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**REPUBLIC OF ALBANIA**

**HIGH JUDICIAL COUNCIL**

**DECISION**

**No 286 dated 18.12.2019**

**ON THE COMMENCEMENT OF THE FUNCTIONING OF THE SPECIAL COURTS  
FOR CORRUPTION AND ORGANISED CRIME**

The High Judicial Council, relying on Article 135, par 1 and 2, Article 147, par 1, Article 147/a, letter 'ë' and Article 179, par 8, of the Constitution of the Republic of Albania, on Article 162 of the Law no 96/2016, 'On the Status of Judges and Prosecutors in the Republic of Albania', as amended, on Article 3, par 3, letter 'b', Article 11, Article 15, par 4, letter 'c' and 'ç', Article 22 and 83 of the Law no 98/2016 'On the organisation of the judicial power in the Republic of Albania' and on Article 57 the Law no 95/2016 'On the organisation and functioning of the institutions to combat corruption and organised crime', upon the proposal of the Career Development Commission,

**DECIDED:**

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## **I. General Provisions**

1. Initiation of the functioning of the Special Courts for Corruption and Organised Crime on 19/12/2019.
2. The First Instance Court for Serious Crimes shall be denominated as the Special Court of First Instance for Corruption and Organised Crime.
3. The Appeal Court for Serious Crimes shall be denominated as the Special Court of Appeal for Corruption and Organised Crime.

## **II. On the Special Court of First Instance for Corruption and Organised Crime**

1. The seat of the Special Court of First Instance for Corruption and Organised Crime shall be in Tirana, at the current building of the First Instance Court for Serious Crimes.
2. The number of judges at the Special Court of First Instance for Corruption and Organised Crime shall be 16 (sixteen).
3. The Chairperson currently in office at the First Instance Court for Serious Crimes, Mr Sandër Simoni, shall stay in office as Chairperson of the Special Court of First Instance for Corruption and Organised Crime, until the new Chairperson of this court is appointed, with the exception of the cases when there are reasons for the ending of the status of the magistrate or as a result of the re-evaluation process, in compliance with the Law no 84/2016 'On the transitory re-evaluation of judges and prosecutors in the Republic of Albania'.
4. The Chancellor in office at the First Instance Court for Serious Crimes, Mr Saimir Shyti, shall stay in office as Chancellor of the Special Court of First Instance for Corruption and Organised Crime, until the new chancellor of this court has been appointed, with the exception of the cases when there are reasons for the ending of the status of the judicial civil servant or as a result of the process of the verification of the conditions and legal criteria of the position, integrity and assets, in compliance with the provisions of the Law no 98/2016 'On the organisation of the judicial power in the Republic of Albania' and the Law no 95/2016 'On the organisation and functioning of the institutions to combat corruption and organised crime'.

## **III. On the Special Court of Appeal for Corruption and Organised Crime**

1. The seat of the Special Court of Appeal for Corruption and Organised Crime shall be in Tirana, at the current building of the Appeal Court for Serious Crimes.
  2. The number of judges at the Special Court of Appeal for Corruption and Organised Crime shall be 11 (eleven).
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3. Immediately after the initiation of functioning of the Special Court of Appeal for Corruption and Organised Crime, the general meeting of judges, being convened by the judge with the longest professional experience, shall elect the deputy Chairperson of this Court.

4. The Chancellor being currently in office at the Appeal Court for Serious Crimes, Ms Elka Dajçi, shall stay in office as Chancellor of the Special Court of Appeal for Corruption and Organised Crime, until the new chancellor of this court has been appointed, with the exception of the cases when there are reasons for the ending of the status of the judicial civil servant or as a result of the process of the verification of the conditions and legal criteria of the position, integrity and assets, in compliance with the provisions of the Law no 98/2016 'On the organisation of the judicial power in the Republic of Albania' and the Law no 95/2016 'On the organisation and functioning of the institutions to combat corruption and organised crime'.

#### **IV. Initiation of the effects of the decision**

1. This decision shall enter into effect on 19.12.2019.

This decision shall enter into force immediately upon its publication on the official website of the High Judicial Council.

**FOR THE HIGH JUDICIAL COUNCIL**

**THE CHAIRPERSON**

**NAUREDA LLAGAMI**

