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FOURTH EVALUATION ROUND

Corruption prevention in respect of members of
parliament, judges and prosecutors

ADDENDUM TO THE SECOND COMPLIANCE REPORT ALBANIA

Adopted by GRECO at its 85th Plenary Meeting
(Strasbourg, 21-25 September 2020)

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I. INTRODUCTION

1. The Addendum to the Second Compliance Report assesses the measures taken by the authorities of Albania to implement the recommendations issued in the Fourth Round Evaluation Report on Albania (see paragraph 2), dealing with "Corruption prevention in respect of members of parliament, judges and prosecutors".
2. The [Fourth Round Evaluation Report](#) on Albania was adopted at GRECO's 63rd Plenary Meeting (28 March 2014) and made public on 27 June 2014, following Albania's authorisation ([Greco Eval IV Rep \(2013\) 9E](#)).
3. The [Fourth Round Compliance Report](#) was adopted by GRECO at its 71st Plenary Meeting (18 March 2016) and made public on 15 April 2016, following authorisation by Albania ([GrecoRC4\(2016\)6](#)).
4. The [Second Compliance Report](#) ([GrecoRC4\(2018\)4](#)) was adopted at GRECO's 80th Plenary (18-22 June 2018) and made public on 12 July 2018, following authorisation by Albania.
5. As required by GRECO's Rules of Procedure, the authorities of Albania submitted a Situation Report with additional information regarding measures taken to implement the six pending recommendations which, according to the Second Compliance Report, had been partly implemented. This report was received on 30 March 2019 and updated on 2 October 2019 and served as a basis for this Addendum to the Second Compliance Report.
6. GRECO selected Cyprus and North Macedonia to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed for the current report were Ms Alexia KALISPERA, on behalf of Cyprus, and Ms Ana PAVLOVSKA-DANEVA, on behalf of North Macedonia. They were assisted by GRECO's Secretariat in drawing up this Addendum to the Second Compliance Report.

II. ANALYSIS

7. It is recalled that GRECO addressed ten recommendations to Albania in its Evaluation Report. In the Second Compliance Report, GRECO concluded that recommendations i, iv, v and x had been implemented satisfactorily and recommendations ii, iii, vi, vii, viii and ix had been partly implemented by Albania. Compliance with the pending recommendations is dealt with below.

Corruption prevention in respect of members of parliament

Recommendation ii.

8. *GRECO recommended that i) the Code of Conduct for members of parliament, foreseen by the Rules of Procedure of the National Assembly, be elaborated and properly enforced; and ii) training, guidance and counselling be made available to deputies on issues such as the form, manner and scope of permissible contacts with interest groups and lobbyists, the disclosure of ad hoc conflicts of interest, ethics and corruption prevention within their own ranks.*
9. It is recalled that in the Second Compliance report, GRECO concluded that this recommendation was partly implemented. GRECO welcomed the adoption of the Code of Conduct for parliamentarians covering integrity-related matters and was looking forward to receiving the Guidelines for the Code's implementation. It pointed out remaining uncertainties as regards the procedure for ensuring the proper enforcement of the rules of the Code and the sanctions applicable to parliamentarians

in cases of breach of this Code. Proper guidance and appropriate training and counselling were recommended to facilitate the implementation of the Code.

10. The Albanian authorities now indicate that detailed Guidelines for the implementation of the Code of Conduct for parliamentarians have been approved on 27 September 2018 and published on the Website of the Assembly. The Code of Conduct and the Guidelines were submitted to the parliamentarians by e-mail and hard copies in October 2018. They were also distributed to all the parliamentary groups, in the form of a booklet in January 2019.
11. Furthermore, the Rules of Procedure of the Assembly were amended on 18 July 2019 to clearly stipulate the obligation to respect the Rules of Procedure and the Code, and to organise disciplinary measures and procedure in case of violations of these instruments. Chapter IX on the "Rules and conduct in the Assembly" has been reworded to make it clear that the rules and the disciplinary measures set out in this chapter apply to the violation of the Rules of Procedure and the Code of Conduct. The reorganised "Secretariat for procedures, voting and ethics" has become the first instance in order to impose severe disciplinary measures, the Bureau of the Assembly being competent for the second instance.
12. The Albanian authorities also indicate that three information sessions on the Code of Conduct and the Guidelines were organised for 37 parliamentarians on "Prevention of conflict of interests, preventive mechanisms, treatment and resolving conflict of interests" in November 2018. In March 2019, the Assembly organised an advisory and orienting meeting with the participation of the newly-appointed parliamentarians, the parliamentarians with extended experience, the Secretary General of the Assembly and the directors of the Assembly's administration to inform, orient and advise in particular on the rights and obligations of the parliamentarians according to the Code of Conduct and the Guidelines. On 6 November 2018, a symposium on conflict of interests and declaration of assets was organised by the Assembly and the High Inspectorate for the Declaration and Audit of Assets and Conflicts of Interests (HIDAACI), with the participation of 33 parliamentarians, civil servants of the Assembly and representatives of HIDAACI, EU Delegation, Ministry of Justice, Ministry for Europe and Foreign Affairs.
13. As regards the system for counselling parliamentarians in respect of ethical issues, the Albanian authorities indicate that the Law Responsible Authority in the Assembly, including two persons from the Assembly's Human Resources Service and Parliamentarians' Benefits Department, has been designated according to the Law on Prevention of Conflicts of Interest in the Exercise of Public Functions (LPCI), to offer counselling to parliamentarians. During the process of declaring assets and private interests (first quarter of each year), the Responsible Authority provides an average of 30-40 advises to parliamentarians on how to fill the relevant documents. Between October 2019 and February 2020, it has also advised two parliamentarians, at their request (in person or through mobile phones), on the issue of outside activities. The Albanian authorities add that during the plenary sessions or committee meetings, the Speaker or the chairs of the parliamentary committees and groups often advise parliamentarians on the implementation of the Code of conduct.
14. Moreover, successive public calls for the accreditation of lobbyists, interest groups and civil society organisations were published as from October 2018, based on Article 22 of the Code of Conduct and article 18 of the Guidelines. 27 interest groups and civil society organisations had expressed interest by 15 February 2019. The "Register of lobbyists, interest groups and civil society organisations has been made public on the Assembly's website. It contains a list of entities accredited by the Assembly, divided by areas of responsibility of the permanent parliamentary commissions, as well as the details of their administrators.

15. In addition, a special electronic register for gifts has been set up and published on the Assembly's website. A place for exhibiting and preserving the gifts received by parliamentarians has been created in Parliament and a commission for determining the value of gifts has been established.
16. GRECO welcomes the measures taken since the adoption of the Code of Conduct for parliamentarians in order to strengthen its enforceability and raise the awareness of the Code among parliamentarians. The more recent Guidelines for the implementation of the Code of Conduct complement usefully the rules contained in the Code, and proper awareness measures and training events have taken place in this respect. GRECO also welcomes the amendments to the Rules of Procedure of the Assembly which clarify and strengthen the enforcement and sanction mechanisms in case of violations of the Code. GRECO also welcomes the system put in place for providing counselling to parliamentarians in respect of ethical issues, both informally, through the Speaker and the chairs of the parliamentary committees and groups, and in a more formalised manner through the organisation of an advisory and orienting meeting with the participation of newly appointed parliamentarians and the formal role entrusted to the Law Responsible Authority to provide advice upon request.
17. GRECO concludes that recommendation ii has been implemented satisfactorily.

Recommendation iii.

18. *GRECO recommended that a mechanism for the "case by case" notification of conflicts of interest by members of parliament be established within the National Assembly and that the operation of this mechanism be subject to monitoring.*
19. It is recalled that in the Second Compliance report, GRECO concluded that this recommendation was partly implemented. GRECO welcomed that the new Code of Conduct for parliamentarians provided for a clear procedure for notifying *ad hoc* conflicts of interest. It indicated that the success of this procedure would depend on the effective enforcement of the Code, including the application of sanctions in case of breach, which were lacking in the Code. It also recommended that adequate training on conflicts of interest be devised within the Assembly.
20. The authorities of Albania now indicate that parliamentarians are informed by the Law Responsible Authority in the Assembly, during the meetings of parliamentary committees and plenary sessions, on their obligations to declare case by case conflicts of interest. The case-by-case notifications of conflicts of interest are filed, and the Speaker, at the plenary session, informs the Assembly about these notifications. A register of declarations of conflicts of interest is published on the Assembly's website and kept up to date. Since the Second compliance report, five parliamentarians have notified private interests on a case-by-case basis, according to this procedure.
21. The Law Responsible Authority monitors this mechanism of notification and operates in accordance with the LPCI and the orders issued by HIDAACI, to which the Authority reports annually all the declarations. The Regulation of Parliament indicates (Chapter IX, Article 62/1) that violations of the rules on conflict of interest are sanctioned in line with the relevant legislation.
22. Moreover, the Albanian authorities refer to the amendments to the Rules of Procedure as regards disciplinary procedure and sanctions (see recommendation ii above).

23. GRECO welcomes that the measures implemented by the Assembly to ensure the proper application of the Code of conduct have resulted in a system of notifications of case-by-case conflicts of interest. It notes that the declarations are made public both within the Assembly and to the public through the website. GRECO encourages the Albanian authorities to ensure a continuous updating of this information. It also welcomes the amendments to the Rules of Procedure of the Assembly which clarify and strengthen the enforcement and sanctions mechanisms in case of violation of the obligations and procedure established as regards case-by-case declaration of conflicts of interest. It notes that the proper operation of this case-by-case declaration system is ensured by a monitoring mechanism exercised by the Law Responsible Authority under the supervision of HIDAACI.
24. GRECO concludes that recommendation iii has been implemented satisfactorily.

Corruption prevention in respect of judges and prosecutors

25. As noted in previous reports, a vast judicial reform was initiated in 2014 in Albania, involving constitutional amendments¹ and a set of organic laws aimed at strengthening guarantees of independence, impartiality, professionalism and integrity within the judicial system, and improving its functioning. Within the framework of this reform, a number of new institutions have been established, including among others the High Judicial Council (HJC) replacing the former High Council of Justice and the High Prosecutorial Council (HPC). Furthermore, a large exercise of vetting of judges and prosecutors was initiated, inter alia, with a view to fighting corruption in the judiciary.² This re-evaluation process (vetting) is still being carried out, involving a large number of Albanian judges and prosecutors.
26. The Albanian authorities indicate that the High Judicial Council (HJC) has intensified efforts to address the most urgent priorities and shortfalls of the judicial system. Until 17 February 2019, the HJC had adopted 395 decisions concerning:
- the Strategic Plan 2019 – 2020 to enhance efficient use of resources, strengthen operation, and ensure coordination with other stakeholders;
 - the independence, accountability and efficiency of the judiciary (election of vice-presidents of the courts, functioning of the court councils, judicial delegation, temporary transfer of judges);
 - the monitoring of courts' performance;
 - the organisation of the judicial initial training programme at the School of Magistrates;
 - legal criteria for acting chancellors;
 - personal files and registers of magistrates;
 - judicial mapping;
 - Ethical and professional evaluation of judges;
 - Rules and criteria on promotion of judges;
 - Establishment of special courts for adjudicating corruption and organised crime.
27. The HJC has been part of the vetting process by supporting the Independent Qualification Commission through the preparation of reports on the professional skills analysis of reassessment entities. To this end, it has set-up the *ad-hoc* "Commission on Ethical and Professional Evaluation in the Framework of the Transitional Reassessment of Judges".

¹ Venice Commission, "[Interim Opinion on the draft constitutional amendments on the judiciary of Albania](#)", adopted at the 105th plenary session (Venice, 18-19 December 2015), CDL-AD(2015)045; "[Final Opinion on the revised draft constitutional amendments on the judiciary of Albania](#)", adopted at its 106th Plenary Session (Venice, 11-12 March 2016), CDL-AD(2016)009, for instance paras. 7-8, 52-57, 74 and 86-87.

² Venice Commission, "[Albania - Amicus Curiae Brief for the Constitutional Court on the Law on the Transitional Re-evaluation of Judges and Prosecutors \(The Vetting Law\)](#)", adopted at its 109th Plenary Session (Venice, 9-10 December 2016), CDL-AD(2016)036-e, for instance paras. 59 to 64.

Recommendation vi.

28. *GRECO recommended i) the selection and appointment of the High Court justices be made transparent and that the opinion of the judiciary (e.g. the High Council of Justice itself) be sought in those processes; and ii) the periodic evaluation of professional and ethical performance of a judge is conducted in a timely manner and that consideration be given to ensuring that the criteria for evaluating a judge's ethical conduct are objective and transparent, with due regard to the principle of judicial independence.*
29. It is recalled that in the Second Compliance report, GRECO concluded that this recommendation was partly implemented. More precisely, GRECO considered the first part of the recommendation as implemented satisfactorily: it welcomed the constitutional amendments which limited the role of the President of the Republic to a formal appointment of the judges to the High Court, following a proposal from the newly established HJC. GRECO also found the composition of the HJC, including a majority of judges elected by their peers to overall meet the objectives of the first part of the recommendation. In respect of the second part of the recommendation, GRECO noted that criteria for the evaluation of magistrates had been laid down in Law No. 96/2016, but remained concerned by the gaps, which could be more than six years, between the reference years for evaluating magistrates and the corresponding rounds of evaluations. GRECO considered that this gap remained a difficulty and that the periodic evaluations of magistrates were not conducted in a timely manner. This part of the recommendation was therefore partly implemented.
30. As regards the selection and appointment of the High Court justices, the Albanian authorities now indicate that HJC has adopted fundamental by-laws and regulations so as to make the High Court functional. These norms concern the procedure for verifying the conditions and legal criteria for the recruitment of judge (quota of 4/5) and non-judge (quota of 1/5) members of the High Court. The authorities indicate that HJC has thus submitted a list of four non-judge candidates to the President of the Republic who has appointed three of them in March 2020. The fourth candidate is expected to be appointed in September 2020. The deliberations already taken by the 3 newly appointed judges have resulted in a reduction of the overall Court's backlog of around 700 cases. As regards the quota of judges, the new framework aims at ensuring an objective and unbiased process, based on a transparent and competitive procedure. The calls for the 11 vacancies have been closed and the Career Development Commission has started to evaluate the applications. Considering the verification, evaluation, scoring and ranking process, the High Court is expected to become fully operational in 2021.
31. The authorities also report that a Memorandum of Understanding (MoU) has been established between the HJC and the United States Agency for International Development (USAID), which aims at reducing the backlog: 12 officers are working to inventory in details almost 35,000 pending cases, which will be used for categorizing cases to be then addressed by legal advisers and judges. The MoU also foresees the modernisation of the Court's working processes and ICT for enhancing transparency and improving public relations. A Roadmap for the efficiency of the High Court and the reduction of the backlog has been established including the promotion of qualified judges and the appointment of more legal advisers.
32. As regards the evaluation of judges, the Albanian authorities now points out that the ethical and professional evaluation and the transitional re-evaluation (vetting process) are interrelated and that both must be used by HJC to determine the status and career of magistrates. As regards the professional evaluation of magistrates, Article 84 of the Law no. 96/2016 on the Status of Judges and Prosecutors organises

in a detailed and proportionate manner the evaluation periods for magistrates according to their professional experience and position: once every three years during the first 15 years of professional experience, and then once every five years. A court president is evaluated at least once during the duration of his/her mandate and at least six months prior to the end of this mandate. The HJC approved on 21 November 2019 the complementary by-laws as regards the new Judicial Evaluation Scheme, as well as standard tables with the required statistical data for the ethical and professional evaluation of judges (19 December 2019). A scoring methodology has been set up aimed at determining judges' evaluation grades and the respective legal indicators regarding their merits, qualification, integrity, skills and efficiency, while respecting the principle of the independence of the judge. 250 professional evaluations out of 466 have been completed. As regards the transitional re-assessment process, the 2020 Judicial Ethical and Professional Evaluation Programme foresees the reassessment of 121 judges. In total, 216 evaluation reports have been submitted to the independent transitional reassessment bodies. As a total of 389 judges is due to be subject to the vetting process (25 have resigned), which means, according to the Albanian authorities, that the transitional reassessment process is proceeding well. The Albanian authorities consider that these measures contribute to fill the gap between the reference years and corresponding rounds of evaluation of judges. They acknowledge that the professional evaluation of judges and the vetting process are two distinct processes. However, they stress that they are both closely interrelated due to the professional evaluation component which is used in both processes where the HJC is the only responsible authority to conduct the evaluation.

33. The first part of the recommendation had been considered implemented satisfactorily in the Second Compliance Report (June 2018). However, taking into account the revised constitutional and legal framework for appointing High Court justices (see para. 25), GRECO now notes that, almost two years later, the High Court is still not fully operational. Indeed, only part of the non-judge candidates (1/5 of the High Court members) have been appointed and the process for selecting the remaining 4/5 quota of judges according to the new evaluation and selection framework has not been finalised. The backlog at the High Court remains high, although specific plans and measures have recently been taken to reduce it. GRECO urges the Albanian authorities to find appropriate solutions so that the High Court can be operational, in accordance with the existing constitutional and legislative framework. It is essential that a depoliticised and independent High Court can fully and efficiently function as soon as possible. In the current situation, GRECO cannot maintain its previous conclusion that the first part of this recommendation had been implemented satisfactorily. Therefore, this part of the recommendation remains partially implemented.
34. As regards the second part of the Recommendation, GRECO notes that the comprehensive judicial reform is still being implemented, including an on-going process of transitional re-assessment of magistrates. The Albanian authorities consider that the results of this process must be taken into account for determining the individual status and career of judges, together with the professional evaluation of them. This can be a rather lengthy process. On its side, GRECO considers that assessing professional qualifications and assessing integrity should be two separate processes. GRECO is also aware that the pace of the on-going vetting is very problematic for the day to day activities of the courts, as a significant number of judges have failed during the evaluations and can therefore no longer act as judges. Thus, while acknowledging the efforts carried out to solve the issue of the backlog of and the time-consuming evaluations, it cannot be concluded that the evaluations are currently conducted in a timely manner, as required by the recommendation. Therefore, this part of the recommendation remains partly implemented.
35. GRECO concludes that recommendation vi remains partly implemented.

Recommendation vii.

36. *GRECO recommended that i) the "Ethics, mandate verification and continuous professional development Committee" under the National Judicial Conference fulfils its mandate and ensures, in a proactive manner, the enforcement of ethical rules; and that ii) guidance, counselling and mandatory in-service training be provided to judges on ethics, conflicts of interest and corruption prevention within their own ranks.*
37. It is recalled that in the Second Compliance report, GRECO concluded that this recommendation was partly implemented. More precisely, GRECO noted positively that the judicial reform had entrusted the newly established HJC with the adoption and monitoring of judicial ethical standards and rules of conduct and that such standards had become topical as regards the process for re-evaluating judges in order to root out corruption from the judiciary. However, it pointed out that the judicial reform remained to be fully implemented and the HJC to become operational. The second part of the recommendation was considered implemented with the establishment, within the HJC, of an Ethics Adviser for the judiciary.
38. The Albanian authorities reiterate that the justice reform is being swiftly implemented in practice: the HJC is operational and exercises *inter alia* its power as regards judicial ethics and the periodic evaluation of judges on professional and ethical criteria. The HJC has established four standing committees, including the committee of Ethical and Professional Performance Evaluation, which drafted the criteria on judges' evaluation and promotion. The regulation has already been approved by HJC. In parallel, the observance by magistrates of the ethical rules is subject to the vetting process (see Recommendation VI above). The HJC's administration includes an Ethics Adviser, appointed on 11 October 2019, in charge of advising judges on topics related to integrity and ethics.
39. GRECO takes note of the new development resulting from the implementation of the judicial reform, including the effective functioning of HJC as the main body responsible for the furthering of ethical standards in the judiciary. In-service training of magistrates had already been established at the time of the adoption of the Compliance Report and the establishment of an ethics advisor at HJC, for counselling and furthering of training, was acknowledged in the Second Compliance report.
40. GRECO concludes that recommendation vii has been dealt with in a satisfactory manner.

Recommendation viii.

41. *GRECO recommended that i) with a view to ensuring protection against arbitrary intervention in the administration of justice, the extent of the right of the Ministry of Justice to examine the functioning of judicial services and court administration, as provided under Article 31 of the law "On the organisation and functioning of the High Council of Justice" be clearly defined; and that ii) the respective court presidents, including the High Court Chief Justice, be vested with the right to initiate disciplinary proceedings against judges.*
42. It is recalled that in the Second Compliance report, GRECO concluded that this recommendation was partly implemented. GRECO welcomed that the functioning of judicial administration had become the competence of the HJC. The Minister of Justice could attend HJC meetings but has no right to vote as regards strategic planning and the judiciary's budget. It also welcomed the creation of the High Justice Inspector responsible for processing complaints, investigating violations on its own initiative

and initiating disciplinary proceedings against all judges, and noted that the Minister of Justice could apply to the High Justice Inspector if there was reliable information that a judge may be responsible of misconduct. GRECO agreed with the mode of selection of the High Justice Inspector by the Assembly. However, it pointed out that the post of High Justice Inspector remained to be filled. GRECO assessed the second part of the recommendation as implemented, considering that the court presidents have the responsibility to ensure that judicial ethical standards are respected in their courts and can ask for proceedings to be initiated in situations of violations.

43. The Albanian authorities now state that the revised Constitution establishes the conditions and procedures for the election of the High Justice Inspector (HJI), as a new body in the justice system. He/she is elected upon three fifth majority of all members of the Assembly, for a nine-year term, without the right to re-election, among the ranks of prominent jurists with no less than 15 years of professional experience, of high moral and professional integrity. Candidates should not have held political posts in the public administration or leadership positions in a political party in the last past 10 years. The HJI is elected from the list of five candidates selected and ranked based on merits by the Justice Appointment Council. If the Assembly does not reach the required majority within 30 days, the candidate ranked first is declared appointed. The Justice Appointments Council (temporary), pursuant to constitutional and legal provisions, has reopened the call for application for the second time on 1 March 2019. 13 candidates applied and a list of 5 applicants has been made public on the website of the High Court. Moreover, the Justice Appointments Council adopted on 11 March 2019 a detailed regulation on determining the procedures for the verification of candidates for the Constitutional Court and the HJI. The Albanian authorities indicate that the HJI was appointed on 20 January 2020.
44. GRECO reiterates that following the judicial reforms the functioning of the judicial administration has to a large extent been transferred to the HJC. GRECO already welcomed in the Second Compliance Report the creation of the High Justice Inspector as responsible for complaints within the Judiciary. These measures aim at protecting the judiciary and judges from arbitrary interventions from the executive, which is the overall aim of the first part of the recommendation. GRECO notes the recent appointment of the HJI and therefore considers that the first part of the recommendation has now been implemented. The second part was implemented according to the Second Compliance Report.
45. GRECO concludes that recommendation viii has been implemented satisfactorily.

Recommendation ix.

46. *GRECO recommended to further refine the criteria for assessing a prosecutor's ethical qualities, in particular by ensuring that the criteria are objective and transparent.*
47. It is recalled that in the Second Compliance report, GRECO concluded that this recommendation was partly implemented. GRECO welcomed the existing legal framework for evaluating prosecutors but considered that this framework was not operational yet.
48. The authorities now state that the High Prosecutorial Council (HPC) has been established and is operational. It held its constitutive meeting on 19 December 2018 and its Chairman, and the Deputy Chairman were elected. On 26 February 2019, the Assembly approved an increase in HPC organisation to 65 employees, as requested by HPC. On 6 March 2019 the HPC approved its organisational structure. The HPC has started working concretely: it has adopted several regulations on the activities of prosecutors, the organisation of their work, the management of their career and

the staff of the Special Prosecution Office against Corruption and Organised Crime (SPAC). It has also worked on initial training of prosecutors and the appointment of new prosecutors, as well as on the procedure for appointing the new Prosecutor General. It has also temporarily appointed 6 prosecutors to support the Ethics and Professional Activity Evaluation Commission, charged with the preparation of prosecutors' files in the framework of the re-evaluation process for the Independent Qualification Commission.

49. GRECO recalls that standards of ethics and conduct of prosecutors are defined in the Law No. 96/2016 on the Status of Judges as was concluded in the Second Compliance report. It takes note of the recent information provided and welcomes the effective establishment and the operational functioning of the HPC. It highlights the HPC's role in assessing prosecutor's ethical qualities, namely by ensuring that the criteria are objective and transparent. In this context, it also welcomes the concrete setting up of the Ethics and Professional Activity Evaluation Commission. GRECO considers these measures sufficient for complying with the current recommendation.
50. GRECO concludes that recommendation ix has been implemented satisfactorily.

III. CONCLUSIONS

51. **In view of the foregoing, GRECO concludes that Albania has implemented satisfactorily or dealt with in a satisfactory manner nine of the ten recommendations contained in the Fourth Round Evaluation Report.** The remaining recommendation has been partly implemented.
52. More specifically, recommendations I, ii, iii, iv, v, vii, viii, ix and x have been implemented satisfactorily or dealt with in a satisfactory manner, and recommendations vi remains partly implemented.
53. As far as *parliamentarians* are concerned, a positive step forward is the adoption in April 2018 of the Code of Conduct. Conflicts of interest must be declared by parliamentarians as they arise (on an ad hoc basis), are registered, made public and monitored. A procedure is also set out to ensure that contacts with third parties during the legislative process are reported, recorded and made public. Guidelines to complement the Code of Ethics have also been adopted, and appropriate awareness raising and training of parliamentarians on these rules have been organised, as well as a counselling mechanism to which parliamentarians can turn in situations of ethical dilemmas. Procedures for ensuring the proper enforcement of the rules and appropriate sanctions in case of breach have now been established and appears to be applied. The periodicity of checks of parliamentarians' declarations of assets has been shortened and these declarations are published on an official website. Moreover, some measures have been established and implemented to register and make public interest groups and lobbyists. GRECO encourages Parliament to pursue its efforts for advertising such measures.
54. In respect of *judges and prosecutors* ("magistrates"), a vast judicial reform is still ongoing, and so is a vetting process, with a view to fighting corruption in the judiciary. The High Judicial Council (HCJ) and High Prosecutorial Council (HPC) are operational, and deal with the organisation of the judicial and prosecutorial systems, appointment of judges and prosecutors and the management of their careers, including their professional evaluation. The functioning of judicial administration is no longer within the remit of the Ministry of Justice but of the HJC. The HJC and HPC are responsible for establishing ethical standards and monitoring them, which is a promising development. Politisation of the appointment process of the High Court judges has been limited, as candidates are proposed by the HJC, composed of a

majority of judges elected by their peers. The normative framework regarding the composition of the High Court has been set up satisfactorily. However, four-fifth of the High Court judges have not been appointed so far, which prevents from the effective functioning of the High Court and undermines proper functioning of the whole judicial system. GRECO takes note that the on-going process of transitional re-assessment of magistrates is interrelated with the professional evaluation of magistrates, which is a lengthy process. However, it considers that assessing professional qualifications and assessing integrity should be two separate processes. The creation of the High Justice Inspector as the authority responsible for dealing with complaints and initiation of disciplinary proceedings against all judges is a positive feature of the ongoing judicial reform. GRECO encourages the Albanian authorities to ensure the swift completion and effective implementation of the judicial reform process in order to strengthen effectively judicial independence and the fight against corruption within the judiciary.

55. The adoption of this Second Compliance Report terminates the Fourth Round compliance procedure in respect of Albania. The authorities of Albania may, however, wish to inform GRECO of further developments with regard to the implementation of the pending recommendation vi and the overall reform of the judicial system.
56. Finally, GRECO invites the authorities of Albania to authorise, as soon as possible, the publication of this report, to translate it into the national language and to make the translation public.