



EUROPEAN COMMISSION

Directorate-General Neighbourhood & Enlargement Negotiations

D – WESTERN BALKANS
The Director

Brussels,

Dear Mr Totozani,

In my capacity as Chair of the International Monitoring Operation (IMO), I am herewith submitting to your attention a revised and consolidated reasoned assessment and set of recommendations on relevant candidates to the re-evaluation institutions (vetting bodies), which was developed by the IMO short-term international observers. These supersede the reasoned assessment and set of recommendations handed over in sealed envelope to you on 3 March for transmission to the Assembly of Albania.

The IMO has followed on the obligation enshrined in the Constitution of Albania, pursuant to Article B paragraph 2 of the Annex to the Constitution and, as you know, has monitored the proceedings related also to the extension of the deadline for candidates to present additional relevant notarised documentation and complete their initial applications for appointment to the re-evaluation institutions, following the request included in Decision no. 18/2017 "On returning to the Ombudsman the files of candidates that have expressed interest to apply for the re-evaluation institutions so as to supplement the documentation", adopted by the Assembly of the Republic of Albania on 16 March.

In continuity with the previous monitoring exercise, the IMO re-deployed its short-term international observers, who monitored the review of the eligibility criteria of applicants to the vetting bodies performed by your office. The IMO international observers were all senior experts, selected for their outstanding professional record and experience from the judiciaries of EU Members States and from the United States of America.

After having monitored the handling of the process by your office, the IMO international observers then conducted a thorough independent review of all the application dossiers. Their revised recommendations, which were developed on the basis of a reasoned assessment, are herewith submitted to your attention in a sealed envelope, with the request to kindly forward it to the Parliament, in line with Article 7 paragraph 7 of the "Law on the Transitional Re-Evaluation of Judges and Prosecutors in the Republic of Albania" (vetting law).

Mr Igli Totozani
Ombudsperson of Albania
Tirana

Your transmission will enable the Parliament to take the process forward, with a sufficient pool of candidates to pursue the timely nomination of the members to the vetting bodies. Based on the checks on the revised qualification criteria performed by your office, on the basis of the submission of supplementary documentation, two final combined lists were published:

- 84 applicants were placed in the list of candidates who meet the formal criteria; out of these, 17 are affected by a negative recommendation of the IMO;
- 109 applicants were placed in the list of candidates who do not meet the formal criteria; out of these, 70 are affected by a negative recommendation, and 39 are not, but the international experts still find that the latter have been rightly placed on the 'B' list by the assessment committee at the Ombudsperson Office.

As a result, 67 applicants remain eligible for the final voting list to be considered by the Assembly.

It is now for the Parliament to nominate the members of the vetting institutions; this will allow moving forward with implementation.

I reiterate my deepest satisfaction that the IMO international observers have conducted their obligations, as foreseen in the Constitution of Albania and in the vetting law, with utmost professionalism, impartiality and thoroughness. This has been possible in particular thanks to the excellent cooperation guaranteed by your office. For this reason, I would like to warmly thank you and your team once again.

Yours sincerely,



Genoveva Ruiz Calavera

Encl.: Process for the formation of the re-evaluation institutions: revised and consolidated assessment by the IMO international observers and recommendations (in sealed envelope)