

Remarks of Head of OSCE Presence in Albania,

Ambassador Florian Raunig

Launching event

On the Korça District Court Project “For Justice Without Delays”

(10 September 2014, 11.15 - 13:30 a.m., Korça District Court)

Dear President Nishani, Minister Naço,
Distinguished panellists and guests,

We are here today because we have one common goal: “justice without delays” for Albanian citizens.

Along with quality and independence, efficiency of judicial proceedings is an essential component of a justice system that plays its part in a functioning democracy. It is key to the economic and social health of a society. It is also vital for effective implementation of legislation.

Lengthy court proceedings are damaging the credibility of justice in Albania. As the Presence’s report Towards Justice demonstrated, civil trials in the main first instance courts last on average 280 days. Nearly half of the hearings observed were completely non-productive. That means that nothing substantial happened – no argument was made, no documents circulated, no evidence taken and no requests made. This not only diminishes the confidence and respect of the public towards the courts and the justice system as a whole, but represents a substantial waste of both the judges’ and parties’ time.

This is not theoretical – it has serious, practical consequences for Albanian citizens. An example, from one of the cases we observed: an elderly sick woman comes from the hospital to the court and finds out that the hearing cannot take place because the other party has not been successfully summoned. For the third time.

This is what the project we are launching today in Korca is about: ensuring prompt rendition of justice through concrete measures to reduce delays.

In the case of Albania, part of the solution lies in changing the practice of the courts, by engaging judges in active case management. This means that judges and trial participants set targets and benchmarks to conclude cases, avoid unnecessary trial adjournments and use economically court hearings.

The results of our initial project with the Kruja District Court speak for themselves. In Kruja, Chief Judge Alma Hoxha and her colleagues have reduced the average number of hearings in criminal cases from 8.8 to 1.8 through active case management. The number of cases concluded by the Kruja court increased from 467 in January to March 2013, to 732 in the

same period of 2014. That is an increase of more than 150% within the first three months of the project.

The Presence has worked closely with the judges and staff of both Kruja and Korça District Courts on this project. Their dedication and commitment is essential to its success. As the judges in Kruja have shown, impressive results can be achieved relatively quickly with a willingness to innovate and adopt new, more effective procedures. Chief Judge Admir Belishta and the judges of the Korça District Court will soon demonstrate that efficiency can be improved in larger courts.

We will continue to engage in this effort with our partners, including the High Council of Justice and the Ministry of Justice, whose contribution and guidance has been so crucial to the “justice without delays” project.

Our collaboration with the USAID\JuST Programme constitutes an excellent example of international actors working together to combine their specialized expertise to better assist national institutions.

At the end, it should be emphasized that the successful implementation of this project is dependent on each judge, prosecutor, lawyer, police officer and state representative. Everyone should commit to make each hearing meaningful and productive. The outcome matters to all of us. We all gain by having more productive hearings and speedier trials, and we must all take on an active role to make that a reality.

The same co-operation, the same complete commitment, is essential if the wider “project” of justice reform is to succeed. And it must succeed. For Albania to survive and prosper as a democracy, it must have a justice system that is trusted. The citizen with a complaint, the worker appealing against dismissal, the property owner, the businessman, the foreign investor: they must be able to trust that the Albanian justice system will treat them fairly, regardless of wealth or contacts. As so many people have recognized – international experts and individual citizens – Albania needs a fundamental reform of how its justice system works. This reform must include all stakeholders, including the Ministry of Justice and the High Council of Justice and the Assembly. This reform must be strategic, in order to create institutions that are equipped to provide justice to all citizens. And this reform must begin now.

Thank you.