



EUROPEAN COMMISSION
NEIGHBOURHOOD AND ENLARGEMENT NEGOTIATIONS

The acting Director-General

Brussels, 20.09.2021

Dear Ms. Speaker,

I would like to extend my congratulations on the formation of the new parliament and on your appointment as Speaker of the Parliamentary Assembly of Albania. I wish you every success in this important function.

In my capacity as Chair of the International Monitoring Operation (IMO), I look forward to working with you towards further consolidation of the justice reform, including the process of temporary re-evaluation of judges and prosecutors (“vetting”), in line with the Constitution of Albania.

The vetting has continued to render concrete results, despite the COVID-19 pandemic, under the thorough monitoring of the International Monitoring Operation (IMO) led by the European Commission. As the process steadily progresses, a number of measures need to be taken to ensure its orderly conclusion.

In this regard, allow me to draw your attention to the fact that, based on the provisions of Article 179/b paragraph 8 of the Constitution of Albania, the mandate of the members of the Independent Qualification Commission (“IQC”) and the Public Commissioner (“PC”) will expire in June 2022. To date, the IQC has completed 433 cases out of the 804 assesses subject to vetting and started investigations in all remaining cases. Upon the recommendation of the International Observers, important administrative and procedural arrangements have been implemented to address the pace of proceedings. However, having regard to the overall pace of proceedings, it is estimated that about one third of cases are likely to remain unresolved at the end of the five-year mandate of the IQC and PC members.

It is of paramount importance to ensure that all pending vetting cases are finalised in the shortest possible period of time, whilst preserving the integrity and consistency of the process. To achieve this result, a time-limited extension of the constitutional mandate of the IQC and PC members is necessary.

In consistency with the monitoring mandate vested upon the IMO by the Constitution of Albania, I would therefore like to invite you to address the issue with outmost urgency, and take the necessary steps towards the extension of the mandate of the IQC and PC members.

I trust that you will proceed swiftly with the necessary arrangements, in order to allow for the adoption of the necessary constitutional amendment before the end of the current calendar year, to secure the legal certainty that the vetting process must continue to enjoy.

Please be assured that my services, and myself in the capacity of IMO Chair, remain at your disposal should you need further information or support in the next steps of the process.

Yours sincerely,

[e-signed]

Maciej Popowski

Lindita Nikolla
Speaker of the Parliamentary Assembly of Albania,
Tirana, Albania

c.c.: Mr Ulsi Manja, Minister of Justice, Tirana
Mr Engjëll Agaçi, Secretary General of the Council of Ministers, Tirana
Amb. Luigi Soreca, Head of EU Delegation to Albania
Amb. Yuri Kim, U.S. Ambassador to the Republic of Albania