacities to manage and operate electronic systems. At the present time, the Court employs only one IT specialist, as well as outsourcing special services on a case-by-case basis.

Other factors that increase the efficiency and effectiveness of the work of the court, such as human resource capacity and HR management particularly in respect of the Legal Service Unit, the Court's organizational structure, planning system, public financial management and work conditions are part of the analysis and planning covered by the other chapters of this strategic plan.

Specific Objective 1.4. Increased and enhanced cooperation of the Court with domestic and international level institutions

Given the current situation with the new judicial body of the Constitutional Court, the cooperation of the Court with national institutions and other entities is very important in achieving its goals and objectives. In order to implement the principle of rule of law and

constitutionality, the Court will focus on strengthening cooperation with institutions such as the Assembly, the Council of Ministers, public administration institutions, those of the judiciary in general, civil society organizations, etc. This co-operation aims, inter alia, at strengthening the capacity of the Court, improving information, increasing transparency, exchanging information, increasing the quality of studies and publications, and improving its working conditions.

Cooperation with national institutions and other entities, according to the area of interest, is an integral part of the Strategy and addressed within the thematic analysis in this Strategy, depending on the nature of the contribution that this cooperation can provide in achieving strategic objectives. For example, as mentioned in the respective objective, improving information and communication with the public requires the cooperation of the Court with institutions, which assist the public in information and education regarding the role and competencies of the Constitutional Court. In this context, cooperation with actors contributing to the protection of fundamental human rights and freedoms will be important in informing interested parties about the fulfillment of their rights by the Constitutional Court.

In the area of international relations, the Court has multilateral and bilateral cooperation with many important bodies. Of particular importance is the cooperation with the Venice Commission and ECHR, which relies mainly on the wide range of services provided by the Venice Commission to constitutional courts. In particular the publication of the Bulletin on Constitutional Jurisprudence, CODICES database, Forum of Venice, the Joint Council for Constitutional Justice, opinions *amicus curiae*, continuous updating of information for the constitutional courts, organization of various conferences and seminars, etc. while also using the new mechanism provided for in Protocol No.16 of the ECHR of requests for “incidental review” or “advisory opinion” from the ECtHR. The Court is also a full member of the Conference of European Constitutional Courts (since 2000); the Association of Francophone Constitutional Courts (ACCF) (since 2000); and the World Conference on Constitutional Justice (since 2011).⁴⁴

In addition to multilateral cooperation, the Constitutional Court also cooperates with other constitutional courts, included here are cooperation agreements with the Constitutional Court of the Republic of Italy, Constitutional Court of the Republic of Kosovo and Constitutional Court of the Republic of Turkey. It is in the process of finalizing an agreement with the Constitutional Courts of Northern Macedonia and Spain.

Finally, the Court has signed a memorandum of understanding with the OSCE.

The court cooperates with the constitutional courts of other countries by conducting working visits and official meetings. Furthermore, official working meetings have been held with ECtHR judges. The Court is already making efforts to increase cooperation with other European and regional courts. However, stronger efforts will be required to sign new memoranda of cooperation with counterpart constitutional courts in order to further consolidate and intensify bilateral relations and institutional cooperation.

⁴⁴ Official web page of the Constitutional Court.

See: http://www.gjk.gov.al/web/ORGANIZIMI_I_GJYKAT_S_KUSHTETUESE_1826_1.php

The court will also aim at continuing efforts to organize and conduct study visits for judges, legal advisers and administrative staff of the Constitutional Court to counterpart constitutional courts, in order to exchange experiences and ideas in the area of constitutional justice.

Also, given the extension of the Court’s jurisdiction to accept individual requests for all alleged violations of the rights and freedoms guaranteed by the Constitution (which are largely equivalent to human rights under the ECHR), it should also aim to increase cooperation with the ECtHR, to benefit from its experience. This can be achieved through study visits, in particular through participation in the training programs of the Court’s staff at the ECtHR for a period of 12 months, offered to officials of Member States dealing with protection of human rights, with the scope of recognizing and appropriating the jurisprudence of ECtHR.

Activities carried out inside or outside the country over the years are reflected on the official website of the Court. An illustrated publication with the Court’s participation in various international events, jubilee anniversaries of partner courts, or international congresses and conferences (speeches delivered by Court representatives accompanied by photographs) could be published in Albanian and English.

The following indicators do measure the achievement of specific objectives in this area:

| |
|---|
| Strategic objective 1. Enabling a functional constitutional justice system and an efficient and effective remedy |
| Specific Objective 1.1. Increased efficiency and effectiveness in recording, managing, and monitoring the examination of cases |
| Indicators: <ul style="list-style-type: none"> 1. Average time for the examination of a case, in annual terms. 2. Percentage of the number of cases not examined by the Court during the year (backlog), in annual terms. 3. Percentage of applications sent for examination in plenary session, in annual terms. |
| Specific Objective 1.2. Providing for a functional and contemporary electronic system on case management and monitoring |
| Indicators: <ul style="list-style-type: none"> 1. All cases registered in the Court are managed and monitored by the Electronic Case Management System. 2. All relevant officers of the Court use the electronic system. 3. Number of subjects that are a party in the process that use the system to get informed on the status of their case, in annual terms. |
| Specific Objective 1.3. Improved quality of scientific research, studies, as well as preservation and development of the Constitutional Court case law |
| Indicators: <ul style="list-style-type: none"> 1. Average time for the drafting of draft decisions, opinions, research and study materials in the Legal Service Unit, in annual terms. 2. All Court decisions contain references to the Court case law and that of ECtHR, according to set standards. |

3. Number of studies on the grounds of the approved methodology, in annual terms.
4. All decisions and acts of the Court reflect standard templates and its judicial practice.

Specific Objective 1.4. Increased and enhanced cooperation of the Court with domestic and international institutions

Indicators:

1. Involvement of the Constitutional Court in legislative and regulative processes related to the independence of the Court, in annual terms.
2. Number of activities organized with domestic institutions, in annual terms.
3. Number of agreements signed and activities organized with foreign counterpart courts, in annual terms.
4. Number of applications made and responses provided through the Venice Commission Forum and ECtHR, including also the ECtHR Superior Court Network, in annual terms.
5. Number of study visits and participation in conferences organized in constitutional courts of other countries, in annual terms.
6. Participation of judges and other participants from constitutional courts of other countries in conferences organized by the Court, in annual terms.

9. COMMUNICATION, INFORMATION, TRANSPARENCY, AND COOPERATION OF THE COURT

Strategic Objective 2: Strengthening the confidence in the court through continued communication and information with the public and media and promotion of the Court activity

The Constitutional Court communicates with the public and the media through the notification section at www.gjk.gov.al, by direct communications with journalists/media representatives, press releases, communications with individuals, through the transparency program and responding using administrative channels.

This strategic objective can be fulfilled through the following specific objectives:

| Specific Objective 2.1 | Specific Objective 2.2 | Specific Objective 2.3 |
|--|--|--|
| Enhanced transparency of the Court activity, through continued communication and information with the public | Communication with subjects that put the Constitutional Court in motion and other stakeholders that operate in the area of fundamental human rights and freedoms | Strengthening communication with the media |

Specific Objective 2.1. Enhanced transparency of the Court activity, through continued communication and information with the public

Transparency is an essential element for an efficiently functioning justice system, as it strengthens the judiciary with the trust and respect of the public while at the same time, promotes a positive image of it. Public confidence in the judiciary also depends on an understanding of the judicial activity and the transparency of its work, which is a condition for

citizens' access to the justice system.⁴⁵ The Constitutional Court publishes information on its activity through its official website and through the transparency program, which is periodically updated pursuant to Article 5 of the Law "On the Right to Information"⁴⁶. The information published in this program aims to make the transparency of the work activity of this institution through its detailed reflection on the official website.⁴⁷

In accordance with the new model program of transparency of state institutions approved by the Commissioner for the Right to Information and Protection of Personal Data, the Transparency Program is being improved and updated with necessary information. However, it is necessary to update and improve the official website of the Court in line with new technological developments and to meet the needs of citizens for increased transparency.

The public considers public relations, first, as the recognition of the functioning and activity of the Constitutional Court. The constitutional amendments of 2016 also affected aspects of the organization, functioning and competencies of the Constitutional Court, which were reflected in both the constitutional provisions and the law on its organization and functioning. Therefore, for a comprehensive approach, communication with the public should be part of a strategy or program for communication, promotion and information. The drafting of such a strategy should be done in the framework of the orientation and strategic objectives of the Strategy of the Constitutional Court (i.e., this Strategy). The Council of Europe Guide (see textbox page 37 below) provides a detailed model of the Strategy for communicating with the public, informing and promoting the work of the Court, the use of which can serve to achieve the objectives of this Strategy.

Public trust is one of the key factors for the legitimacy and efficiency of the judiciary in general. There is a growing recognition in Western countries that promoting public confidence in the administration of justice is one of the main goals of good governance⁴⁸. The importance of trust in the judiciary has been explicitly mentioned in a number of ECtHR rulings, which in many cases have emphasized the special role of the judiciary in society, which, as the guarantor of justice, is a fundamental value in a country governed by the rule of law, for being successful in performing its duties, it must enjoy public trust.⁴⁹

Transparency and the publicity of activity is one of the main goals of such courts, as these elements increase confidence in their constitutional decisions and, at the same time, facilitate

⁴⁵ Guide on communication with the media and the public for courts and prosecution authorities.

See: https://rm.coe.int/cepej-2018-15-en-communication-manual-with-media/16809025fe#_toc524690254

⁴⁶ Law No. 119/ 2014 "On the right to information". See: https://www.drejtesia.gov.al/wp-content/uploads/2018/08/Ligj_119_2014_18.09.2014.pdf

⁴⁷ Official web page of the Constitutional Court.

See: http://www.gjk.gov.al/web/programi_i_transparences_1941.pdf

⁴⁸ Roberts, Julian V., Public Confidence in Criminal Justice: A Review of Recent Trends, 2004-5, University of Ottawa, p. 1.

⁴⁹ Baka v. Hungary [GC], no. 20261/12, § 164, 23 June 2016. In European Court of Human Rights, Judicial Seminar 2019, Strengthening the confidence in the judiciary p. 4.

citizens' access to legal remedies⁵⁰. Many internal and external factors affect the public trust and perception of the activity of the Constitutional Court.

Measuring trust in institutions is important because it is perceived as the main indicator of the well-being of the individual and society, and a basic condition of collective action and cooperation.⁵¹

Although during 2015-2018 there was a measurement of public confidence in the “judicial system”, in none of the public opinion polls were there specific questions related to the Constitutional Court. Due to the lack of any specific measurement of public perception and trust in the Constitutional Court and the lack of empirical information on public confidence in the constitutional trial, a special place in this strategic document will be occupied by the field of communication with the public. Particularly the planning of the mechanisms through which the Court measures the public perception of its work. Given this fact, increasing public confidence has been one of the priority goals of the justice system reform, despite the fact that the Constitutional Court is not part of the ordinary judicial system.

The measurement of public perception can be done on a regular annual or biennial basis. Further, the Court may conduct surveys to measure public perception in certain periods but also when it considers that this is important in promoting its activity. The development of the public perception measurement system is done by developing a necessary methodology and guidelines, which define the options, methods, time frame, model and other necessary information needed to achieve the purpose of measuring public perception.

Specific Objective 2.2. Communication with subjects that put the Constitutional Court in motion and other stakeholders that operate in the area of fundamental human rights and freedoms

Pursuant to the Constitution, the Constitutional Court can be set in motion by: a) the President of the Republic; b) The Prime Minister; c) not less than one fifth of the MPs; ç) The Ombudsman; d) The Head of the Supreme State Audit; dh) any court, pursuant to point 2, of Article 145, of the Constitution; e) any commissioner established by law for the protection of fundamental rights and freedoms guaranteed by the Constitution; ë) The High Judicial Council and the High Prosecutorial Council; f) local government bodies; g) bodies of religious communities; gj) political parties; h) organizations; i) individuals.⁵²

⁵⁰ Questions Concerning Independence of Constitutional Court as Body of State Authority, no date (accessed on 11 August 2020).

See: https://www.venice.coe.int/WCCJ/Rio/Papers/AZE_Constitutional_Court_E.pdf

⁵¹ Eurofound (2018), Societal change and trust in institutions, Publications Office of the European Union, Luxembourg. See: <https://www.eurofound.europa.eu/publications/report/2018/societal-change-and-trust-in-institutions> [accessed on 22 August 2020].

Eurofound, 2018; Cited by *Instituti për Demokraci dhe Ndërmjetësim, Sondazhi i Opinionit Publik, Besimi në Qeverisje* 2019, p. 28.

⁵² Point 1 of Article 134 of the Constitution. Pursuant to point 2 of this Article, the subjects provided for in letter “d”, “dh”, “e”, “ë”, “f”, “g”, “gj”, “h” and “l”, can request only on matters relating to their interests.

In this context, improving communication with the entities that set the Court in motion, as well as the stakeholders associated with them, is particularly important. In view of this, the Court intends to plan awareness raising campaigns for the relevant institutions, as well as other actors involved in the constitutional trial, such as the Chamber of Advocates, various associations and organizations that protect fundamental rights and freedoms. These campaigns can be conceived as a series of one-day information trainings/meetings offered by judges and legal advisers of the Constitutional Court, who may also be lecturers in constitutional law.

One of the important aspects of the re-dimensioned competencies is the extension of the individual constitutional complaint, when the fundamental human rights and freedoms are violated by any act of public power or court decision. In terms of these constitutional changes, it is important for the Court to increase the activity of communicating and informing individuals to inform them on the right to file an individual constitutional complaint. Supporting this is the fact that individuals (see statistics in Figure No.4) file the largest number of claims before the Constitutional Court. Particular importance in this regard should be given to joint meetings with members of the Supreme Court (as the highest judicial instance), whose decisions are commonly challenged in the Constitutional Court by individuals for alleged violations of their rights guaranteed by the Constitution.

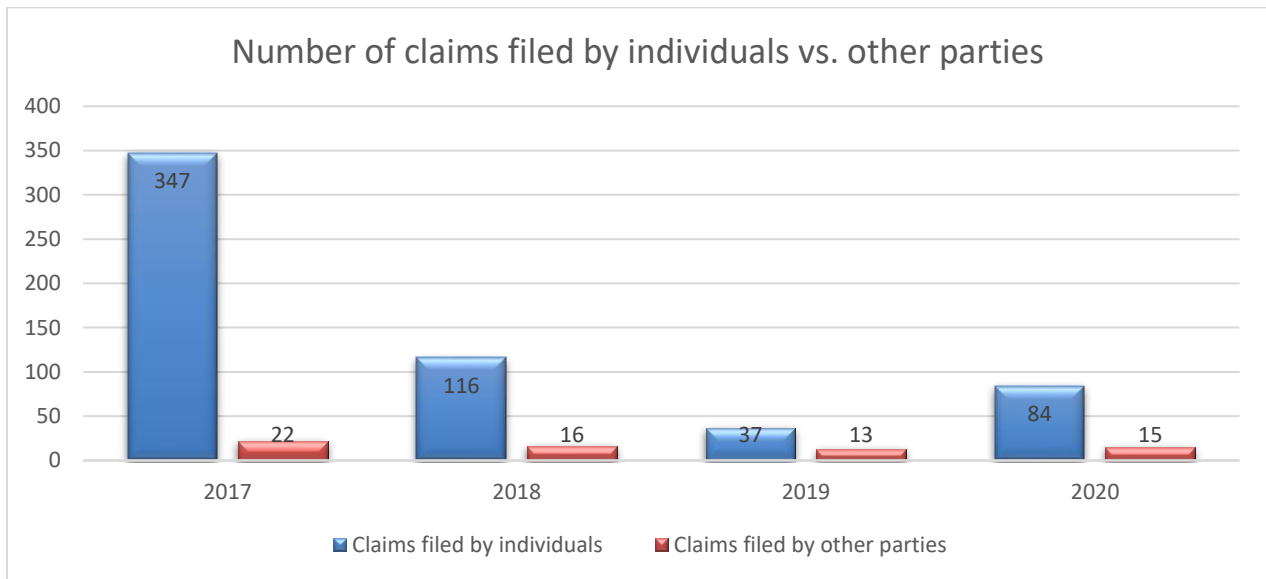


Figure 4: Number of claims filed by individuals vs. other parties. Source: annual reports of the Court

Also, the planning of information campaigns regarding the role, competencies, functioning and activity of the Court, seen in the perspective of constitutional and legal changes, especially in terms of expanding the jurisdiction of this Court, in terms of increasing individual access, are necessary. Information campaigns should be considered as a continuation of the efforts made by the Court in this regard to move with the times, i.e.: to use, in the function of communication and transparency, all the possibilities and the range of tools offered nowadays by information technology.

The good example may be followed as set forth by the practice of the ECtHR, which publishes videos regarding the organization and functioning of the Court, its activities, criteria and manner of filing an application, etc., as well as the practice of other constitutional courts.

Based on these examples and other good practices, one of the specific actions to be taken to achieve the objective of increasing transparency for the activity of the Court and promotion of its work is the creation of videos displayed on the official website of the Court and other communication tools with the public. Such videos may contain information about the role of this Court in the justice system, how you can approach it by highlighting the exhaustion of remedies and the time limit, the pattern of filing a claim and how the Court renders decisions.

Relying on the use of technology tools, some constitutional institutions, e.g., the French Constitutional Council, the Constitutional Court of Austria, the Constitutional Court of Belgium, the Supreme Court of Canada, etc., use their Twitter account to share information in relation to their decision-making, thus expanding the information base and giving the opportunity to all interested persons, citizens, lawyers, magistrates, to get acquainted with the jurisprudence of the Court and its functioning. This method of information requires the cooperation of structures. First, it requires the compilation of the summary text of the attained decision, and then, its posting on Twitter.

The court, in addition to officially communicating the decisions to the parties in the process, publishes them (both the decisions not to transfer the case in plenary session and the final decisions taken in plenary session) on the official website, in order to make public its activity, and to recognize follow-up by interested subjects of constitutional jurisprudence. In this regard, an ancillary activity would be the drafting and publication of the bulletin, as well as leaflets and brochures on the activity of the Court, where in addition to information about the role, structure and decision-making, there will be statistical data on the number and type of cases tried, as well as membership of the Court in the most important international bodies. Equally important would be the organization of an open day for the public, which can take place every year on the day of the establishment of the Court, and which will enable the public to know the working premises of the Court and be informed about its activity. Special activities can be organized for this day.

Better information by means of awareness campaigns as proposed above, would largely avoid requests, which do not meet the criteria to be reviewed by the Constitutional Court.

Specific Objective 2.3. Strengthening communication with the media

The role of the media is essential to provide the public with information about the activities of the courts.⁵³ Media professionals are completely free to choose the issues that can be brought to the public's attention and how they should be addressed. No attempt should be made to prevent the media from making critical assessments of the organization or functioning of

⁵³ Consultative Council of European Judges (CCJE), Opinion no 7 (2005) of the Consultative Council of European Judges (CCJE) to the attention of the Committee of Ministers on "justice and society" adopted by the CCJE at its 6th meeting (Strasbourg, 23-25 November 2005) point 9. See: <https://www.legal-tools.org/doc/c1d32b/pdf/>

judiciary. The judiciary must accept the role of the media, which, as an outside observer, can also highlight operational shortcomings and contribute constructively to improving case law and the quality of services provided to users. The CCJE considers that each profession (judges and journalists) should develop a practical code for its relations with representatives of the other profession and reporting of court cases.⁵⁴

For some years now, the Constitutional Court has an official website, which relays updated information, in Albanian and English, about the institution, its composition, court hearings, decision-making, activities conducted inside and outside the country, access to the court, as well as the transparency program. This is an effective form of information that the Court has been using for some time. In view of this, the Department of Public and International Relations completes many of these sections. It prepares announcements for various activities such as seminars, workshops, working meetings with delegations of other courts or delegations and representatives of international organizations; updates the register of requests and responses within the transparency program.

Even so, it would be necessary to adopt the internal rules of communication of the Court with the media, which would clarify/specify the engagement and role of respective structures or persons. This for the organization and conduct, as well as the drafting of the text in cases of public statements, interviews with the President of the Court, questions asked by the media or citizens, or even press releases.

Improving the possibility of searching on the official website, enabling therefore the search according to the specifics of concrete issues, would help in this aspect.

It is also useful for the public, on specific issues, to be immediately notified of the Court decision.

In order to preserve the image or to avoid damaging the image of the Court, it is necessary to accredit journalists, so that the news or articles related to the decision-making or performance of the Court are as professional and correct as possible.

Precisely in this basic strategic approach of the Court, which relates to communication with the media, concrete steps are being taken to cooperate with international partners in providing specialized expertise in drafting rules for the Constitutional Court's relations with the media.

When holding public hearings without the presence of the public, such as when requiring the receipt or observance of restrictions imposed for reasons of public interest (e.g: the situation brought forth by the pandemic caused by COVID-19 where the Court held plenary sessions throughout this period only in the presence of the parties, but not of the public and the media) we should ensure to improve the internal acts of the Court, which should provide the procedures for this, as well as improve the electronic infrastructure related to broadcasting through live stream the plenary sessions.

⁵⁴ Ibid, paragraph 33.

Measurement on the achievement of specific objectives in this area is performed through the following indicators:

The Council of Europe Handbook states that a general strategy should:

- Inform the public, not only on the proceedings handled, but also on the judicial activity as a whole.
- Take into account the use of all available means of communication, including new technologies and related tools.
- Define the target audience for each type of communication (general public, specialized media, judges and prosecutors, politicians, lawyers, students, parties in proceedings).
- Identify the situations in which each target group needs to receive information.
- Define the message that the judicial authority wants to convey.

According to the Council of Europe, the purpose of judicial communications includes:

- Information on the actual work of the justice system, in particular cases (proceedings).
- Asserting the role of justice in the society.
- Affirming the independence of judicial institutions, particularly when this is called into question.
- Promoting the respect towards judicial institutions and their representatives.
- Reinforcing or restoring citizens' trust in judicial institutions.
- Taking a public position on matters of interest to justice and society, in the right context.
- Contributing to citizens' understanding of the law.
- Overall, strengthening the image of courts.

Means of communication available to judicial authorities:

- Press release: Enable the provision of information that courts intend to dispatch to a great number people, in principle at the same time.
- Press conference: Inter alia, they enable immediate interaction of media representatives.
- Interview given to a journalist by a judge or spokesperson: As a precondition to the interview, the judge or spokesperson might require to check the statements before publication. Each judicial entity defines in advance, who is entitled to accept interviews.
- Written responses to written questions: Internal rules should define competencies and processes for written responses. Communication should be adapted to the type of media in question.
- Website (and/or application): Organization of the Court and its activity, hearings and upcoming events, other information by the Court.
- Social Media: Made available directly to a very large audience and reaches out specific segments and groups of the public.
- Public conferences and debates on justice-related topics.
- Filmed messages: Informing the public about judicial activity in general or about specific aspects, transmitted on television or on the internet (YouTube).
- For general information on judicial activity: Publicly available documentation, information counters, and "open door" days.
- Public Broadcasting of specific hearings and/or decisions.

Regardless of the means that may be selected, the communication of judicial authorities should:

- Satisfy the needs of these authorities, and meet the perceived and supposed expectations from the media and the public.
- Come at the right time.
- Be adapted to the target audience.
- Be recognized by its quality (factual truth, objectivity, clarity, and refrain from speculation).

Judicial authorities may establish a system for accreditation of journalists. The advantage of such system is that qualified journalists can report on judicial activity, while the disadvantage is that different media are not equally treated.

European Commission for the Efficiency of Justice (CEPEJ), Guide on Communication with the Media and the Public for Courts and Prosecution Authorities, adopted at the 31st plenary meeting of the CEPEJ Strasbourg, 3 and 4 December 2018. Available on https://rm.coe.int/cepej-2018-15-en-communication-manual-with-media/16809025fe#_Toc5246902 (unofficial translation by the author of the Strategy).

| |
|---|
| Strategic objective 2. Strengthening the confidence in the court through continued communication and information with the public and media and promotion of the Court activity |
| Specific Objective 2.1. Enhanced transparency of the Court activity, through continued communication and information with the public |
| Indicators: <ul style="list-style-type: none"> 1. Immediate publication of notifications on special decision categories. 2. Publication of all decisions taken by the Court. 3. Activities, Bulletin, speeches published in the official web page of the Court. 4. Publication of all scientific works presented by judges in scientific conferences. 5. Percentage of applications approved for access to public documents that relate to the activity of the Court, in annual terms. 6. Percentage of the public confidence growth in the Constitutional Court. |
| Specific Objective 2.2. Communication with subjects that put the Constitutional Court in motion and other stakeholders that operate in the area of fundamental human rights and freedoms |
| Indicators <ul style="list-style-type: none"> 1. Annual increase of the percentage of applications sent for examination in plenary session as a result of information and awareness activities for the purpose of information of subjects that put the Court in motion. |
| Specific Objective 2.3. Strengthening communication with the media |
| Indicators: <ul style="list-style-type: none"> 1. Number of notifications issued to the media, in annual terms. 2. Number of press conferences held by the Court, in annual terms. 3. Number of responses for applications submitted by the media to the Court, in annual terms. 4. Number of news on Court decisions published and broadcast in the media, in annual terms. |

10. HUMAN RESOURCES AND ORGANISATIONAL STRUCTURES

Strategic Objective 3. Improvement of the human resources management system, strengthening of integrity, institutional organization, and building capacities of the Constitutional Court

This strategic objective can be fulfilled through the following specific objectives:

| Specific Objective 3.1 | Specific Objective 3.2 | Specific Objective 3.3 |
|--|---|---|
| Improvement of the internal organization of the Court, which ensures coherence and efficiency of operations. | Improvement of the human resources management system and strengthening of integrity for the purpose of achievement of the Court's objectives. | Filling and building capacities for the achievement of the responsibilities of the Court. |

Specific Objective 3.1. Improvement of the internal organization of the Court, which ensures coherence and efficiency of operations

It is acknowledged that the internal organization of an institution, in this case the Constitutional Court, has a profound impact on its overall performance, and as a result, in relation to the expectations of citizens. The Constitutional Court has full organizational, administrative and financial independence to perform the specific tasks provided for in by the Constitution and the organic law.⁵⁵ The organizational structure of the Court is envisaged in the law “On the organization and functioning of the Constitutional Court of the Republic of Albania”, as amended, by the internal regulations of the Court and by special decisions of the Meeting of Judges. The Law on the Constitutional Court sets out the rules relating to the management of the Constitutional Court, powers of the President of the Court⁵⁶ and the Meeting of Judges,⁵⁷ and generally regulates the activity of the administration, which consists of the Secretary General and civil servants, etc.⁵⁸ The law also establishes and regulates the Legal Service Unit.⁵⁹ The Internal Rules of Procedure of the Court, on the other hand, regulates in more detail the administrative management of the administration and its organizational structure, comprising the job description of each unit in function of the Court.

In the context of the legal amendments to the organic law of the Constitutional Court, the need has arisen to change the internal rules of procedure of the Court and to adapt the organizational structure. As a result, some structural changes were made, notably the establishment of the Legal Service Unit, as well as the transfer of the Services and Maintenance Department as a separate structure (for the final organization of the Court see figure no. 5 below).

Depending on the needs of the Court, there may be room for other changes and improvements to its structure. However, such changes should be preceded by a review and analysis of the current structure and the selection of the best models, which best serve the Court in achieving its objectives.

⁵⁵ Law No. 8577/2000, Article 3, point 2.

⁵⁶ Ibid, Article 12.

⁵⁷ Ibid, Article 13.

⁵⁸ Ibid, Article 14.

⁵⁹ Ibid, Article 14/a.

Structure

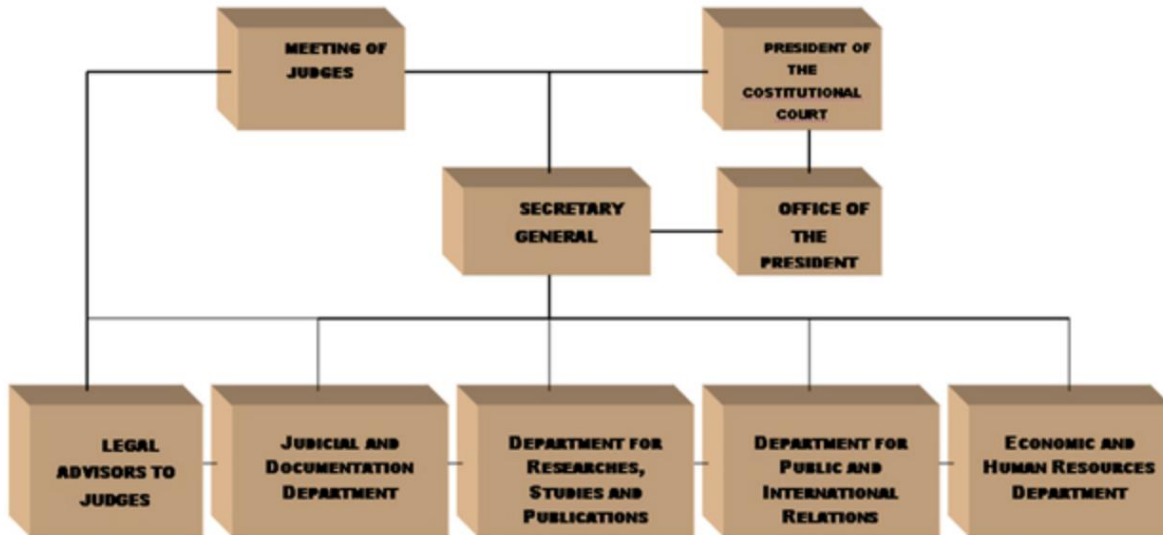


Figure 5: Current organizational chart of the Court

Specific Objective 3.2. Improvement of the human resources management system and strengthening of integrity for the purpose of achievement of the Court’s objectives

Human resources management is closely related to the organizational structure of an organization. A coherent, rational organizational structure with clear functions and tasks is a prerequisite for the organization and management of human resources. On the other hand, human resources are one of the most important factors for the functioning of the Court.

The administration of the Court consists of civil servants and other employees. The civil servants of the Court administration are subject to the rules of the civil service, as far as they do not contradict the organic law of this Court and are treated financially similar to the administration of the Assembly of the Republic of Albania. The Secretary General is the highest civil servant and is appointed by the Meeting of Judges. The status of legal advisors is regulated by the law “On the organization and functioning of the Constitutional Court” and the law regulating the Status of Magistrates⁶⁰, insofar as it is applicable, while the cabinet staff has the status of political appointees.

The Court has already employed professional staff, which has *per se* vast knowledge and experience. The long and diverse experience and expertise of judges in the field of law, the long experience of advisors, as well as the long tradition of constitutional adjudication in Albania, are some of the strengths of the Court. The willingness and commitment of the Court’s leadership and judges for long-term development and enhanced institutional performance also remains a strength of the Court. The organizational, administrative and financial independence of the

⁶⁰ Law No. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”.

Constitutional Court has enabled the development of conditions to motivate professional staff to face the challenges of work.

With respect to the staff of the Court, there are still 3 vacancies for judges of the Constitutional Court, where one of them will replace the judge who has completed his term but is still in office. The budget has envisaged a larger number of legal advisors than the number of advisors currently part of the Legal Service Unit. According to a proposal prepared by the Court's internal sources, the number of personnel needed for the Court to function properly is 72, judges included. While according to the 2020 budget plan, the Court has approved 62 employees and the same situation applies to the 2021 budget plan. The current number of employees is 52, and from the number of budgeted staff (except for vacancies of judges), the number of vacancies is found mainly in the Legal Service Unit (see figure no. 6).

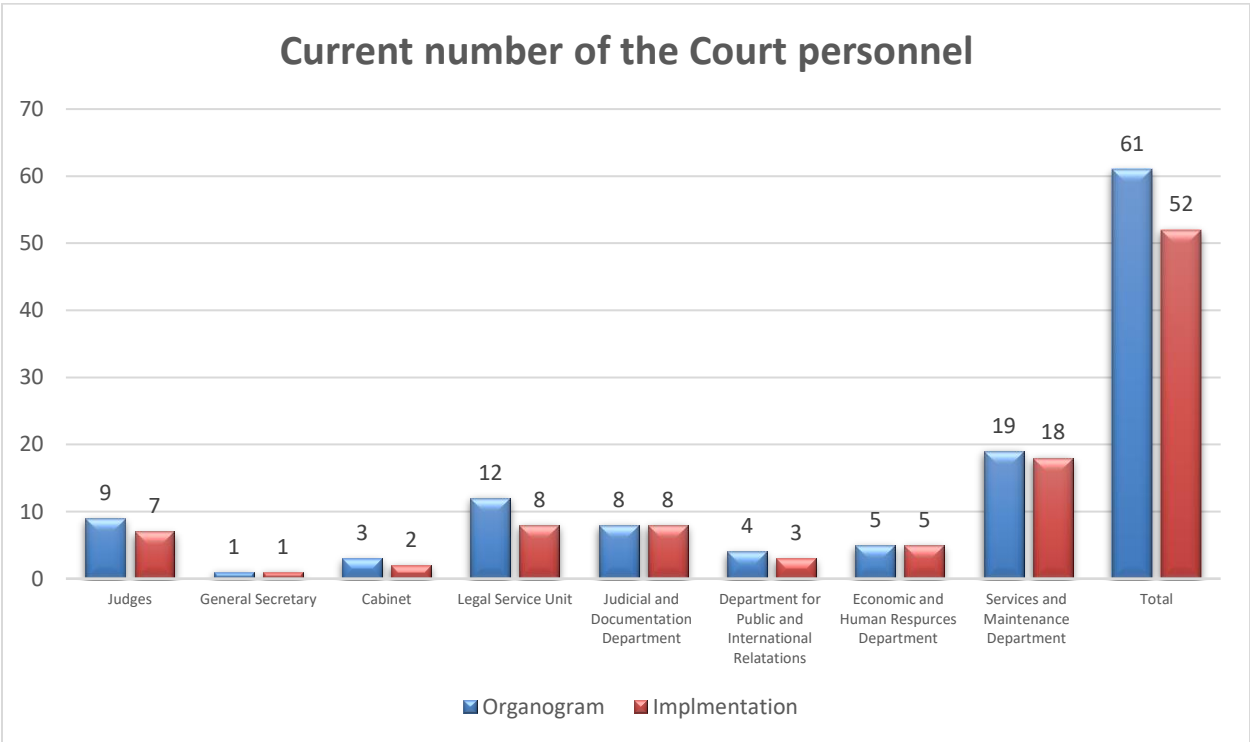


Figure 1: Current number of the Court personnel.

In the medium term, in addition to recruiting staff in order to fill budgeted job positions, the Court should assess whether the need for new staff has arisen, in order to exercise its functions efficiently and effectively. This assessment will assist the Court in assessing the situation and needs of each staff unit of the Court, especially in the light of structural changes that have occurred in recent years. The above assessment should be accompanied by an annual or medium-term staff plan, which may be one of the additional instruments for reasoning budget requests to increase the number of Court staff before the Ministry of Finance and the Assembly. The plan will serve to address the findings and recommendations of the needs assessment for the professional and administrative staff of the Court.

The assessment and planning of human resources should always take into account the purpose of the Court in re-conceptualizing the management of human resources, especially those related to research within the Court and case management.

Internal hierarchical control – In exercising the duties of the Court officials, organized according to the administrative structure approved by the Meeting of Judges, the President of the Court and the Secretary General shall exercise hierarchical control over their activity, in accordance with the powers envisaged in law no. 8577/2000 and the Rules of Procedure of the Court.

Update of staff job descriptions - The restructuring of some of the Court's units gives rise to the need to review each employee's job descriptions and adapt to the newly formed circumstances. Therefore, after finalizing the organizational structure and subsequently approving the Rules of Procedure of the Court, the first step required is to update the existing job descriptions for each employee individually, as well as drafting job descriptions for those positions that are missing, according to the new approved organizational structure.

Staff Performance Management – Staff performance management is the continuous process of improving performance by setting individual and team goals, which are aligned to the strategic goals of the organization, planning, reviewing and assessing progress, and developing the staff knowledge and skills⁶¹. The legal regulation of the status of the Court staff to civil servants, legal advisors holding the magistrate status and others according to the respective laws mentioned above, induces the need for the system of evaluating their performance to be adapted according to the legal framework regulating each category. The performance appraisal of civil servants of the Court is regulated by the law on civil servants⁶² insofar as it does not contradict the organic law of the Court,⁶³ while the performance appraisal of advisors has not been carried out as to date there has been no evaluation scheme. Owing to the legal framework being insufficient and often unclear regarding this aspect, it is necessary to supplement and avoid ambiguities through the internal rules of procedure of the Constitutional Court. The court should develop an annual, objective and reliable performance appraisal system, which will allow it to better understand the competences and work of its staff. The evaluation system should be closely linked and demonstrable to employees' career development and address their capacity development requirements. Evaluation, on the other hand, should be linked to a merit-based reward system, and vice versa, should allow poor performance situations to be identified and corrected in an objective and structured manner.

Disciplinary measures – Disciplinary proceedings against civil servants of the Court are regulated by the law on civil servants, as far as they do not conflict with the organic law of the Court. Regarding legal advisors, Article 14/a of law no. 8577/2000 stipulates that they are disciplinary liable and disciplinary measures are decided by the Meeting of Judges, in accordance with the Rules of Procedure. They are subject to the rules provided in the organic law, the Rules of Procedure of the Court and the law "On the status of Magistrates", as far as applicable.

⁶¹ Armstrong, Michael. Armstrong's Handbook of Performance Management. 2017. Online Resources. See: <https://www.clearreview.com/resources/guides/what-is-effective-performance-management/>

⁶² Law No. 152/2013 "On civil servants" (amended by Law No. 178/2014 and Law No. 41/2017).

⁶³ Point 5 of Article 14 of Law No. 8577/2000.

Considering that legal provisions are distributed in several acts when it comes to the system of disciplinary measures for legal advisors, further adjustments and details in the Rules of Procedure of the Constitutional Court are deemed necessary.

Specific Objective 3.3. Filling in and building capacities for the achievement of the responsibilities of the Court

The professional capacity of the Court, as well as their management and motivation has a key role in its independence and impartiality, efficiency and effectiveness of its activity in fulfilling its constitutional function. Training is also a key element, which should be closely matched to the needs and priorities of the organization in order to improve the skills and performance of staff in the tasks they have to carry out. Targeted training represents a key element in the career development and motivation of the individual and should enable staff members to play a more active role in the determination of their own career path, as well as serve them to remedy shortfalls in performance.⁶⁴

The participation of judges in exchanges of experiences with counterpart institutions abroad, as well as study visits to sister courts are recommended for capacity building. Furthermore, participating in activities on constitutional justice, in or out of the country, is just as fruitful.

The participation of legal advisors, heads of directorates, and other support staff of the Court in training activities or study visits is equally important.

The following tables show the activities organized by the Court and the number of participants in each of them (see table no. 1 and no. 2).

Table 1: Number of activities conducted by the Constitutional Court during 2017-2020.

| Type of activity | 2017 | 2018 | 2019 | 2020 |
|--|-------------|-------------|-------------|-----------------|
| International conferences abroad | 14 | 7 | 10 | 9 ⁶⁵ |
| Study visits abroad | 1 | 4 | - | - |
| Study visits of counterpart courts in the Constitutional Court of Albania, by invitation of the latter | - | - | - | - |
| In-country seminars | 2 | 1 | 1 | 3 |
| Seminars abroad | 1 | 2 | - | 1 |
| In-country trainings | - | - | - | - |
| Trainings abroad | - | 1 | - | 2 ⁶⁶ |
| In-country jubilee activity | 1 | - | - | - |

⁶⁴ Council of Europe, Rapporteur Group on Administrative and Budgetary Questions Progress Report, 2003. See: <https://rm.coe.int/09000016805df093>

⁶⁵ 7 of the international conferences were held online, due to limitations caused by the Covid-19 pandemic situation.

⁶⁶ Both these trainings were held online due to the COVID-19 pandemic.

Table 2: Average number of participants in the activities conducted by the Constitutional Court during 2017- 2020.

| Type of activity | 2017 | 2018 | 2019 | 2020 |
|--|------------|------------|------------|------------|
| International conferences abroad | 2 persons | 3 persons | 2 persons | 2 persons |
| Study visits abroad | 2 persons | 5 persons | - | - |
| Study visits of counterpart courts in the Constitutional Court of Albania, by invitation of the latter | - | - | - | - |
| In-country seminars | 15 persons | 15 persons | 20 persons | 15 persons |
| Seminars abroad | 15 persons | 20 persons | - | 4 persons |
| In-country trainings | - | - | - | - |
| Trainings abroad | - | 2 persons | - | 7 persons |
| In-country jubilee activity | All staff | - | - | - |

The training programs attended by the Court staff have been relatively low over the last four years (2017-2020). In the last two years, the reason behind this has been the decline in the quorum of judges, as well as restrictions on various activities due to the COVID-19 pandemic.

The Court staff has participated in trainings that are mostly organized from external sources. 65% or 11 of the 17 trainings organized during the period 2017-2019 were delivered by the Albanian School of Public Administration (ASPA). At the beginning of the year, ASPA informs each institution about the list of trainings and the institutions should select them from the list. The Court follows the same procedure, attending the trainings of interest from the list of trainings provided by ASPA.⁶⁷ The delivery of trainings from external sources, especially by ASPA, is a positive indicator of cooperation between institutions in Albania and most efficient use of financial and human resources. In addition, attending trainings on topics of general interest provides the Court with opportunities to acquire knowledge related to the overall functioning of the public administration and helpful in the better management of the Court. However, the Court should focus on capacity building in specific areas in order to fulfill its core functions but also at all levels of the Court, according to a needs assessment of its staff.

The amendments made to the Constitution and the organic law related to the extension of the Court's powers, particularly in the case of individual constitutional complaints, the need for recruitment of new staff and especially the increase in the number of legal advisors, and peculiarly after the completion of the number of judges, call for a strategic approach to addressing capacity building needs either through training, specific information sessions, exchange programs with courts in other countries or the ECHR, or on-the-job training. Therefore, in order to better identify the needs of its staff, a full capacity building needs assessment is required at all levels of the Court, including the presentation of judges' specific needs for information sessions or special training for specific areas of their interest.

⁶⁷ During 2020, there was no staff training organized by ASPA.
 During 2019, the staff participated in 7 trainings organized by ASPA.
 During 2018, the staff participated in 2 trainings organized by ASPA.
 During 2017, the staff participated in 2 trainings organized by ASPA.

The training needs assessment procedure is closely related to the staff performance appraisal procedure. In fact, this was found to have not been developed as an effective procedure, and therefore has affected the lack of identification of training needs. Such procedure is performed at the end of each calendar year. In the final part of the performance appraisal procedure, the supervisor and subordinate must present the appraiser's training needs. The Human Resources Unit in the Court should gather all the information from the performance appraisal forms and elaborate on the training needs of the institution. Consequently, these needs should be converted into a plan on the institutional development and capacity building of the Court staff. Such a plan will be followed by the development of staff training programs.

The medium-term training plan will include several categories of training programs, such as:

- Training programs for professional staff dealing with the examination of issues addressed to the Court.
- Initial training programs for new employees who are being recruited or are to be recruited.
- Training or capacity building programs for the Court administration service staff.
- Exchange programs with courts of other countries or the ECHR.

The cost of a plan, which comprises trainings and developed training programs, according to the needs of the Court staff, is significant and will be unaffordable with the current budget. Therefore, a strategic plan for capacity building will be a strong basis for discussion with the Assembly to rationalize budget requests for the Constitutional Court. In addition, the training plan and programs will serve to enhance cooperation with external partners in providing technical assistance and coordinating the programming of donor funds for further support to the Court over the next medium term.

Training impact assessment - After a certain period of implementing the proposed training plan for the Court staff, the Human Resources Unit will make an assessment of the impact that the trainings have had on the improvement of staff performance in the areas in which the training was attended. It should be noted that staff needs for training and skills development will be ongoing. Therefore, the training impact assessment will also serve as a foundation for planning the continuation of trainings after the completion of the planned training cycle.

Measurement on the achievement of specific objectives in this area is performed through the following indicators:

| |
|---|
| Strategic Objective 3. Improvement of the human resources management system, strengthening of integrity, institutional organization, and building capacities of the Constitutional Court |
| Specific Objective 3.1. Improvement of the internal organization of the Court, which ensures coherence and efficiency of operations |
| Indicator: |
| 1. All organizational units have clearly determined responsibilities. |

Specific Objective 3.2. Improvement of the human resources management system and strengthening of integrity for the purpose of achievement of the Court’s objectives

Indicator:

1. All officers have a specified job description.
2. All officers and advisers are evaluated periodically.

Specific Objective 3.3. Filling in and building capacities for the achievement of the responsibilities of the Court

Indicator:

1. Number of vacancies filled.
2. Number of staff in organizational units related to the Court function.
3. Entire new staff trained.
4. Number of staff that participates in trainings, study visits, conferences and exchange programmes, in annual terms.

11. MANAGEMENT OF PUBLIC FUNDS AND ENABLING WORKING CONDITIONS IN THE COURT

Strategic Objective 4. Efficient planning and coordination of financial resources, including projects funded by international partners, risk management, and enabling physical conditions for the operations of the Court

This strategic objective can be fulfilled through the following specific objectives:

| Specific Objective 4.1 | Specific Objective 4.2 | Specific Objective 4.3 | Specific Objective 4.4 |
|---|--|---|---|
| Improvement of planning and coordination of the efficient management of financial resources for the purpose of Court objectives | Strengthened coordination with international partners and donors in order to support the achievement of Court objectives | Efficient risk management for the Court | Ensuring physical conditions for the operation of the Court |

Specific Objective 4.1. Improvement of planning and coordination of the efficient management of financial resources for the purpose of Court objectives.

The Court's funding, in the context of its independence to administer the budget, is discussed above in the section on the independence, impartiality and functioning of the Court. The Directorate of Economy and Human Resources provides support to the activity of the Court through the effective administration of budgetary funds on establishing optimal conditions for the smooth progress of the work of the members of the Court and the administrative apparatus. The management of public finances by the Directorate is performed according to the requirements of law no. 10296, dated 08.07.2010 “On financial management and control” and

law no. 9936, dated 26.06.2008 "On the Management of the Budgetary System in the Republic of Albania".

Amid the main challenges affecting the independence of the Court, guaranteed by the Constitution and the law, are the disapproval of the requested budget and often the fact that, for any necessary change that arises during the process of its implementation by certain budget items, permission has to be obtained from the Ministry of Finance. To avoid these challenges, as discussed in section 6.2. (Funding of the Constitutional Court), the activation of the Court in undertaking awareness-raising activities through closer cooperation with the Assembly, the organization of conferences, and discussions with the public and key stakeholders are required. The means of communication with the public and the responsible actors of the relevant institutions should be used to the maximum, including the timeframe before and during the annual period when the budget planning and decision-making process takes place.

On the other hand, it is necessary to strengthen the medium-term and annual budget planning. Cooperation with all other directorates of the Court and consolidated coordination for medium-term and annual budget planning will enable better planning, mutual understanding and improved coordination in the field of budget and finance. Lobbying with the Assembly of Albania will take place, in accordance with the constitutional requirement for financial independence, with respect to the approval of the budget funds of the Court and their allocation according to its needs. As part of these activities, the Court also plans and prepares ways to better articulate and present needs to Parliamentary committees.

This Strategy and its coordination and monitoring mechanisms will help to improve the coordination of the Court's medium-term and annual budget planning, but also to identify and plan other resources.

Specific Objective 4.2. Strengthened coordination with international partners and donors in order to support the achievement of Court objectives

With the purpose of attracting external assistance and donor projects, and using them effectively in supporting the achievement of the objectives and priorities of the Court, deepening cooperation with international partners and donors is of paramount importance. Strengthening this cooperation can help the Court fill the budget gap for projects, which are included in the Strategy and which cannot be covered by the state budget. The ongoing cooperation of the Court with the OSCE Presence in Albania and the KAS Foundation, Office for Albania, including their support in drafting this Strategy, is an example to be followed with other international partners. Regarding the above, in addition to continuing the cooperation with the OSCE and KAS, the Court will also cooperate with other partners, who have expressed their willingness to engage in the implementation of this strategic plan. The court will identify its needs and the projects for which it needs donor funding. It will organize roundtables, bilateral meetings and joint roundtables with donor organizations in order to present and discuss the needs of the Court and the identified projects.

Specific Objective 4.3. Efficient risk management for the Court

The Risk Management Strategy and oversight of its implementation helps to identify, analyze, evaluate, address, monitor and report the main risks that jeopardize the achievement of the objectives set out in the Strategy of the Constitutional Court, in order to minimize unforeseen adverse events and maximize opportunities.

In this view, the Court will take the adequate measures for the implementation of the Risk Management Strategy and the drafting of other necessary documents, as well as the establishment of mechanisms on risk management, monitoring and reporting of its implementation.

Specific Objective 4.4. Ensuring physical conditions for the operation of the Court

The court lacks the facilities and equipment necessary for a more efficient operation. One of the issues encountered by the Constitutional Court has been the lack of infrastructural spaces such as comfortable working environments or financial shortcomings to adapt to modern research technology, in order to function effectively and qualitatively, as well as to increase public transparency.

The court's headquarters address is Boulevard "Dëshmorët e Kombit", no. 26, Tirana, in the building where several constitutional institutions are located. The facilities in this building are deficient, starting from the offices, which, with the foreseen addition of staff, are insufficient. In addition, the courtroom is small and inadequate. Despite these being external factors that do not depend on the Court, the lack of good working conditions impairs the effectiveness of work. The Court intends to undertake awareness-raising activities and intensive coordination with relevant institutions for the implementation of this objective.

Measurement on the achievement of specific objectives in this area is performed through the following indicators:

| |
|--|
| Strategic Objective 4. Efficient planning and coordination of financial resources, including projects funded by international partners, risk management, and enabling physical conditions for the operations of the Court |
|--|

| |
|--|
| Specific Objective 4.1. Improvement of planning and coordination of the efficient management of financial resources for the purpose of Court objectives |
|--|

Indicators:

1. Percentage of the approved Court budget spent within a year.
2. Increased percentage of the annual budget.
3. Other relevant institutions (Government, Assembly) sensitized on the budgetary independence and budgetary needs of the Court.
4. All organizational units of the Court involved in the planning of budgetary needs.

| |
|--|
| Specific Objective 4.2. Strengthened coordination with international partners and donors in order to support the achievement of Court objectives. |
|--|

Indicators:

| |
|--|
| <ol style="list-style-type: none"> 1. Number of projects funded by donors. 2. Number of activities funded by donors where the court takes part. 3. Percentage of the amount of projects funded by donors as compared to the Court budget. |
| <p>Specific Objective 4.3. Efficient risk management for the Court</p> |
| <p>Indicators</p> <ol style="list-style-type: none"> 1. Number of risks occurred. 2. Number of objectives of the Risk Management Strategy achieved. |
| <p>Specific Objective 4.4. Ensuring physical conditions for the operation of the Court</p> |
| <p>Indicators:</p> <ol style="list-style-type: none"> 1. Adequate working space provided. 2. Necessary working tools provided. |

12. MONITORING AND REPORTING OF THE CONSTITUTIONAL COURT STRATEGY

The Strategy for the Constitutional Court will be the main framework for monitoring and reporting on its strategic and reform development in the upcoming medium term.

Its monitoring mechanism consists of:

- Monitoring and reporting coordination structure
- Monitoring and reporting processes

Monitoring and reporting coordination structure – Consists of the Heads of departments of the Court and is chaired by the President of the Court or the Secretary General of the Court. The Court may extend the responsibility and scope of activity of the Strategic Planning Group established for drafting the strategy both during the monitoring and reporting of its implementation and the review of the strategy after a certain period of time. The role and responsibility of the group, working procedures, frequency of meetings and reporting can be determined by decision of the Meeting of Judges.

Monitoring and reporting processes - Reporting on the implementation of the strategy is performed on a 3-month or 6-month basis, as well as on an annual basis. The general report, which makes the evaluation of the implementation of the strategy and the achievement of the strategic objectives, is carried out in the final year of the strategy. The quarterly or semi-annual report focuses on the progress made in implementing the activities, including meeting deadlines, reasons for delays, implementation challenges, etc. The annual report focuses on the progress achieved towards specific objectives and success indicators.

To facilitate the reporting and monitoring process, the Court may develop standard forms for the collection of reporting information, the standard periodic report format (3 and 6 months), and the standard format for the annual and final report.

13. FINANCIAL IMPACT OF THE STRATEGY

The assessment of the financial cost for the implementation of the Strategy is based on: a) the reference values received directly from the meetings with the officials responsible for finance in the Constitutional Court of Albania; b) reference values of financial impact employed in the strategies drafted for the institutions of the Republic of Albania; and c) information collected from various sources for the purpose of estimating the cost of inputs and planned products that are developed with the implementation plan of the Strategy of the Constitutional Court. Based on this information, a reference of approximate prices has been established, according to which the costing of the products and activities of the implementation plan has been performed.

This assessment follows the approach of initially setting forth the intended objectives (strategic and specific), and analyzing the actions (activities) and related results for those activities needed to achieve the objectives. For each activity, the possible sources of funding have been assessed, which could be covered by the budget of the Court/state budget and/or by potential donors. However, the activities implemented by the Court using its current human resources have not been costed separately and those activities have been noted to be implemented “at no additional cost”. Consequently, the total cost envisaged in this Strategy denotes, in principle, the necessary financial amount for the activities, which is not planned to be covered by the current resources of the Constitutional Court according to the data provided. Therefore, this amount should be covered through the re-prioritization of the current budget and additional requests from the current state budget, as well as from potential donors.

The following is an estimate of the direct financial cost for the implementation of the Strategy, according to strategic and specific objectives, divided into respective years:

Table: Financial Impact of the Court Strategy for 2021-2023, according to Strategic Objectives, (amounts in EUR and ALL⁶⁸)

| | | 2021 | 2022 | 2023 | Total |
|------------------------------|---|-----------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Strategic Objective # | Enabling a functional constitutional justice system and an efficient and effective means of appeal | 101,584.00 | 188034.00 | 282433.00 | 572,051.00 |
| 1 | | EUR | EUR | EUR | EUR |
| | | 12,522,259 | 23,178,951 | 34,815,516 | 70,516,726 |
| | | ALL | ALL | ALL | ALL |
| Specific Objectives | S.O. # 1.1 Increased efficiency and effectiveness in recording, managing, and monitoring the examination of cases | 8,050.00 EUR 992.323 ALL | 15000.00 EUR 1,849,050 ALL | 20900.00 EUR 2576343 ALL | 43950.00 EUR 5417716 ALL |
| | S.O. # 1.2 Providing for a functional and contemporary electronic system on case management and monitoring | 17000.00 EUR 2095590 ALL | 10600.00 EUR 1306662 ALL | 100000.00 EUR 12327000 ALL | 127600.00 EUR 15729252 ALL |
| | S.O. # 1.3 Improved quality of scientific research, studies, as well as preservation | 35334.00 EUR | 41234.00 EUR | 40333.00 EUR | 116901.00 EUR |

⁶⁸ The calculation of the value in ALL was made on the ground of the official exchange rate, as published by the Bank of Albania on 29 March 2021, date this strategy was approved. According to this rate, 1 euro is to be converted for Lek 123.27.

See: https://www.bankofalbania.org/Tregjet/Kursi_zyrtar_i_kembimit/

| | | | | | |
|--------------------------------|--|--|--|---|---|
| | and development of the Constitutional Court case law | 4355622 ALL | 5082915 ALL | 4971849 ALL | 14410386 ALL |
| | S.O. # 1.4 Increased and enhanced cooperation of the Court with domestic and international level institutions | 41200.00 EUR 5.078,724 ALL | 121200.00 EUR 14940324 ALL | 121200.00 EUR 14940324 ALL | 283600.00 EUR 34959372 ALL |
| Strategic Objective # 2 | Strengthening the confidence in the court through continued communication and information with the public and media and promotion of the Court activity | 81550.00 EUR 10052668 ALL | 5500.00 EUR 677.985 ALL | 6500.00 EUR 801.255 ALL | 93550.00 EUR 11531908 ALL |
| Specific Objectives | S.O. # 2.1 Enhanced transparency of the Court activity, through continued communication and information with the public | 37100.00 EUR 4573317 ALL | 0 | 1000.00 EUR 123.270 ALL | 38100.00 EUR 4696587 ALL |
| | S.O. # 2.2 Communication with subjects that put the Constitutional Court in motion and other stakeholders that operate in the area of fundamental human rights and freedoms | 900.00 EUR 110.943 ALL | 900.00 EUR 110.943 ALL | 900.00 EUR 110.943 ALL | 2700.00 EUR 332.829 ALL |
| | S.O. # 2.3 Strengthening communication with the media | 43550.00 EUR 5368408 ALL | 4600.00 EUR 567.042 ALL | 4600.00 EUR 567.042 ALL | 52750.00 EUR 6502492 ALL |
| Strategic Objective # 3 | Improvement of the human resources management system, strengthening of integrity, institutional organization, and building capacities of the Constitutional Court | 13400.00 EUR 1651818 ALL | 97000.00 EUR 11957190 ALL | 5900.00 EUR 727.293 ALL | 116300.00 EUR 14336301 ALL |
| Specific Objectives | S.O. # 3.1 Improvement of the internal organization of the Court, which ensures coherence and efficiency of operations | 0 | 0 | 0 | 0 |
| | S.O. # 3.2 Improvement of the human resources management system and strengthening of integrity for the purpose of achievement of the Court's objectives | 13400.00 EUR 1651818 ALL | 7000.00 EUR 862.890 ALL | 5900.00 EUR 727.293 ALL | 26300.00 EUR 3242001 ALL |
| | S.O. # 3.3 Filling and building capacities for the achievement of the responsibilities of the Court | 0 | 90000.00 EUR 11094300 ALL | 0 | 90000.00 EUR 11094300 ALL |
| Strategic Objective # 4 | Efficient planning and coordination of financial resources, including projects funded by international partners, risk management, and enabling physical conditions for the operations of the Court. | 12200.00 EUR 1503894 ALL | 10000.00 EUR 1232700 ALL | 1511200.00 EUR 186285624 ALL | 1533400.00 EUR 189022218 ALL |
| Specific Objectives | S.O. # 4.1 Improvement of planning and coordination of the efficient management of financial resources for the purpose of Court objectives | 1200.00 EUR 147.924 ALL | 0 | 1200.00 EUR 147.924 ALL | 2400.00 EUR 295.848 ALL |

| | | | | |
|---|-----------------------------------|-----------------------------------|---------------------------------------|---------------------------------------|
| S.O. # 4.2 Strengthened coordination with international partners and donors in order to support the achievement of Court objectives | 1000.00 EUR 123.270 ALL | 0 | 0 | 1000.00 EUR 123.270 ALL |
| S.O. # 4.3 Efficient risk management for the Court | 0 | 0 | 0 | 0 |
| S.O. # 4.4 Ensuring physical conditions for the operation of the Court | 10000.00 EUR 1232700 ALL | 10000.00 EUR 1232700 ALL | 1510000.00 EUR 186137700 ALL | 1530000.00 EUR 188603100 ALL |

| | | | | |
|--------------|---|---|---|---|
| TOTAL | 208734.00 EUR 25730639 ALL | 300534.00 EUR 37046826 ALL | 1806033.00 EUR 222629688 ALL | 2315301.00 EUR 285407153 ALL |
|--------------|---|---|---|---|

As presented in the table above, the total financial costs for the purpose of the strategy is **EUR 2,315,301.00 or ALL 285,407,154.**

Strategic Objective #1 *“Enabling a functional constitutional justice system and an efficient and effective means of appeal”* is estimated to cost **EUR 572,051.00 or ALL 70,516,726.**

Strategic Objective #2 *“Strengthening the confidence in the court through continued communication and information with the public and media and promotion of the Court activity”* is estimated to cost **EUR 93,550.00 or ALL 11,531,908.**

Strategic Objective #3 *“Improvement of the human resources management system, strengthening of integrity, institutional organization, and building capacities of the Constitutional Court”* is estimated to cost **EUR 116,300.00 or ALL 14,336,301.**

Strategic Objective #4 *“Efficient planning and coordination of financial resources, including projects funded by international partners, risk management, and enabling physical conditions for the operations of the Court”* is estimated to cost **EUR 1,533,400.00 or ALL 189,022,218.**

**ANNEX 1. ACTION PLAN RELEVANT TO THE STRATEGY OF THE CONSTITUTIONAL COURT OF THE
REPUBLIC OF ALBANIA**

