



MONITORING REPORT, 2009

TRANSPARENCY OF STATE PUBLICATIONS IN THE REPUBLIC OF ALBANIA

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in the Republic of Albania, 2009

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Website: www.infocip.org
E mail: qendra@cip-al.org

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Working Group:

Gerti Shella, project director
Eniel Kolaneci, legal expert
Mirela Bogdani, legal expert
Anisa Papadhima, researcher
Ervin Doda, researcher
Besmira Naqellari, researcher

Translation:
Suzana Shehu
Eliona Balili

Editing (Albanian & English):
Gerti Shella

Design:
Anduena Manushi

* * *

realized in the framework of project:

**“Monitoring the publication of official acts of the state in the Official Journal,
exposing gaps and advocating e-publications”**

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*The opinions expressed in this publication are of the authors
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LIST OF ACRONYMS

NALP	- Normative Act of Legal Power
PA	- People's Advocate (Ombudsman)
OJ	- Official Journal
ECHR	- European Court of Human Rights
CC	- Constitutional Court
SC	- Supreme Court
COE	- Council of Europe
COM	- Council of Ministers
MOES	- Ministry of Education and Science
MOAFCP	- Ministry of Agriculture, Food and Consumer Protection
MOJ	- Ministry of Justice
METE	- Ministry of Economy, Trade and Energy
MOF	- Ministry of Finance
MOEFWA	- Ministry of Environment, Forests and Water Administration
MOLSAEO	- Ministry of Labor, Social Affairs and Equal Opportunities
MOPATT	- Ministry of Public Affairs, Transport and Telecommunication
MOH	- Ministry of Health
SPC	- State Publications Center
DOCM	- Decision of the Council of Ministers
UDSC	- Unifying Decisions of the Supreme Court



INTRODUCTION

Report on Transparency of State Publications in the Republic of Albania is presented to the Albanian public and the state institutions for the second year in succession. This Monitoring Report for the year 2009 was compiled by the Center for Public Information Issues, CPII, due to the significant support offered by National Endowment for Democracy, NED, with its Headquarters in Washington D.C.

The Report “Transparency of State Publications, 2009” has encompassed in its monitoring focus the entire spectrum of Albanian Central State Institutions with regard to their acts’ publication in the Official Journal. For the first time, this report provides a comprehensive overview of the situation related to publication of official acts for institutions comprising the three constitutional powers: Legislative, Executive and Judicial branch. On the preceding report, supported by OSFA, the monitoring was focused only on the publication of laws issued by the Assembly and by-laws issued by the Council of Ministers, from 2006 to 2008. Thanks to NED’s support, in the current Monitoring Report, CPII has also completed the missing data for the remaining institutions during the period 2006-2008.

In the framework of Report on the Transparency of Official Publications, 2009, CPII has also monitored the consistency of publication in the Official Journal of the Decisions of the Constitutional Court of the Republic of Albania, which has a special jurisdiction aiming the surveillance of the constitutionality of laws and other normative acts.

In addition to that, for the very first time, CPII has included in this Monitoring Report the publication in the Official Journal of the ECHR’s judgments. Publication in the Official Journal of the final judgments as well as other judgments of the ECHR, where the Albanian state is the respondent party, is the model chosen by Albania, in compliance with the Recommendation (2002) 13 of the Committee of Ministers to member states of the COE. It is worth highlighting that, as implied by the term *Recommendation* itself, the publication of the ECHR’s judgments is not a legal obligation derived by the domestic legal system and it is not related with the entry into force of these judgments.

The authors of this monitoring would rather prefer to consider it as an auditing report on state publications

system in the Republic of Albania. The natural target of this report is the State Publications Center (SPC), without excluding all other central institutions whose acts are subject of publication in the Official Journal.

Albanian citizens are also another equally natural target to the findings of this Report. CPII, as a civil society operator specialized in monitoring state publications transparency and consistency, holds on to the motto: “Albanians must know what happens in their own country”. Official acts are a national asset of irreplaceable value and, as such, they should be in use and accessible to all Albanians. Furthermore, proclamation of official acts through publication comprises one of the state’s fundamental principles. This principle affirms the condition that, prior to requiring the subjects to respect the law, the latter must first be made known to them.

CPII believes that the problems evidenced in this Report would help responsible institutions to better address the relevant solutions.

It is proper to highlight that the Albanian State Institutions have made significant progress to improve consistency of state publications. An estimable work has been done in the last two years by SPC itself, not only in terms of accordingly processing acts sent for publication in the Official Journal, but also in terms of “stock” reduction of unpublished acts accumulated in years. In addition, some of the measures recently taken in the framework of e-governance, are expected to positively influence the performance indicators, thus demonstrating seriousness and responsibility in accomplishing such an important state function as the publication of acts in Official Journal.

All unpublished acts identified and included in this Monitoring Report are submitted to SPC to be published in Extra Official Journal (special editions issued when unpublished acts are identified on the process), once the relevant verifications for reliability are undertaken. We hope that this report compiled by CPII, supported by NED, will be considered as an independent contribution, which complements the efforts made by SPC in two years now to reduce “the stock” of acts that have been left out of publication in the OG since year 2000 to present.



THE LEGISLATIVE BRANCH

Albania is a parliamentary republic (Article 1 of the Albanian Constitution). Generally speaking, the Assembly (Parliament) is randomly referred to as the highest state institution. However, the Constitution contains no definition on the role and functions of the Assembly, or the superior position it has over other constitutional institutions¹.

The functioning of the Assembly of Albania is regulated by the Regulation of the Assembly, which is approved by the Assembly itself in accordance with the principle recognized and applied in the democratic countries according to which “the law-maker (parliament) is in charge of defining its own rules”².

In exercising its law-making attributes, the Assembly adopts various types of acts, such as laws, decisions, resolutions and declarations (Article 106 of the Assembly’s Regulation).

Out of all acts adopted by the Assembly, this monitoring focuses only on the laws, which stand at the top of the parliamentary documents hierarchy. Laws are the primary goal and final output of the law-making process. As a normative act, the law represents a system of juridical norms that regulate important social relations in a general way.

The Albanian Constitution pays special attention to the law-making process, including procedural mode in which a law enters into force, as one of its key moments. In the third part of the Constitution, Chapter IV, Article 84/3 reads: “A law enters into force with the passage of not less than 15 days after its publication in the Official Journal”. This is the common procedure for entry into force of the law.

Paragraph 4 of Article 84 foresees even an extraordinary procedure for entry into force of the law and

practically: “In the case of extraordinary measures, as well as in cases of necessity and emergency, when the Assembly decides with a majority of all its members and the President of the Republic gives his consent, a law may enter into force immediately, but only after it is made known publicly. The law must be published in the first number of the Official Journal”. Thus, a law should meet three cumulative conditions for an immediate entry into force:

- 1) The Assembly decides with the majority of all its members;
- 2) The President gives his consent;
- 3) The Law is made known publicly.

Even Article 117 of the Albanian Constitution indicates on point 1 that: “The laws, normative acts of the Council of Ministers, ministers, other central state institutions, acquire juridical force only after they are published in the Official Journal.”

Based on all the above said, it is clear that non-publication of laws in the Official Journal would a-priori lead to their non-entry into force. Non-publication of normative acts in the Official Journal in strict juridical terms means that they do not exist³. As long as they are non-existent, they yield no obligation to be implemented or followed by the subjects.

The principle according to which *ignorantia juris non excusat* (from latin: *lack of knowledge of law is no excuse (in the court)*) loses its meaning in this case, due to non-satisfaction of the preceding principle, according to which “one could never benefit or be harmed by a prohibition or permission of a law if he/she is given neither *de facto* nor formal opportunity to get to know the law”. Publication of the laws and other official acts in the Official Journal presumes the fact that such acts have been made known to everyone.

1. “Constitutional Law” Luan Omari; Aurela Anastasi, revised edition, 2010, pg.194

2. “Constitutional Law” Luan Omari; Aurela Anastasi, revised edition, 2010, pg.235

3. “Administrative Law 2” Sokol Sadushi, third edition, revised, 2005, pg.55



Monitoring results, 2009

Laws of the Assambly (Parliament)

There are 157 published laws in the Official Journal 2009 (1 January-31 December),

The series opens up with:



Law No. 10055, dated 22.1.2009 "On the ratification of "The loan agreement between the Council of Ministers of the Republic of Albania and the Islamic Development Bank (IDB) on participating in the funding of the project on Supplying Water and Sanitary Services in Orikum..."

(Published in the Official Journal No. 7, page 121, publication date: 04-02-2009)

And closes in with:



Law No. 10211, dated 23.12.2009 "On the approval of the normative act of legal power No. 9, dated 11.12.2009, of the Council of Ministers "On the functioning and funding of the tachograph digital system in Albania",

(Published in the Official Journal No. 194, page 8582; publication date: 20-01-2010);

After verifications made in the Official Journal 2009, it was concluded that that:

during 2009, all laws approved by the Asembly are published regularly in the Official Journal

Additional ascertainments:



From the total of 157 laws approved and published in the Official Journal, 2009, 11 of them "enter into force immediately" according to their last provision. Verification shows that for these 11 laws, the three cumulative conditions foreseen in the Constitution for the *immediate entry into force* have been met. Specifically:

- 1) The Assembly has decided by majority vote;
- 2) The President has given consent by special decree on the immediate entering into force;
- 3) The public notification of the law has been completed.

It was ascertained that for laws no. 10100, 10101, 10102, 10103 and 10104 (on Albania's membership into NATO), approval by the Assembly, notification by decree of President (*giving consent on immediate entry into force* included) and the publication in the Official Journal were issued on the same dated, 23.6.2009.

Whereas for laws no. 10121, 10122, 10123, 10124, 10125 and 10126, approval by Assembly was given on 11.5.2009, notification by decree of President (*giving consent on immediate entry into force* included) on 13.5.2009, and publication in the Official Journal on 14.5.2009. All six aforementioned laws ratify loan or credit agreements between the Albanian Government and European Banks (CEBD, BRD, UNICREDIT BANK AUSTRIA, ALPHA BANK A.E. E DEUTSCHE BANK, LONDON BRANCH).



2

INTERNATIONAL AGREEMENTS

Albanian Constitution has given a special attention to the process of binding international agreements and treaties. In its part one, "Basic Principles", it stipulates that "The Republic of Albania applies international law that is binding upon it" (*Article 5*).

In the human rights area, it has directly applied the European Convention of Human Rights and has promoted it to a constitutional norm while emphasizing that "These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights" (*Article 17/2*).

International agreements rank second after the Constitution on the hierarchy of normative acts that are effective in the entire territory of the Republic of Albania (*Article 116/1*). Publication of their text body comprises both, a constitutional and legal obligation as, according to Article 117/3 of the Constitution: "International agreements that are ratified by law are promulgated and published according to the procedures that are provided for laws. The promulgation and publication of other international agreements is done according to law".

Any international agreement that has been ratified constitutes part of the internal juridical system after it is published in the Official Journal of the Republic of Albania... (*Article 122/1*). An international agreement, which has been ratified by law, has superiority over laws of the country that are not compatible with it (*Article 122/2*).

For an agreement to be implemented in compliance with the constitutional understanding, it is necessary that, like in the case of laws, the content of the acts it contains is made known in the Albanian language (*logical deduction*) to the Albanian State organs and all the Albanian citizens.

In fact, the People's Advocate (PA) has found that a relatively large number of international acts that Albania has signed or adhered to, before and after 1990, have not yet been published in the Official Journal.

As such, we need to highlight lack of publication in the OJ of what could be considered as the first UNO Convention ratified by the pluralist parliament right after the collapse of communist system in Albania, namely the UN Convention on Rights of a Child.

According to PA, up to 2002, for 25 out of 47 Conventions, Agreements or Protocols of the Council of Europe ratified by the Albanian party, there was no Albanian version published in the Official Journal. Whereas, for about 50 out of 87 UNO Acts ratified by the Assembly, there is no Albanian version at all. In 2008, in his Special Report, No.1, addressed to the Assembly, the PA evidenced that the problem was still remaining unsolved for those 75 international acts identified since 2002.

PA assessed as "very important the publication of all international acts ratified by our country before and after 1990, which have become part of our internal legislation and are consequently binding to all Albanian institutions and should be implemented in accordance with the Albanian Constitution".

While acknowledging and accepting the existence of problem in question, the CPII has also included in this report findings about publication (or not) in extra OJ of the Albanian version of the 75 international acts that PA identified as unpublished "stock" in his Special Report, No.1, dated 23.05.2008.

Meanwhile, CPII has carefully monitored the publication process of international agreements ratified by law from the Assembly during 2009. This report will also present data about publication in the OJ of the Albanian version of the international acts ratified during 2009.





Monitoring results

Publication of International Agreements

Practice suggests that all unpublished acts remained “stock” are included for publication in the Extra editions of OJ. Given the fact that PA’s Special Report No. 1 dated 23.05.2008, CPII focused its research on all Extra editions of OJ published from 2008 (seven in total) until the end of 2009 (six in total).

The thorough research into all of them concluded that only the text of the “*Convention on the elimination of all types of discrimination against women*” (UN) has been published in Albanian official language. It was published in the Extra edition of OJ No. 33, dated 15.10.2008, thus about five months following the submission of PA’s Special Report No. 1 to the Assembly.

About 15 days prior to this Report being submitted to the Assembly, SPC published in Extra editions of the OJ No. 28 and 29 the Albanian translated text of the “*Convention for the Protection of Human Rights and Fundamental Free-*

doms” (COE) and all its additional protocols (total of 15). Regardless of the fact that PA’s Special Report no.1 concluded that seventy five international acts ratified by law, have yet to be published in Albanian in the OJ, CPII does not guarantee the certification of the hundred percent genuineness of this number for as long as the “stock” verification methodology has not been applied on it.

Nevertheless, in *Special Annex No. 2* of this monitoring report, Tables No. 8 and 9, CPII has provided a group of twenty two international acts, ratified after the '90-s and identified by PA as unpublished in the Albanian language on which CPII methodology was partially applied. After this partial verification, it was concluded these acts have not been published in any Official Journals (including Extra editions), as it was previously affirmed by PA in his Special Report No. 1.

To conclude, it can be stated that from the “stock” identified by PA, until the end of 2009, the only publications were:

1 UNO Convention,

15 COE Conventions, Agreements and Protocols



While the “stock” reduction of the international agreements, which text is yet to be published in the OJ is considered to be a problem that has not been completely solved, the publication in OJ of international agreements ratified during 2009, officially translated in the Albanian language, makes for a completely different view.

Research through OJ, 2009 has identified thirty-eight published laws which ratify international agreements (eight cases of adherence to conventions and thirty cases of adherence to/signing of international agreements). All thirty-eight laws were published in the OJ, accompanied by the official translation of the text of the agreement into Albanian.

As a conclusion:

all international agreements ratified by the Assembly during 2009 are published in the Official Journal translated in Albanian language



3

THE EXECUTIVE BRANCH

The executive powers in the Republic of Albania are comprised of an entirety of central and local organs, having the Council of Ministers at the very top. The latter consists of the Prime Minister, Deputy Prime Minister and the Ministers (Article 95 of the Constitution).

The Council of Ministers defines the principal directions of the general state policy. In exercising its executive powers, it issues decisions and instructions (Article 100 of the Constitution). The Council of Ministers, in cases of necessity and emergency, may issue, under its responsibility, normative acts having the force of law for taking temporary measures (Article 101 of the Constitution).

Normative acts of the Council of Ministers are effective in the entire territory of the Republic of Albania; they rank fourth on the hierarchy of acts, practically following the Constitution, international agreements and laws (Article 116 of the Constitution).

A significant part of decision-making by the Council of Ministers is **proposal of draft laws** (Article 81 of the Constitution) and **approval in principle of international agreements**. Both types of such acts are sent to the Assembly, respectively for approval or ratification (when ratification is required by the effective legal provisions). The Council of Ministers has also the competency of binding agreements that are not subject to ratification by the Assembly.

The Council of Ministers is chaired by the Head of the Council of Ministers (randomly referred to as: *the Prime Minister*). The Constitution has provided a position of supremacy to the Prime Minister in exercising political direction functions. Article 102/1, paragraph lettered -b- sanctions that *"the prime minister outlines and presents the principal directions of general state policy and is responsible for them"*.

The Prime Minister, in the exercise of his powers, issues orders; whereas the minister, in the exercise

of his powers, issues orders and instructions (Article 102/ point 3 & 4, of the Constitution).

Organization and functioning of the Council of Ministers is regulated by law no. 9000, dated. 30. 1. 2003. This law pays special attention (Chapter IV) to the types of acts issued by the executive governing organs, to the way they enter into force and get published in the Official Journal. According to Article 29 of this law:

1. Normative Acts of the Council of Ministers with force of law are immediately published in the Official Journal.
2. Decisions of the Council of Ministers acquire juridical powers after publication in the Official Journal. For decisions of normative character, a date other than that of publication in the Official Journal can be set as the date of entry into force, whereas decisions of individual character enter into force immediately, but will be published in the Official Journal.
3. Instructions of the Council of Ministers and minister acquire juridical powers after their publication in the Official Journal.
4. Orders of the Prime Minister, minister or supervisor of a central institution reporting to the Prime Minister or minister, enter into force immediately, are announced to the interested parties and advertised for at least 3 days in some noticeable space of the respective institution.

This means that with the exception of the Orders (point 4, Article 29), publication of every act of the Council of Ministers and/or ministers in the Official Journal is mandatory in any case. The lawmaker was very careful to ensure that the legal obligation of publication in the Official Journal of acts issued by the Council of Ministers (Article 29, Law 9000) does not necessarily link only to designation of the moment of entry into force (as the case would be for acts of normative character).





Monitoring results, 2009

Decisions Council of Ministers

Decisions of the Council of Ministers (DCMs) are indexed in an ascending numeric order, on calendaric basis. This means that every year the acts' se-

ries starts with the index number 1 and closes down with the number given to the last DCM for the year (31 December).

the series of DCMs for 2009 opens up with:



Decision No. 1, dated 07.01.2009 – On the first time issuing of identity cards for Albanian citizens and determining deadlines and restrictive measures for those that do not respect the application deadline

Official Journal, 2009, No.1, Page 3; publication date: 12-01-2009;

and closes in with:



Decision No. 1305, dated 29.12.2009 – On some additions to the Council of Ministers' Decision No. 1253, dated 2.7.2008 "On determining the evaluation criteria and procedures for the compensation of former politically convicted citizens during the communist regime"

Official Journal: 2009, No. 197, Page 8743; publication date: 02.02.2010;

The general rule that applies to the indexing of DCMs in this case suggests that the Council of Ministers has approved at least 1305 DCMs during 2009. The careful comparison of the Official Journal 2009 content (type of act: DCM) with the official COM website initially identified 165 DCMs that were published (uploaded) on the official website but not published in the Official Journal 2009.

138 DCMs approved in 2009 in six Extra editions of OJs (63, 64, 65, 66, 67, 68). Of these DCMs, 70 correspond to DCMs identified by CPII in the contrasting of COM website content with the OJ content. The other 68 remaining were DCMs that were neither published in OJ 2009, nor uploaded on the official website of the COM. They definitely add to the number of 166 DCMs, which CPII concluded were lacking publication in the Official Journal for 2009, a few weeks before SPC published the Extra editions of Official Journals, in the summer of 2009.

In August 2010, about a month after CPII had reached the above - mentioned conclusion, SPC published

As a conclusion:

at least 95 DCMs issued in 2009 remained unpublished in the Official Journal of that year

138 DCMs issued in 2009 were published after one-year delay in Extra Official Journals of 2010

The highest theoretic number of unpublished DCMs would be 246, in case when supposing that during 2009, the COM did not issue any DCM classified as "secret" (see: *Briefly on the Methodology*).

Due to the relatively large volume, DCMs issued during 2009, identified as unpublished in the Official Journal of that year, are listed in a special table with all the necessary specifications (Table No. 7, Special Annex No., 1 of this report, page 38.)





Monitoring results, 2009

Normative acts of legal power, NALP

Article 101 of the Constitution provides for the case of the Executive taking over Legislative attributes, in order for “issuing normative acts of legal power on taking special measures, in cases of need and urgency. These normative acts are submitted to the Assembly, which adjourns within five days, in the event that it is not already adjourned. These acts lose their power from the start, unless approved by the Assembly within 45 days.”

Immediate entering into force of normative acts with legal power (due to the nature of the act issued in cases of need and urgency, thus when “there is no time” for the Assembly to adjourn and issue laws), implicates a very sensitive issue for as long as the discussion remains opened on what happens to the consequences generated by this acts if disapproved (not passed) by the Assembly within 45 days; are those reversible anymore?! Moreover, neither doctrine nor constitutional practice in Albania has defined what shall be considered as “case of need and urgency”.

Within this reporting framework we will not stop arguing over the doctrinal discussion on the way a normative act of legal power enters into force; the Constitutional Court has at least two different interpretations of it.

One thing is certain: the immediate publication of the normative act of legal power in the Official Journal is a request deriving from point 1, article 29 of the Law No. 9000, dated 30.1.2003 “On the organization and functioning of the Council of Ministers”, which explicitly determines that: “Council of Minister’s normative acts of legal power are immediately published in the Official Journal”.

COM Normative Acts of Legal Power are indexed in an ascending numerical order within one calendar year. This means that every year the act series opens up with the index number “1” in the beginning of each calendar year and closes in with the number given to the last NALP issued for that calendar year (31 December).

NALP series for 2009 opens up with:



Normative Act of Legal Power No. 1, dated 02.04.2009 “On sending an Armed Forces company to the Chad Republic and the Central African Republic, as Albania’s contribution to United Nation’s Mission MINURCAT.”
(published in OJ No. 38, page 2011, publication date: 03.04.2009)

And closes in with:



Normative Act of Legal Power No. 10, dated 23.12.2009 “On some changes to Law No.10025, dated 27.11.2008 “On the budget for 2009”, amended”.
(published in OJ No.187, page 8285; publication date: 31.12.2010;).

Verifications showed that the indexing series for this type of act do not break in OJ, meaning that:



all Normative Acts of Legal Power issued by COM are published in the Official Journal, 2009.





Monitoring results, 2009

Instructions of the COM and ministers

Instructions are administrative acts issued based on Law in implementation of laws. They are normative acts that detail, suggest and advise on all commandments of the law through detailed orientations. Instructions are of an explanatory nature, but this is not to be interpreted in its narrowest meaning that the instruction cannot bring about compulsory effects for the subjects of Administrative Law. Relevant administration bodies and individuals the instruction is addressed to are obliged to respect the rules stipulated in the instruction on the specific relation. Compulsory effects of Instruction norms are definitely not of the same degree with those of a decision (DCM), directive or regulation. Nevertheless, juridical norms foreseen by the Instruction are that of a juridical act and as such, their implementation is compulsory¹. The right to issue Instructions stands with the body for which such a right has been explicitly acknowledged. According to the Constitution (Articles 100/5 & 102/4), instructions are issued only by the Council of Ministers or Minister². Due to its normative nature, the Instruction enters into force after its publication in the Official Journal, in compliance with Article 17 of the Constitution, which stipulates that: "Laws, Council of Ministers' and other institutions' normative acts take juridical power only following their publication in the Official Journal".

In respect of the constitutional norm, Law No. 9000, dated 30.1.2003 "On the organization and functioning of the Council of Ministers", clearly determines in its Article 29, paragraph 3 that: "**Instructions of the Council of Ministers and ministers take juridical power following their publication in the OJ**".

Publication in OJ of normative acts issued by the Council of Ministers and ministers is also a legal obligation for SPC. Article 2, letter "a" of Law No. 8502,

dated 30.6.1999, amended, "On the establishment of the State Publications Centers", explicitly determines the Center's obligation for the publication of "normative acts of the Council of Ministers, ministers and management bodies of other central institutions...". From all of the above, it is clear that the publication of COM and ministers' Instructions in the Official Journal is a constitutional and legal obligation (Laws No. 9000 and Law No. 8502) and a juridical condition to their entering into force. In the framework of this monitoring report are presented findings with regard to Instructions issued by the following institutions:

1. Council of Ministers
2. Ministry of Finance
3. Ministry of Education and Science
4. Ministry of Public Affairs Transport and Telecommunication
5. Ministry of Agriculture
6. Ministry of Environment
7. Ministry of Justice
8. Ministry of Economy
9. Ministry of Health
10. Ministry of Labor and Social Affairs ...

Joint Instructions (when two or more line ministries issue together an instruction) shall be accounted only for cases when a normal indexing system (ascending numerical order) is applied upon.

This monitoring covers also the period 2006-2007-2008, in addition to year 2009. Findings for these three years aim at completing with the monitoring carried out by CPII, supported by OSFA one year ago. In focus of that monitoring were only laws and DCMs, but not Instructions.



paragraph 3, Article 29, Law No.9000, "On the organization and functioning of COM"

1 - "Administrative Law 2" Sokol Sadushi, third edition, revised, 2005, page 61

2 - "Administrative Law 2" Sokol Sadushi, third edition, revised, 2005, page 62





Instructions of the Council of Ministers

The Council of Ministers issues a relatively small number of Instructions within a year and they are indexed in an ascending numerical order on calendar basis, just the same as DCMs. This means that every calendar year, the act series opens up with the index number "1" and closes in with the index number

given to the last Instruction issued for that year (till December, 31st).

The review of all Official Journals, 2009 shows that there are two instructions of the Council of Ministers published, respectively:



Instruction No. 1, dated 01.04.2009 – On the form, ways and procedures for the reporting of subject data to the Agency for Legalization, Urban Planning and integration of informal areas/constructions and to the Central Office of Asset Registration ...
(published in the Official Journal No. 69, page 3143; publication date: 21.05.2009);



Instruction No. 2 dated 08.04.2009 – On the procedures of public administration bodies for immovable property gained by the act of land ownership title.
(published in the Official Journal, No. 48, page 2373; publication date: 24.04.2009);

These two instructions were also uploaded onto the Council of Ministers' official website. No data was found (on COM's official website, reports, strategies, etc.) that could indicate the existence of any other instruction having a higher index number than two (2), which would change the outcome of *Schematic* verification, consisting in the identification of gaps in the indexing series (see **Briefly on Methodology**).

It is to be pointed that the acts approved by COM were found to be consistently published (uploaded) on its official website, whereas ministries' official

websites have serious gaps in this regard.

In the framework of verification of instruction publication in the Official Journal, those issued by the COM are the only upon which *Factual* verification could be applied too. This verification component consists of comparing data (acts) officially published at least in two official sources, in this case in the Official Journal and on the official website of COM.

In our case, both *Schematic* and *Factual* verifications have produced the same outcome, i.e.:



during 2009, every instruction of the Council of Ministers is published in the Official Journal







Instructions of the Ministry of Finance

Minister of Finance (MOF) issues a relatively high number of instructions within a year, compared to other ministers of the government cabinet. Instructions of the Ministry of Finance are indexed in ascending numerical order (series) on calendar basis, just like DCMs. This means that every year the act series

opens up with the index number "1" and closes in with the number given to the last instruction for the year (till December, 31st). The series of instructions issued by MOF during 2009 opens up and closes in with respectively:

-  Instruction No 1, dated 08.01.2009 1 – On determining service fees for the use of television equipment.
(published in the Official Journal No 2, page 15; publication date: 15.01.2009);
-  Instruction No 52, dated 28.12.2009 – On determining procedures and timelines for the printing and distribution of tax documentation.
(published in the Official Journal No. 189, page 8334; publication date: 08.01.2010);

The Official Journal for 2009 shows that only 33 MOF instructions are *de facto* published. Meanwhile, careful research through the Ministry of Finance website and other government documents published online (reports, strategies) has identified 8 further instructions issued during 2009, as part of the Instruction "stock" that was not published in the Official Journal. Four of these instructions have a fragmented index, respectively 20/1, 20/2, 20/3 and 27/1. Normally, such types of instructions are

improvements of amendments to specific previous instructions, in our case to Instructions No. 20 and No. 27. This means that during 2009, MOF has issued at least 56 instructions (52 simply indexed + 4 fragmentally indexed), of which only thirty - three were published in Official Journal

The boxed table shows a visual presentation of the noted missing instructions identified in the indexing series of Minister of Finance instructions.

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
20/1	20/2	20/3	21	22	23	24	25	26	27
27/1	28	29	30	31	32	33	34	35	36
37	38	39	40	41	42	43	44	45	46
47	48	49	50	51	52				

In orange boxes: index numbers of those instructions not published in the Official Journal, whose title and content can be found.

In yellow boxes: index numbers of those unpublished instructions, identified by CPII also by title and/or content (for more, see: Table No.1)

To conclude, as shown by the color boxes,

at least 23 instructions of the MOF, have not been published in the OJ 2009 (44.2% of the total)

1- A day before signing Instruction No. 1, on 07.01.2009, the Minister of Finance has signed a instruction numbered 26-2 "On changing Instruction no.26, DATED 4.9.2008 'ON NATIONAL TAXES'". Even though, as a rule, this instruction should have been indexed by No. 1 and as a consequence should have opened up the instruction series for 2009, under this monitoring it shall not be considered inconsistency for as long as there do exist the instructions numbered 26 and 26 - 1, issued respectively on 04.09.2008 and 20.11.2008, thus at the end of the following year). Joint instructions initiated by MOF itself and countersigned by other ministries will also be considered part of the very same index series where simple instructions of this Ministry are lined.








Instructions of the Ministry of Education and Science (MOES)

The Minister of Education and Science (MOES), just like the Minister of Finance issues a relatively large number of instructions within the timeframe of a year, compared to other ministries. Instructions of the Ministry of Education and Science are in the

same way indexed according to an ascending numeric order, which opens up and closes in within one calendar year. Only three MOES Instructions were published in the Official Journal for 2009, which are:

 Instruction No. 20, dated 29.07.2009 “On some changes to Appendix No. 1 of Instruction No. 5, dated 22.1.2008 “On defining necessary academic standards for launching, closing down and re-organizing post-graduate studies...”
(published in the Official Journal No. 134, page 6256; publication date: 11.09.2009);

 Instruction No. 21 dated 30.07.2009 “On the procedures for admission and registering for post – graduate study programs in the higher education public institutions.”
(Published in the Official Journal No. 134, page 6257; publication date: 11.09.2009);

 Instruction No.24, dated 02.09.2009 “On some additions and changes to Instruction No.30, dated 26.9.2007 “On determining procedures and documentation for submission by legal subjects upon establishment of private higher education programs or institution...”
(Published in the Official Journal, No. 141, page 6414; publication date: 02.10.2009);

Regardless of the fact that MOES Instruction No. 24 represents the highest indexed act in the Official Journal, 2009, another instruction with index No. 41, dated. 08.12.2009, “On the procedures for the recognition of diplomas and certificates acquired at foreign higher schools” was found published on the official website of MOES. This instruction represents the *de facto* highest indexed act and based on its date of approval it is highly likely that this instruction closes in the series for 2009. This determines the *de facto* “ceiling” margin, where the *Schematic Verification* calculations are based on.

This means that MOES has issued at least 41 instructions during 2009, of which only 3 result to have been published in the Official Journal.

Careful consideration of MOES website content as well as of other government documents found online (reports, strategies, newspaper “Mësuesi” (Teacher), etc.), has identified in concrete terms 15 instructions issued during 2009, which belong to the stock of Instructions which are not published in the Official Journal, 2009. The boxed table shows a visual presentation of the noted missing instructions identified in the indexing series:

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41									

Orange: Instructions that have not been published in the Official Journal but whose title and textbody can not be found.
Yellow: unpublished instructions, whose title and textbody is identified (see Table No.1).

To conclude, as shown by the color boxes:

**the Official Journal 2009, lacks at least
38 instructions of MOES (or 73% of the total)**







Instructions of the Ministry of Public Works, Transport, and Telecommunications (MPWTT)

The Ministry of Public Works, Transport and Telecommunications (MPWTT) issues a relatively small number of instructions within a year. The Instructions are indexed in an ascending numeric order,

which opens up and closes in within one calendar year. The series of instructions for the Ministry for 2009 opens up and closes in with respectively these numbers:

-  Instruction No. 1, dated 28.01.2009 – On professional competence certificate for the activity of the chief road transport operator.
(published in the Official Journal No. 13, pg. 941, publication date 20-02-2009)
-  Instruction No. 11, dated 18-12-2009 – One some additions and changes on Instruction No. 15, dated 24.07.2007 “On criteria and procedures of licenses, authorizations and certificates for road transport activity”, changed
(published in the Official Journal No. 182, publication date 24.12.2009)

The Official Journals for 2009 contain only six published instructions from the Ministry of Public Works, Transport and Telecommunications, while another five are missing from “the roll call” in the index list

(order); put into different words, 5 Instructions have not been published in the Official Journal. The following table shows the missing parts noted in the index order of the Instructions issued by this Ministry:

1	2	3	4	5	6	7	8	9	10
11									

Orange: Instructions that have not been published in the Official Journal but whose title and textbody can not be found.

Yellow: unpublished instructions, whose title and textbody is identified (see Table No.1).

To conclude, as shown by the table:

at least 5 instructions of the MPWTT, have not been published in the OJ (or 45.4 % of the total).





Instructions of the Ministry of Environment, Forests and Water Administration (MEFWA)

The Ministry of Environment, Forests and Water Administration (MEFWA) issues a small number of instructions within a year. This ministry's instructions are also indexed according to an ascending numeric order within the timeframe of a year. This means that the index starts up at the beginning of

each year with number one in the index and closes with the index number that the last instruction for the year takes (till December, 31st). The research in all the Official Journals for 2009 has identify only one published instruction for the year and namely:



Instruction No.2 from MEFWA, dated 14-05-2009- On the criteria of competition and procedures for leasing for use forest and pasture fund
(published in the Official Journal No. 64, page 2912, publication date: 14.05.2009)

This suggests that Instruction No. 1 which opens up the series of Instructions given by this Ministry for 2009 is missing publication in the Official Journal, 2009.

suggest the existence of any other instruction from this Ministry indexed by a bigger number then 3 for the year 2009, though such possibility is not excluded theoretically.

Instruction No. 1, dated 3-3-2009 "On duties of Environment organs to ensure public and environmental NGOs participation in the Evaluation Process of Environmental Impact" is published on the Ministry official website.

But, in terms of this methodology, the instruction No. 3, dated 19.11.2009, closes up the indexing order defining thus the calculation top level upon which verifications are based.

Meanwhile, the extra editions of Official Journals, published during the summer of 2010, contains another instruction from this Ministry, namely "Instruction of MEFWA, No. 3, dated 19.11.2009 - On the methodology used in assessing reports on environment impacts (published in the Extra edition of OJ, No. 68).

The following table shows the noted missing part in regard to the publication of the Instructions approved by the MEFWA incumbent:

1	2	3
---	---	---

Yellow: unpublished instructions, whose title and text body is identified (see Table No.1).

Green color in this case represents the box corresponding to Instruction No. 3 published in the extra Official Journal, No. 68.

Searching through government documents did not

In conclusion, as the colored boxes suggest:

at least 2 instructions of MEFWA are not published in the Official Journal 2009 (or 66.6% of the total)





Instructions of the Ministry of Agriculture, Food and Consumer Protection (MAFCP)

The Ministry of Agriculture, Food and Consumer Protection (MAFCP) issues a small number of Instructions within a year that are indexed in an ascending numerical order based on a calendar year timeframe. This means that the order (list) opens up

with the index number 1 and concludes with the index number of the last instruction for the year (31 December). After careful examination of all Official Journals issued in 2009, only one instruction from this Ministry resulted published, concretely:



Instruction No. 2, dated 31.03.2009 from MAFCP & MF “On implementation and use of counter-party funds gathered from Japanese grants for agriculture and food sectors”,

(published in the Official Journal No. 84, publication date: 11.06.2009, page 3690).

Although this is a joint instruction, issued and signed by two Ministries, it was first proposed (initiated) by the MAFCP, therefore this Ministry has listed it in its own instructions' indexing order, the same as the Ministry of Finance does for its initiated instructions. In fact, this is an unwritten rule followed by all Ministries in similar cases, though no approved formal regulation exists to explicitly address such cases..

By examining all possible official internet sources was identified the Instruction No. 3 “On animal health regulations in regard to the production, processing, distribution and import of animal products for human consumption”, issued by the Minister of Agriculture on 30.04.2009

This clearly implies that, during 2009, the Minister of Agriculture has issued at least 3 instructions, two of

which, No. 1 and No. 3, have not been published in the Official Journal, 2009. The research through other government documents did not encounter with any other Instruction from this Ministry that could have a higher indexing number than 3, although in theory, this should be not excluded.

The following table shows the noted missing instructions of the Minister of Agriculture in the Official Journal.

1	2	3
---	---	---

Orange: Instructions that have not been published in the Official Journal but whose title and textbody can not be found.

Yellow: unpublished instructions, whose title and textbody is identified (see Table No.1).

In spite of the methodological limits in this case, it is concluded that:

at least 2 instructions of MAFCP are not published in the Official Journal 2009 (or 66.6% of the total)



METHODOLOGICAL NOTE: The following listed ministries apply a different indexing order for the instructions they issue. In fact, more than act's index numbers they give the impression of being protocol numbers that "baptize" or "tagg" the instruction. It is not excluded in certain cases that the index number is the continuity of an indexing order used from several years uninterrupted. This makes it difficult, not to say impossible the evaluation of the regularity of the index order (series), which is the basic tool in the monitoring method used by CPII. This is to be considered an "arbitrary" indexing order. As result of not being objectively able to examine consistency of the index order on calendar basis where the missing parts would have been noted and identified for a given

year, CPII will be limited only in applying the **Factual Component** of verification for the following ministries. In other words, identification of those instructions missing the publication in Official Journal will be done through examining the official web pages and other relevant government documents (reports, strategies, etc). Since these ministries do not publish on their official webpage the instructions they issue (with rare exceptions), the monitoring results for these ministries' instructions will be considered methodologically "**fragile**". Nevertheless, the monitoring findings regarding instructions issued by these ministries which are left un-published, can not be smaller in any case than reported below. On the contrary, in any case, the result tends to be higher in theory.



Instructions of the Ministry of Justice (MOJ)

The examination of all Official Journals, 2009 indicates that the Ministry of Justice has published 3 guidelines. Two of these are joint guidelines with the Ministry of Finance (initiated and signed by MOJ

and counter signed by MOF) . Research through other alternative official sources shows no other guideline issued from MOJ left unpublished in the Official Journal, 2009.

In conclusion, despite methodology limitations, can be affirmed that:

no instructions of the MOJ were identified as un-published in the Official Journal, 2009.



Instructions of the Ministry of Labor, Social Affairs and Equal Opportunities (MOLSAEO)

The examination of all Official Journals, 2009 indicates that the Ministry of Labor, Social Affairs and Equal Opportunities has published seven guidelines. Examination of other alternative official

sources (Ministry website, yearly reports, governmental strategies, etc.) did not indicate any other guideline left un-published in the Official Journal, 2009.

In conclusion, it can be affirmed that:

no instructions of the MOLSAEO were identified as un-published in the Official Journal, 2009.



Instructions of the Ministry of Economy, (METE)

The examination of all Official Journals, 2009 indicates that the Ministry of Economy, Trade and Energy has published 6 guidelines in Official Journal 2009. It results that guideline no 1028, dated 10.12.2009, "On the documentation content to obtain mineral extracting permission" , was not published in due time, as law 8502 requires, but 4 months lat-

ter, in Official Journal no 202, issued on 05.04.2010. This particular guideline and the effects generated by it, has even provoked a media debate resulting in several articles written in Albanian daily newspapers. For methodological consistency, despite the delay in publication, this guideline will not be considered as unpublished.

In conclusion, it can be affirmed that:

no instructions of the METE were identified as un-published in the Official Journal, 2009.





Instructions of the Ministry of Health (MOH)

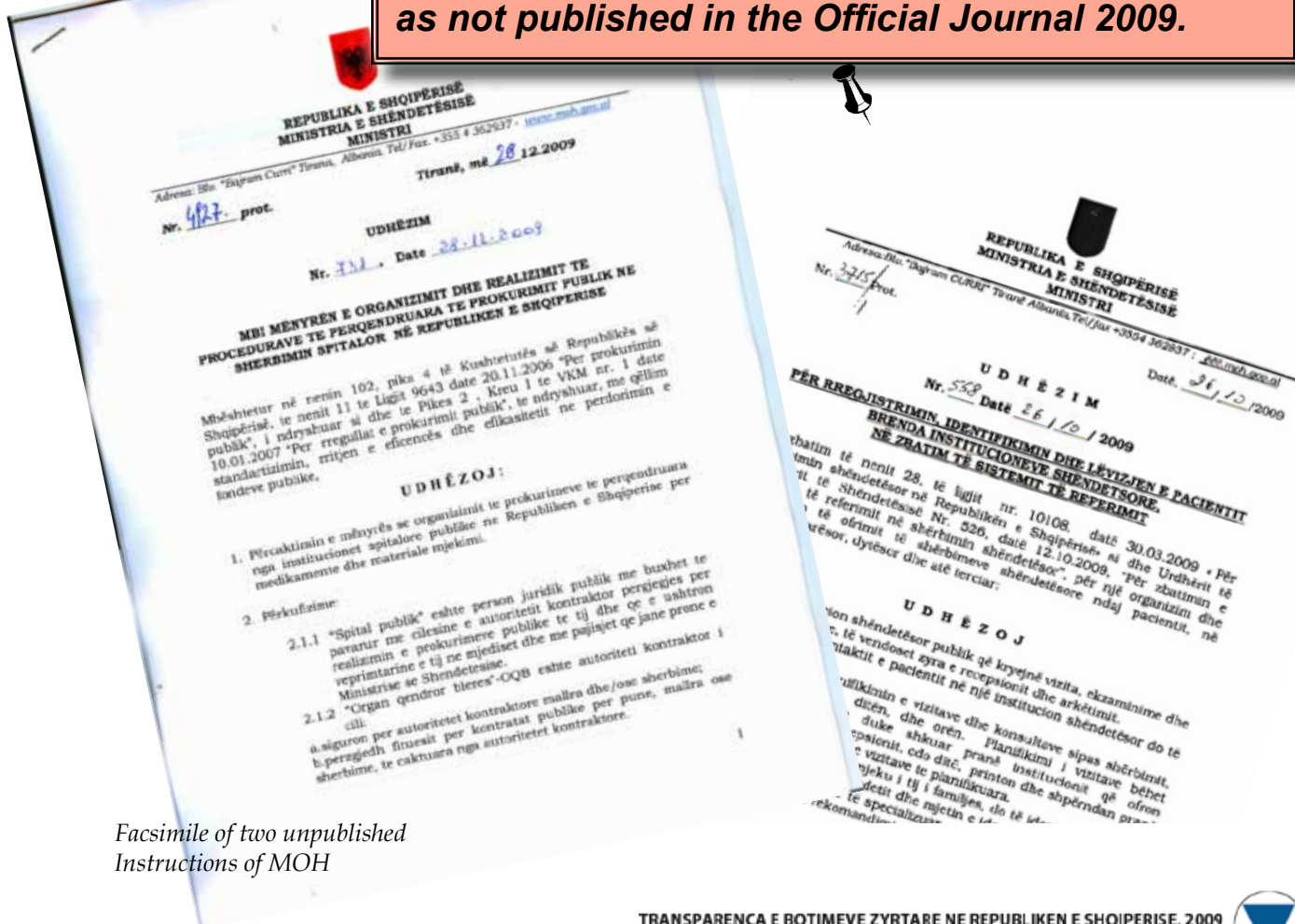
Research through all the Official Journals for 2009 produces no published instruction from the Ministry of Health (MOH). Moreover, research shows no instruction issued by the Minister of Health have been published in the Extra Official Journals issued by the COP during the summer of 2010.

In MOH case, the index ranking is not even according to the protocol. Research through the alternative sources used for the purposes of this monitoring resulted in finding of three instructions issued by the Ministry during 2009. Two of them are numbered as No. 558 and No. 731. The latter defines in the disposition No. 15 that "The instruction No. 83, dated 09.02.2009 is repealed". This means that besides the

two previously mentioned instructions (see facsimiles) there is a third one numbered No. 83.

Meanwhile, on 29 April 2009 the daily press reported of a MOH instruction in the framework of the swine flu entitled "On health service in the border checking points". There is not much more information in regard to this instruction. Although there is no reason to assume that such a instruction does not exist, for methodology reason this instruction will not be calculated among the unpublished instructions as this monitoring process does not consider the daily press to be an official source of information. This concludes that:

at least 3 instructions of the MOH were identified as not published in the Official Journal 2009.



Facsimile of two unpublished Instructions of MOH



TABLE NO. 1

No.	Instructions identified (title and/or content) as unpublished in the Official Journal 2009	Index number	Name of ministry	Date of Issue
1	ON STATE BUDGET IMPLEMENTATION, 2009	2	MOF	9/1/2009
2	ON THE PREPARATION OF STATE BUDGET AND SPECIAL FUNDS	20	MOF	26/2/2009
3	ON THE PREPARATION OF LOCAL GOVERNMENT BUDGET	20/1	MOF	26/2/2009
4	ON THE PREPARATION OF LOCAL GOVERNMENT BUDGET	20/3	MOF	10/7/2009
5	ON DEFINING RULES AND PAYMENT MODALITIES FOR COMPENSATING THE PRICE-VALUES OF THE NEW PASSPORT DOCUMENT FOR ECONOMICALLY VULNERABLE CITIZENS	27/1	MOF	15/5/2009
6	ON THE DETAILED RULES AND PAYMENT MODALITIES FOR COMPENSATING THE ALBANIAN	29	MOF	4/5/2009
7	ON ESTABLISHING REWARD RATES FOR TRAINERS INVOLVED IN THE QUALIFICATION PROCESS FOR INTERNAL AUDITS OF PUBLIC SECTOR	39	MOF	24/9/2009
8	ON ESTABLISHING AND USING THE SPECIAL FUND OF CENTRAL GOVERNMENT BODIES	50	MOF	9/12/2009
9	ON DETERMINING THE CRITERIA, AMOUNT AND PROCEDURES FOR BENEFICIARIES FROM STUDENTS AND YOUNG SCIENTISTS EXCELLENCE FUND	2	MOES	22/1/2009
10	ON DETAILING THE BUDGET FOR PUBLIC INSTITUTION OF HIGHER EDUCATION	3	MOES	22/1/2009
11	ON THE CONTENT, SIZE AND SHAPE OF THE UNIVERSITY DIPLOMA ISSUED BY PUBLIC INSTITUTION OF HIGHER EDUCATION	5	MOES	18/2/2009
12	ON THE DIPLOMA SUPPLEMENT	7	MOES	18/2/2009
13	ON EQUIVALENCE AND REGISTRATION REQUIREMENTS IN STATE MATURA 2009 OF ALBANIANS WHO ATTENDED HIGH SCHOOLS ABROAD	11	MOES	9/3/2009
14	ON ESTABLISHING THE STATE REGISTER FOR DIPLOMAS AND CERTIFICATES RECEIVED IN HIGHER EDUCATION INSTITUTIONS AND SCIENTIFIC COUNCILS	12	MOES	18/2/2009
15	ON THE ADMISSION COMPETITIONS, REGISTRATION FEE FOR THE COMPETITION, IN SOME PROGRAMS OF THE FIRST CYCLE FOR FULL TIME STUDY IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION, ACADEMIC YEAR 2009 - 2010	18	MOES	7/7/2009
16	ON THE USE OF FUNDS FOR THE TREATMENT OF EMPLOYEE OF UNIVERSITIES		MOES	22/8/2009
17	"ON ADMISSION AND REGISTRATION PROCEDURES IN THE FIRST EDUCATION CYCLE OF FULL TIME STUDIES IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION	25	MOES	9/9/2009
18	ON MODALITIES OF ORGANISING ACTIVITIES THAT SERVE HIGH SCHOOL STUDENTS	34	MOES	22/8/2009
19	ON ADMISSION AND REGISTRATION PROCEDURES IN THE STUDY PROGRAM: MASTER OF SECOND GRADE IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION	35	MOES	4/11/2009
20	"ON REGISTRATION PROCEDURES OF CANDIDATES AND COMPLETING THE UN-FILLED QUOTA IN THE FORTH PHASE OF THE FIRST CYCLE FOR FULL TIME STUDY IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION, ACADEMIC YEAR 2009 - 2010		MOES	23/11/2009
21	"ON REGISTRATION PROCEDURES OF CANDIDATES AND COMPLETING THE UN-FILLED QUOTA OF THE FIRST CYCLE FOR FULL TIME STUDY IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION, ACADEMIC YEAR 2009 - 2010		MOES	23/11/2009
22	"ON APPLICATION AND REGISTRATION PROCEDURES IN THE FIRST CYCLE FOR PART TIME STUDY IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION, ACADEMIC YEAR 2009 - 2010 AND DISTANT EDUCATION....	38	MOES	25/11/2009
23	ON THE ACKNOWLEDGING PROCEDURES FOR DIPLOMAS AND CERTIFICATES ATTAINED IN HIGH EDUCATION SCHOOLS ABROAD	41	MOES	8/12/2009
24	ON RULES ENFORCEMENT IN ORGANIZING LABOR TIME OF PERSONS WORKING IN TRANSPORT SECTOR	5	MOPATT	6/5/2009
25	ON THE ASSIGNMENTS AND OBLIGATION OF ENVIRONMENTAL PUBLIC ORGANS TO ENSURE PUBLIC AND NGOS PARTICIPATION IN ENVIRONMENTAL IMPACT ASSESSMENT PROCESS	1	MOPATT	3/3/2009
26	PËR METODOLOGJINË E VLERËSIMIT TË RAPORTIT TË VLERËSIMIT TE NDIKIMIT NË MJEDIS **	3	MOPATT	19/11/2009
27	ON HEALTH RULES AND REGULATIONS OF DOMESTIC ANIMALS, PRODUCTIVITY, PROCESSING AND DISTRIBUTION INCLUDING IMPORT OF PRODUCTS OF ANIMAL ORIGIN	3	MOAFCP	30/4/2009
28	ON PATIENT REGISTRATION AND MOBILITY WITHIN PUBLIC HEALTH INSTITUTIONS, IN COMPLIANCE WITH THE REFERRING SYSTEM	558	MOH	26/10/2009
29	ON THE CONCENTRATED ORGANIZATION AND PROCEDURES FOR PUBLIC PROCUREMENT IN THE HOSPITAL SERVICE IN THE REPUBLIC OF ALBANIA	731	MOH	28/12/2009
30	IDENTIFIED ONLY INDEX NUMBER AND DATE / TITLE CAN NOT BE FOUND	83	MOH	9/2/2009



Table No. 2 shows a summary of the verified results regarding the Instructions number published in the Official Journals through 2006-2007-2008. Due to time and space, the unpublished concretely identified Instructions (title and/or content) will not be publicized, but rather the total number of the published and the total number of the unpublished Instructions in the Official Journals. At the same time, the percentage of the total unpublished Instructions in the Official Journal has been calculated for each Ministry

from 2006 to 2009. The table gathers only the Instructions of those ministries that use a regular index system for this activity (ascending numeric series). The dated on type of activity: Instruction, aim at adding up to the findings of the last year monitoring process completed by CPII Center and OSFA focusing only on the Assembly laws, Council of Ministers decisions and the normative acts from the Council of Ministers during a three year period, 2006-2007-2008.

YEAR 2009		TABLE NO.2		
Institution	Issued Instructions	Published Instructions	Unpublished Instructions	Unpublished Instructions in %
Council of Ministers	2	2	0	0 %
Ministry of Finance	56 (4 with fraction numbers)	33	23	41%
Ministry of Education	41	3	38	93%
Ministry of Labor	11	6	5	45%
Ministry of Agriculture	3	1	2	66%
Ministry of Environment	3	1	2	66%
YEAR 2008				
Council of Ministers	3	3	0	0%
Ministry of Finance	48 (7 with fraction numbers)	39	9	18%
Ministry of Education	45	22	23	51%
Ministry of Labor	24 (1 with fraction numbers)	11	13	54%
Ministry of Agriculture	6 (1 with fraction numbers)	2	4	66%
Ministry of Environment ¹	5	4	1	2%
YEAR 2007				
Council of Ministers	6	6	0	0%
Ministry of Finance	30 (1 with fraction numbers)	24	6	20%
Ministry of Education	41	5	36	88%
Ministry of Labor	20	12	8	40%
Ministry of Agriculture	12 (1 with fraction numbers)	3	9	75%
Ministry of Environment ²	10	5	5	50%
YEAR 2006				
Council of Ministers	5	5	0	0%
Ministry of Finance	12	12	0	0%
Ministry of Education	49	3	46	93%
Ministry of Labor	7	4	3	42%
Ministry of Agriculture ³	2	2	0	0%
Ministry of Environment ⁴	7	5	2	28%

1 - MOEFWA issued two Instructions bearing same index number: Instruction No. 4, dated 10.04.2008 and Instruction No. 4, dated 12.09.2008

2 - MOEFWA issued two Instructions bearing the same index number: Instruction No. 5, dated 24.09.2007 and Instruction No. 5, dated 28.12.2007

3 - MOAFC issued two Instructions bearing the same index number: Instruction No. 1, dated 20.02.2006 and Instruction No. 1, dated 09.11.2006

4 - MOEFWA issued two Instructions bearing the same index number: Instruction No. 3, dated 17.05.2006 and Instruction No. 3, dated 13.09.2006

4

THE JUDICIAL BRANCH

The system of government in the Republic of Albania is based on the separation and balancing of legislative, executive and judicial powers. (*Article 7 of the Constitution*).

The judicial branch of power provides for the supervision and protection of the key norms in place, for purposes of achieving the development of a regular social life. In the Republic of Albania, the judicial power is exercised by the Supreme Court, as well as the courts of appeal and courts of first instance. (*Article 135 of the Constitution*).

The organic Law No. 8436, dated 28.12.1998 “On the organization of the judiciary branch in the Republic of Albania” regulates on its entirety the organization of justice based on the country’s Constitution, whereas the activity of the Supreme Court is regulated by a specific organic Law, No. 8588, dated.15/03/2000 “On the organization and functioning of the Supreme Court in the Republic of Albania.”

One of the most important functions of the Supreme Court is the unification of judicial practice in the Republic of Albania. For the unification and amendment of the judicial practice, the Supreme Court has the right to select judicial issues for examination in the Joint Colleges (panels). Decisions of the Supreme Court are obligatory in terms of execution.

The Law no. 8588, dated 15/03/2000 “On the organization and functioning of the Supreme Court in the Republic of Albania.”, has given a special importance to the promulgation and publication of the decisions ruled by this court. Article 19 of this law explicitly stipulates that:

1. *The decisions of the Supreme Court are proclaimed with the reasoning no later than 30 days from the date of the termination of the judicial examination.*
2. *The decisions of the Joint Panels, along with the reasoning of the minority, shall be published in the Periodical Bulletin of the Supreme Court.*
3. *Decisions for the unification and amendment of the judicial practice¹ are published in the upcoming issue of the Official Journal.*

The lawmaker has explicitly stipulated on point 3 of Article 19 the obligation for publication in the very first issue of the Official Journal of the decisions for the unification and amendment of the judicial practice (HC unification decisions).

This article contains a double obligation: besides being published in the Official Journal, this must be done at the first possible moment (explicitly: in the very upcoming issue of the Official Journal). Scrupulous implementation of legal modalities regarding publication of unifying decisions of the Supreme Court provides for a uniform interpretation of laws in compliance with the *principle of legal certainty*.

It is through such decisions of the Supreme Courts’ Joint Panels that judgements’ uniformity and law interpretation during court proceedings is ensured by the entire troop of judges in the Republic of Albania (about 350). Lack of their publication in the Official Journal would *a priori* lead to failure in fulfilling the aimed goal of the Supreme Court: the unification of judicial practice.

On the other hand, the reason why the lawmaker has specified that such types of decisions shall be published in the very first issue of the Official Journal, relates to the fact that judges in lower level courts have to get to know and familiarized with them as soon as possible, so that the practice already unified through the legal interpretation of the Supreme Court is reflected in proper time in the relevant cases that are being or shall be examined.

Based on all that is exposed above, the unifying decisions of the Supreme Court, in the framework of this monitoring, will be evaluated both in terms of their publication and the legal time frame of publication in the Official Journal. The monitoring team has evidenced in a special column of Table No.3 and No. 5, the Official Journal in which the Supreme Court’s unifying decision is published, and has roughly calculated which one had to be the ‘nearest’ issue for that publication.

1 - Decisions for the unification and amendment of the judicial practice¹ are randomly referred to as: Unifying Decisions. This is also how they will be referred to in the next coming pages in the framework of this monitoring.





Monitoring results 2009

Unifying Decisions of the Supreme Court



Publication in the Official Journal

During 2009, the Supreme Court judged in its Joint Colleges (Panels) 18 decided cases; 11 civil cases and seven penal ones. (Source: Supreme Court website). From this, eight of these court decisions were unifying ones which according to the Article 19, point 3 of law No. 8588 "On the organization and function

of the Supreme Court of the Republic of Albania" must be published in the first upcoming issue of the Official Journal. After careful examination, it was concluded that overall eight Supreme Court unifying decisions are published in the Official Journals of 2009.

In conclusion:

during 2009, all Supreme Court Unifying Decisions have been published in the Official Journal



Time frame for UDSC publication in the Official Journal

During 2009, all Supreme Court unifying decisions (total of eight) were published in the Official Journal with significant delays in regard to the legally stipulated deadline. The longest delay results to be that of the publication of UDSC No. 1, dated 6.1.2009 (No. 6/4 of Main Register). This decision was published in the Official Journal 11 months after its proclamation (issuing) date (OJ No. 171, dated 09.12.2009).

With an approximate calculation, it resulted that the average delay for the publication of all the eight decisions is around 4.2 months (see: Table No. 5). Accord-

ing to Article 19, point 3 of the Law No. 8588, "Decisions that serve the unification or amendment of the court practice are published immediately in the next issue of the Official Journal".

If the Supreme Court should have respected this legal obligation, the decision in this case should have been published in the OJ No. 8, dated 9.2.2009, which according to the calculations was the first Official Journal to come 30 days from the date of the termination of the judicial examination.

Calculating the legal deadline of 30 days that the SC has in its disposal to proclaim its decisions, it results that:

the average publication delay for the eight Supreme Court Unifying Decisions in the Official Journal 2009 is about 4.2 months





The Deliu's Case

Despite being a direct violation of the provision of Law No. 8588, delays in promulgation and publication of High Court's unification decisions may cause violations of the constitutional provisions, as well as extremely threatening consequences for the individual, starting with the arbitrary prohibition of freedom, to the safety of life.

In such a case, the High Court, as the highest instance of the judiciary branch, instead of fulfilling its mission for the surveillance and protection of the norms issued by the lawmaker, would be exactly acting contrary to that.

The most flagrant case evidenced in 2009 is that of a former-convicted person, P. Deliu, who unjustly served an extra 5 months-in-prison, due to failure of promulgation and publication within required legal timeline of High Court's unification decision. This decision (No. 6/5 in the Fundamental Registry, No.2 of the Decision), issued since 06.02.2009, was published in the Official Journal, No. 125, on 24.08.2009.

In fact, based on a approximate calculation, it should had been published 5 months earlier, in the Official Journal, No.21, dated 6/3/2009, which in this case would correspond to "the very first upcoming issue of the Official Journal", after a 30 days period - the legal timeline at disposal for the HC within which must promulgate the decision.

While unjustly kept in prison for another 5 months, citizen P. Deliu was arbitrary deprived of his freedom by High Court itself, which failed to observe

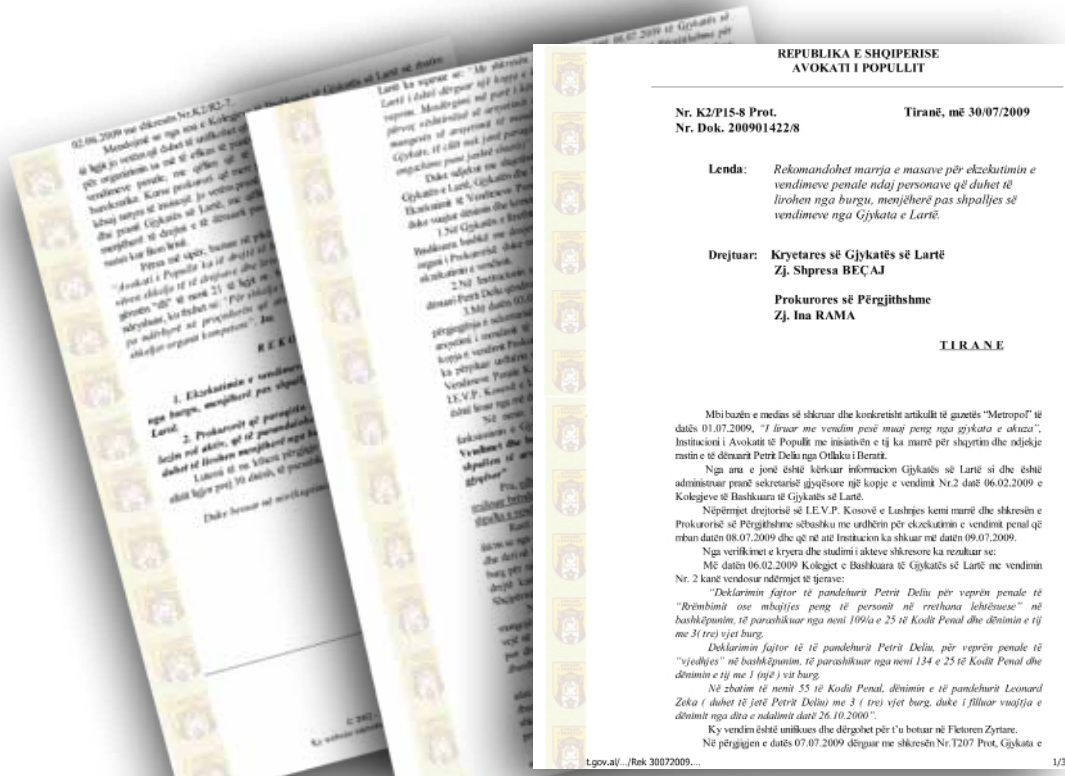
the legal timeline for the promulgation of the decision (Article 19, point 1, of Law No. 8588, dated 15/03/2000 "On the organization and functioning of the High Court in the Republic of Albania.)

Violation of timeline led consequently in the direct breach of Article 27/1 of the Albanian Constitution, according to which: "No one's liberty may be taken away, except in the cases and according to the procedures provided by law". The cause to the resulting consequences, in this case, was, to our surprise, the High Court of the Republic of Albania itself.

On 30/07/2009, the People's Advocate, who was informed about this very case, addressed an official letter to the Chairperson of the High Court, Mrs. Shpresa BEÇAJ, and a carbon copy to the General Prosecutor, Mrs. Ina RAMA, with Prot. No. K2/P15-8. In this official letter, he evidenced the violation of Article 19, point 1 of Law 8588, dated 15.03.2000.

In addition to that, point 3 of Article 19 of the same law, according to which: "The decisions that service the unification or amendment of the judicial practice is published in the very first number of the Official Journal", was also violated.

In his letter, the People's Advocate highlighted that: "This is a repeated case, as some months ago, the same practice was followed for the-then-convicted person, Xhavit Hoxha, for whom a recommendation was also sent on 02.06.2009" attached to the official letter No.K2/R2-7."



Facsimile of the Recommendation issued by the People's Advocate

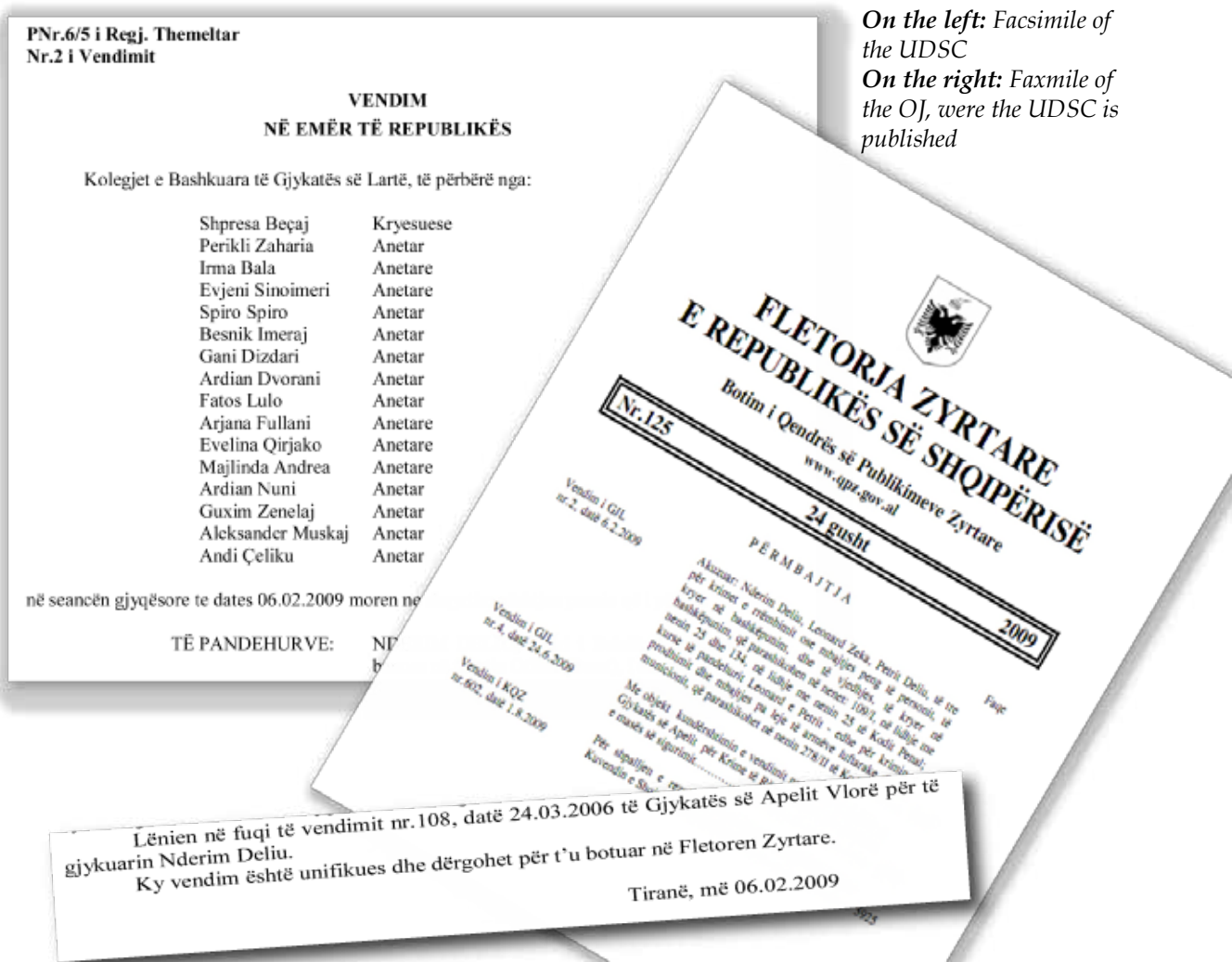


Table No. 3 - Time frame for UDSC publication in the Official Journal, 2009

No.	Indexing number of Unifying Decision (UD)	Date of UDSC	Official Journal where UDSC is published	Official Journal where UDSC should have been published
1	No.6/4 of Main Register Decision No.1	6.1.2009	No.171 9/12/2009	No.8 9/2/2009
2	No.5/3 of Main Register Decision No.2	6.1.2009	No.82 8/6/2009	No.8 9/2/2009
3	No.7/5 of Main Register Decision No.5	20.1.2009	No.102 8/7/2009	No.13 20/02/09
4	No.4/3 of Main Register Decision No.1	8.1.2009	No.117 10/8/2009	No.8 9/2/2009
5	No.6/5 of Main Register Decision No.2	6.2.2009	No.125 24/08/09	No.21 6/3/2009
6	No.9 of Main Register Decision No.4	24.6.2009	No.125 24/08/09	No.112 24/07/09
7	No.2/1 of Main Register Decision No.5	15.9.2009	No.171 9/12/2009	No.145 20/10/09
8	No.6/5 of Main Register Decision No.2/1	2/10/2009	No.162 27/11/09	No.148 2/11/2009





Monitoring results, 2006-2007-2008

Unifying Decisions of the Supreme Court

In 2008, the Joint Colleges (Panels) of the Supreme Court ruled 4 decisions in total; three civil cases and one penal case. (Source: www.gjykataelarte.gov.al).

Out of these decisions, two were UDSCs, which according to the Article 19, Point 3 of the Law No. 8588, “are published in the first upcoming issue of the Official Journal”. After careful examination of all editions of the Official Journal, 2008, it resulted that these two UDSCs are published (Table. No.4). In conclusion:

during 2008, all the UDSC are published in the Official Journal of that year

In 2007, the Joint Colleges of the Supreme Court ruled 27 decisions in total; 25 on civil cases and 2 on penal cases. (Source: www.gjykataelarte.gov.al).

Out of these 27 decisions, 9 of them are unifying decisions, which according to the Article 19, Point 3 of the Law No. 8588, “are published in the first upcoming issue of the Official Journal”. Research through Official Journals, 2007 showed that 8 unifying decisions issued by the Joint Colleges of the Supreme Court (Table. No.4) were published, which means that:

during 2007, one UDSC has remained unpublished in the Official Journal of that year



However, the unpublished unifying decision of the Supreme Court can be found in the official website of the Court. It is the Supreme Court decision No. 12, dated 14.09.2007, case: “Seri Yska, Nexhmije Yska, Xhaferr Alimadhi, Athina Alimadhi, Hysen Baliqi, Klarita Baliqi vs. Albanian Intelligence Bureau in absence...”. It is explicitly stipulated in the point No. 2 of this court decisions that: “This is a unifying decision for the court practice and it is sent for publication in the Official Journal”.

In 2006, the Joint Colleges of the Supreme Court ruled 14 decisions in total; 13 civil cases and one penal case. (Source: www.gjykataelarte.gov.al).

Out of these 14 decisions, 6 of them are unifying decisions. The Official Journal 2006 contains six published unifying decisions (Table No. 4). This means that:

during 2006, all the UDSC were published in the Official Journal of that year

NOTE Related to the legal deadlines for the UDSC publication for years 2006-2007-2008, Tables No. 4 and No. 5 offer a detailed description of the research.



Table No. 4 – Deadline for publication in the UDSC Official Journal, 2006-2007-2008

Year	No.	Indexing number of Unifying Decision (UD)	Date of Unifying Decision	Official Journal where UD was published	Official Journal where UD should have been published
2008	1	No.8 of Main Register Decision No.3	12/2/2008	No.150 3/10/2008	No.37 12/3/2008
	2	No.1 of Main Register Decision No.1	27/03/2008	No.149 24/09/08	No.59 25/04/08
2007	1	No.2/2 of Main Register Decision No.1	25/01/07	No.97 1/8/2007	No.18 24/02/07
	2	No.8/1 of Main Register Decision No.3	24/01/07	No.18 24/02/07	No.18 24/02/07
	3	No.10/3 of Main Register Decision No.5	22/01/07	No.30 23/03/07	No.15 22/02/07
	4	No.9/2 of Main Register Decision No.6	24/01/07	No.97 1/8/2007	No.18 24/02/07
	5	No.1 of Main Register Decision No.8	12/9/2007	No.150 13/11/07	No.133 11/10/2007
	6	No.4 of Main Register Decision No.10	12/9/2007	No.156 27/11/07	No.133 11/10/2007
	7	No.12/5 of Main Register Decision No.19	15/11/07	No.191 7/2/2008	No.168 17/12/07
	8	No.5 of Main Register Decision No.20	15/11/07	No.191 7/2/2008	No.168 17/12/07
2006	1	No.11/2 of Main Register Decision No.1	31/01/2006	No.43 10/05/06	No.13 01/03/06
	2	No.13/4 of Main Register Decision No.3	3/2/2006	No.43 10/05/06	No.16 06/03/06
	3	No.12 of Main Register Decision No.4	1/2/2006	No.34 14/04/06	No.13 01/03/06
	4	No.5 of Main Register Decision No.5	3/3/2006	No.54 02/06/06	No.22 06/04/06
	5	No.7 of Main Register Decision No.9	9/3/2006	No.119 20/11/06	No.26 10/04/06
	6	No.7 of Main Register Decision No.13	9/3/2006	No.107 13/10/06	No.26 10/04/06

Table No. 5 – UDSC's publication delay in OJ, calculated in percentage

Year	Decided cases by Joint Colleges of the SC	UDSC	Civil UDSC	Penal UDSC	UDSC unpublished in OJ	Average publication delay of UDSC in OJ
2009	18	8	3	5	0	4.2 months
2008	4	2	1	1	0	6.1 months
2007	27	9	1	8	1	2.3 months
2006	14	6	6	0	0	3.3 months



THE CONSTITUTIONAL COURT

Even though in the framework of this study, publication of the Constitutional Court Acts is treated after the Chapter on the Judicial Powers, this court on its own is not a part of the common judicial system. It has a special jurisdiction for the verification of the constitutionality of laws and other normative acts. The Constitutional Court guarantees respect for the Constitution and makes final interpretation of it (Article 124/1 of the Constitution). In the exercise of its duty, it is subject only to the Constitution (Article 124/2 of the Constitution). The competencies of the Constitutional Court are set out in Article 131 of the Constitution, according to which this organ decides on:

- compatibility of law with the constitution or with international agreements as provided in article 122 of the Constitution;
- compatibility of international agreements with the Constitution, prior to their ratification;
- compatibility of normative acts of the central and local organs with the Constitution and international agreements;
- conflicts of competencies between powers, as well as between central government and local government;
- constitutionality of the parties and other political organizations, as well as their activity, according to article 9 of this Constitution;
- dismissal from duty of the President of the Republic and verification of the impossibility for him to exercise his functions;
- issues related with the election and incompatibility in exercising the functions of the President of the Republic and of the deputies, as well as the verification of their election;
- constitutionality of the referendum and verification of its results;
- final adjudication of the individual complaints for the violation of their constitutional rights to due process of law, after all legal means for the protection of those rights have been exhausted.

The organization and functioning of the Constitutional Court is regulated by the organic law no. 8577, dated 10.2.2000. According to specification in article 2 of this

law: *“The Constitutional Court is the highest instance that guarantees respect for the Constitution and makes final interpretation of it.”*

While being a negative legislator *sui generis*¹, the decisions of the Constitutional Court are of special importance. Law No. 8577 has paid a special attention to the publication of those decisions. Article 26 of this law stipulates that:

1. *Decisions of the Constitutional Court are final. They are published in the Official Journal and enter into force on the day of their publication. When decision concerns the protection of constitutional rights of the person, the Court may decide to have its decision enforced on the day of its proclamation.*
2. *The organ, which publishes the Official Journal, is obliged to publish the decisions of the Constitutional Court, no later than 15 days after the decision is presented for publication at said organ.*
3. *The Constitutional Court prepares annual summary of its decisions.*

Regarding publication timelines of the CC decisions in the Official Journal, the organic law no, 8577, dated 10.2.2000, does not set a deadline for the CC, as to when is it to send the decision for publication to the SPC, but on the other hand, it sets a deadline for the latter as to when is it to carry out the publication of the DCC, in an explicit way: *“no later than 15 days after the decision is presented at said organ (SPC).”*

Whereas, law no. 8502, dated 30.6.1999 **“On establishment of SPC”, amended**, explicitly sets out that: *“The responsible organ is obliged to submit for publication to the SPC the acts foreseen under paragraph “a” of article 2 of the above law, within 3 days from their approval and, in specific cases, within no later than 15 days.”* (Article 6, amended by Law No. 9091/2003).

This means that the required official deadline for the publication of the DCC in the Official Journal is no more than 30 days, except for those cases when the CC decides to have its decision enforced on the day of its proclamation.

1 - “Constitutional Right” Luan Omari; Aurela Anastasi, 2010 revised edition, pg. 418





Monitoring results, 2009

Decisions of the Constitutional Court



Official Journal Publication

During 2009, the Constitutional Court judged 32 decided cases (Source:CC website). Research

shows that there are 32 decisions of the Constitutional Court published in the Official Journal 2009.

The verification concluded that:

during 2009, all decisions of the Constitutional Court are published in the Official Journal of that year



Time frame to publication in the Official Journal

During 2009, out of 32 decisions ruled by Constitutional Court, one was published beyond time limits of publication in the Official Journal. This is the decision No. 2, dated 29.01.2009 - "On repealing the decision of the Council of Ministers No. 1583, dated 03.12.2008 as non-Constitutional".

This decision was published in the Official Journal No. 59, dated 14.05.2009. With an approximate calculation, based on legal time terms (30 days in this case), this court decision should have been published in the Official Journal No. 19, dated 27.02.2009.

In conclusion, it may be affirmed that:

during 2009, one decision of the Constitutional Court was published in OJ beyond legal timeframe



Monitoring results, 2006-2007-2008

During 2008, the Constitutional Court ruled 29 decisions in total (Source: official website, CC). During 2007, this Court ruled 45 decisions in total,

while in 2006 it ruled 30 decisions. The monitoring identified no delays in terms of publication of CC decisions in the Official Journal of each respective year.

The verification concluded that:

during 2006, 2007 & 2008, all decisions of the Constitutional Court are published in the Official Journals within the legal timeframe



6

The European Court of Human Rights (ECHR) in Strasbourg

Albania is a member state of the Council of Europe. Albania has signed the European Convention on Human Rights on 13/07/1995 and has ratified it on 2/10/1996, making it part of its domestic legal system (Article 17/2 of the Constitution).

According to the definition of Article 1 of the ECHR, the High Contracting Parties (i.e. Albania also), undertake the obligation to secure to everyone within their jurisdiction the rights and freedoms sanctioned by this Convention (and its additional protocols).

The European Court of Human Rights and the Committee of Ministers' essential function is to ensure that member states comply with the obligations undertaken upon ratification of the Convention. One of these obligations is the execution of the final judgements of the ECHR, a process that is supervised by the Committee of Ministers.

Publication of the final judgements of the ECHR by the Respondent State is part of the monitoring process for the execution of such judgements. Execution of ECHR's final judgements represents some particularities when compared with a judgement ruled by a common domestic court. The Court of Strasbourg's final judgement has two main components: the individual measures and the general measures. Publication of the complete text body of the Court's final judgement is considered to be part of the implementing process of the general measures. It is supervised by Committee of Ministers in its Human Rights Meetings, based on the information provided by the Respondent State.

The High Contracting Parties of the ECHR are characterised by a diversity of traditions and practice with regard to the publication of the court judgements. Considering the importance of the case law of the ECHR, especially regarding the protection of human rights protection, the publication process is very important not only to the specific legal case. The

unification of practice of the domestic courts is highly important and it is achieved only through the process of translation, publication and dissemination of judgments of the ECHR. Unification of legal practice prevents any possible human rights violation in the future, which in turn can give rise to new individual applications presented to the Court.

In 2002, the Committee of Ministers adopted the Recommendation (2002)13, according to which all member states are required to ensure publication in their respective national language as well as to provide effective dissemination of the Convention's text, along with publication of the ECHR case law, especially the one "introducing new developments in the interpretation of the Convention's articles".

The publication of the final judgements in the Official Journal is estimated as the model that best satisfies the purpose of this Recommendation, without excluding other various private initiatives. Albania has practically chosen the publication in the Official Journal of the complete text body of the judgements regarding all the cases where it has been an Respondent State.

For the first time, CPII has included in this monitoring report the findings related to the publication in the Official Journal of the ECHR's final judgements. It is worth highlighting that, as the term "Recommendation" implies, the publication of the ECHR judgements in Official Journal is not a legal obligation deriving from the domestic legal system of the Republic of Albania.

The impact of the ECHR final judgments against Albania, has been very significant for the domestic case law. Adjustment in conformity with such final judgements, as well as familiarization with them throughout the publication in the Official Journal, provides in the best service to the fundamental human rights and freedoms' guarantee in Albania.





Monitoring results till 2009: Final Judgements of ECHR

During 2004, the ECHR issued its first decision versus Albania in relation to Cufaj and Co case (application No. 54268/00). Research of the official data found in the ECHR website (HUDOC DATABASE) shows that ECHR issued 19 decisions for processes where Albania state was the defendant. Research

showed that all the decisions have been published in the Extra Official Journal out of printing before 31 December 2009. Table No. 6 shows details of the full noted situation in regard to the ECHR decisions publication in the Official Journal.

In conclusion:

all the final judgements of ECHR have been published in Extra Official Journals

Table No.6

No.	Case of	No. of application	ECHR Judgment	Final Judgment	Published in the Official Journal
1	Bushati and others v. Albania	6397/04	08/12/2009	08/03/2010	Extra no. 39, 2009
2	Groni v. Shqipërisë	25336/04	07/07/2009	07/10/2009	Extra no. 36, 2009
3	Nuri v. Shqipërisë	12306	03/02/2009	06/07/2009	Extra no. 35, 2009
4	Hamzaraj v. Shqipërisë (No.1)	45264/04	03/02/2009	06/07/2009	Extra no. 35, 2009
5	Dauti v. Shqipërisë	19206/05	03/02/2009	03/05/2009	Extra no. 35, 2009
6	Vrioni and others v. Albania	2141/03	24/03/2009	06/07/2009	Extra no. 35, 2009
7	Gjyli v. Albania	32907/07	29/09/2009	29/12/2009	Extra no. 37, 2009
8	Vrioni and others v. Albania and Italy	35720/04 & no. 42832/06	29/09/2009	29/12/2009	Extra no. 37, 2009
9	Xheraj v. Albania	37959/02	29/07/2008	01/12/2008	Extra no. 35, 2009
10	Driza v. Albania	33771/02	13/11/2007	02/06/2008	Extra no. 32, 2008
11	Marini v. Albania	3738/02	18/12/2007	07/07/2008	Extra no. 34, 2009
12	Gjonbocari and others v. Albania	10508/02	23/08/2007	31/03/2008	Extra no. 31, 2008
13	Ramadhi and 5 others v. Albania	38222/02	13/09/2007	02/06/2008	Extra no. 32, 2008
14	Dybeku v. Albania	41153/06	18/12/2007	02/06/2008	Extra no. 31, 2008
15	Bajrami v. Albania (revision)	35835/04	18/12/2007	18/03/2008	Extra no. 38, 2009*
16	Bajrami v. Albania	35835/04	12/12/2006	12/03/2007	Extra 30/07,2007
17	Beshiri v. Albania	7352/03	22/07/2006	12/02/2007	Extra 30/07, 2007
18	Balliu v. Albania	74727/01	16/06/2005	30/11/2005	Extra 30/07, 2007
19	Qufaj Co. sh.p.k. v. Albania	54268/00	18/09/2004	30/03/2005	Extra 30/07, 2007



RECOMMENDATIONS

Once the problem is identified, it is a pure logical consistency to recommend to the State Publication Center the publication in 'Extra' editions of the Official Journal of those acts this monitoring has identified as unpublished during the year 2009, as well as those of the years 2006, 2007 and 2008. In this case, CPII holds on to the principle that lack of an act's publication in the Official Journal does not necessarily result in its invalidity, but only in the lack of its effect; the invalidity is to be judged in its entirety. The legal effects this act may have produced up to the moment of its publication, are to be considered invalid and the act in itself as null and void¹.

Second, in CPII's estimation, the problem identified through this monitoring, supported by National Endowment for Democracy, NED, as well as the previous one for the period 2006-2008, supported by OSFA (Foundation Soros), addresses a number of problems for solution, starting from the acts' indexing systems currently in use in the Republic of Albanian, especially for acts issued by the executive powers' organs, down to the processing capacities owned by the SPC itself, regarding publication of all acts in the Official Journal.

CPII is aware of the fact that SPC has a lot of processing work to do for the publication of a continuously increasing amount of acts in each passing year. The legislation framework of the last 10 years, while paying a great importance to the publication in the Official Journal of the state institutions' acts, has, in this case, also yielded a side effect, which is linked with the insufficient absorbing capacities of SPC that in many cases has to rely on sub-contracting to be able to cope with the large volume of work that publication in the Official Journal of so many acts creates. As a quick example, the Council of Ministers only has passed 883 DCMs in 2006, 924 DCMs in 2008, 1720 DCMs in 2008 and 1305 DCMs in 2009.

The premises for lack of processing capacities due to acts' large volume can be eliminated if the Albanian State, through an amendment of Law 8502 "On the establishment of SPC", amended version, acknowledges the official effect of electronic publication of the OJ (in PDF). In other words, the increasing need to access the Official Journal nowadays will be covered through publishing it online in the official site of SPC, www.qpz.gov.al

Certainly, such initiative, in the estimation of some experts, might require certain interpretations of the Constitution. But CPII would recommend that the Constitution is not touched upon. This means that the current hardcopy publication of the OJ will continue the way it is, but in a

more reduced circulation, while internet would make up for that, and even increase the public's access to OJ. In such a case, SPC could print out only 10 or even 100 OJ in paper (hardcopies) for documentation purposes (archives), as well as to precede any defects or potential manipulation of the online systems and/or softcopies. These authentic hardcopies could be provided to:

1. *President of the Republic,*
2. *Assembly,*
3. *Council of Ministers,*
4. *Minister of Justice,*
5. *Constitutional Court,*
6. *Supreme Court,*
7. *State Publication Center itself,*
8. *People's Advocate,*
9. *State Archives*
10. *National Library, etc*

The majority of European states have already abandoned (or are currently in the process of) issuing the Official Journal as a hardcopy. Those countries have by now closed down gigantic printing houses and, based on technology development, have adopted a completely new approach towards state publications, which is its electronic official publication, that guarantees high access by everyone to the official acts' bank, reduces publication costs of the OJ, eliminates dissemination delays, etc.

Another recommendation, in case of potential amendment of *law 8502, amended*, would be the alignment of timelines for acts' publication in the Official Journal with those set out by the specific law on Supreme Court (no.8588), as well as that on the Constitutional Court (no. 8577).

In addition to that, CPII also recommends the unification of the indexing system for the ministers' directives and, if needed, even a legal/by-legal adjustment to avoid the serious defects observed with regard to that.

Finally, while the law regulates on the entirety the juridical relations within a certain area, what is more tangible for the subject (in this case the law implementer), is exactly the by-legal act (DCM), and the *ministerial instruction* in particular, which set out in details the modalities on how to implement the law as well as the DCMs in this current case. All is expected from the implementing subject is efficiency and readiness. Thus, the access of the enforcer-subject must be fully guaranteed by every possible mean, in our case by every publication mean, not only through publication (set out by law) in the OJ, but also via the ministries' websites or other easy-to find spaces.

1 - "Administrative Law 2" Sokol Sadushi, third edition, revised, 2005, pg.55



BRIEFLY ON METHODOLOGY

In general terms, the “ÇIP” Methodology consists of two linked components:

1. **Schematic** – Identification of unpublished acts in the Official Journal, through examining the consistency of the numerical order (series) used to index each type acts (Laws, Decisions, Instructions, etc). Each interruption of the indexing series resulting after examining the Official Journal indicates a non-published act. This verification component tends to give answer to the question “how many” acts, subject of publication in the Official Journal, have been published and how many of them lack the publication.
2. **Factual** – Cross-examination of findings through comparison of two or more official sources in which acts are being stored. This tends to give answer to the question “what” official acts have not been published concretely (as number, title and text body content).

With regard to identification of unpublished laws, the “ÇIP” Methodology performs high efficiency (margin error: 95-98%) due to the simplicity of the indexing order used for tagging this type of act (ascending numerical order) but also due to the fact that the laws approved by the Parliament are of definitive nature and as such their final destination is the publication in the OJ which is a juridical condition for the entry into force. The same high verification efficiency is performed also when applied upon Normative acts with legal power (NALP) as well as court decisions (Supreme Court, Constitutional Court).

With regard to identification of unpublished Decisions of the Council of Ministers (DCM), the verification protocol is far more complicated. The main reason for that is that not all DCMs are subject of publication in the Official Journal. A significant part of decision-making by the Council of Ministers is proposal of draft laws (Article 81 of the Constitution) and approval in principle of international agreements. Both types of such acts are sent to the Assembly, respectively for approval or ratification (when ratification is required by the effective legal provisions). In such case all this type of DCMs must be separated before methodological verification begins (margin of human error: 92%).

A relative difficulty represents also the identification of unpublished ministerial instructions. “ÇIP” Methodology provides with a specific verification protocol, mainly consisting of applying **Schematic component**. As explained, each absence or void in the numerical order in Official Journal of a given year, indicates necessarily a missing, consequently an unpublished ministerial instruction.

Factual component of the Methodology is applied only when possible when verifying instructions’ publication in the OJ. Unlike the COM, the ministries do not publish online in their respective official websites all (in some cases not at all) the instructions issued by the ministers, though such type of acts represent the most important issued by the minister in exercise of their duties. In order to generate as much as possible “raw material” for the **Factual compo-**

nent to take place, in addition to official websites of the ministries, all government documents, i.e. strategies, annual progress reports, bulletins etc are carefully examined to extract every possible data that might expand basis for verification while comparing searching to identify those missing instructions whose index number is known, but not their content (title, date of approval, text body).

Another reason to apply the **Factual component** while monitoring the ministerial instructions’ publication in OJ is the uncertainty that the last index number that closes up the indexing series of instructions issued by a given ministry, might not be *defacto* the last one. As long as we assume that not all ministerial instructions are being published in the OJ, it is reasonable to accept the possibility that the unpublished act might be also the one that closes up the index series (and not only those in between). For this reason, if during exploration and content examination of ministerial websites, governmental strategies, official bulletins etc, will be come across with instructions resulting or “tagged” with a higher index number than the last one published in the OJ of that year, than all calculations will be based upon this new higher index number that closes up de facto the indexing series of that given ministerial instruction in the given year (see: **Schematic component**).

Another methodological restriction in monitoring publication consistency of ministerial instructions is that not all ministries apply the same indexing method or system to “tag” the instructions each of them issue. Speaking in concrete terms, The COM, MOF, MOES, MOPWTI, MOEFWA, MOACP use an ascending numerical order on calendar year bases to index their respective instructions, while, MOJ, MOH, METE, MOLSAEO use a non-conventional indexing order, which seems to “tag” instructions with protocol numbers. In such case, only **Factual component** of verification can be apply upon, for as long as this is feasible. Results generated this way are to be considered “fragile” from the methodological point of view. Nevertheless, the findings regarding instructions issued by these ministries which are left unpublished, can not be smaller in any case than reported below. On the contrary, in any case, they tend to be higher in theory.

The following official sources have been used as basis for verification in the context of this monitoring project:

1. Official Journals of 2006, 2007, 2008 and 2009
2. Extra editions of Official Journals
3. Electronic archive of SPC (www.qpz.gov.al)
4. The official website of the Council of Ministers. (www.keshilliministrave.al)
5. The official website of the ministries
6. Governmental documents i.e. progress reports, strategies, etc.
7. Recommendations of People’s Advocate
8. The official website of the Constitutional Court (<http://www.gjk.gov.al/>)
9. The official website of the Supreme Court (<http://www.gjykataelarte.gov.al/>)
10. The official website of the ECHR (http://www.echr.coe.int/echr/Homepage_EN)



SPECIAL ANNEX, No. 1

TABLES OF DCMs, 2009¹

Due to the specificity in terms of volume and interest that they represent, the DCMs identified as unpublished in the Official Journal, 2009 will be grouped in special table in Annex 1 of the current monitoring report. This table consist of easily distinguished columns with the headings:

1. *Title of DCM*
2. *Date of DCM*
3. *DCM's entry into force modality*
4. *Source at which this DCM is to be found*

As already mentioned in Chapter III of this report, on the Executive Branch, it results that the Council of Ministers (COM) has approved at least 1305 DCMs during the year 2009. While carefully contrasting the content of the Official Journal 2009 (type of act: DCM) with the content of the COM's official website, it was initially identified that a total of 166 DCMs, found on the official website, were not published in the Official Journal, 2009.

In August 2010, about one month after the CPII had reached the above conclusion, SPC published 6 'Extra' Official Journals (63, 64, 65, 66, 67, 68), with a total of 138 DCMs approved since 2009. Out of these 138 DCMs approved in 2009 that were being published in 2010 with one-year delay, 70 were matching with those previously identified by CPII (total of 166) as unpublished through applying *Factual Component* of the Methodology (comparison of the COM's official website content with that of the OJ, 2009).

The remaining other 68 DCMs were logically neither published in the OJ 2009, nor displayed (uploaded) on the COM's official website. Consequently, they could not be identified under such circumstances

even through applying the Factual Component of "CPII" Methodology.

These 68 DCMs will be certainly be added to the total of 166 DCMs which CPII concluded that were not published in Official Journal 2009, a few weeks before SPC would publish them in the "Extra" editions of the Official Journal, in summer 2010.

Table No.7 provides a list of 233 DCMs approved in 2009, but not published in the Official Journal of that year.

Out of them, 96 DCMs, on the table's yellow background lay-out, still remain unpublished in the Official Journal, while can be found on the COM's official website.

In a light melon colour background are presented those 70 DCMs that were published by SPC in the "Extra" Official Journal in summer 2010, also found published on the COM's website.

On a light grey-blue background, the table presents those 68 DCMs that SPC published in the "Extra" Official Journals, in summer 2010, but which were never published on the website of the COM.

Those 96 DCMs issued in 2009, which continue to be unpublished in an "Extra" OJ, can be found even on the official website of the CPII, www.infocip.org where you could click on top of each and see the full content, directly from the source. This linking system allows everybody to get a thorough look (title & content) into those DCMs that still remain unpublished till today in the Official Journal of the Republic of Albania

1 - IMPORTANT NOTE: *The title of the DCMs listed in Tab. No.7 will not be translated into English for scrupulosity reasons - for not altering or modifying any word, phrase, or context of the sublegal act during consistency verification by those who might have a direct interest on this monitoring report's findings.*

Another important reason for not translating into English the title of the CMDs that are missing publication in Official Journal, as listed in Tab No. 7, is the linking system used to open each DCM's content directly from the official source where it is being stored, in this case, the official website of the Council of Ministers: www.keshilliministrave.com



Background legend for Table No.7:



DCMs lacking publication in OJ 2009



DCMs published in the Extra OJ 2010, also found on COM website



DCMs published in Extra OJ 2010, not found on COM website

Table No.7

No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
1	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN TROPOJË FSHAT, TË QARKUT TË KUKËSIT	7/1/2009	This decision enters into force immediately	Official website of COM
2	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN ZEJMEN, TË QARKUT TË LEZHËS	7/1/2009	This decision enters into force immediately	Official website of COM
3	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN BUZ, TË QARKUT TË GJIROKASTRËS	14/01/09	This decision enters into force immediately	Official website of COM
4	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË BASHKINË MAMURRAS, TË QARKUT TË LEZHËS	21/01/09	This decision enters into force after publication in the Official Journal	Official website of COM
5	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË KOMUNËN, QENDER TEPELENË, TË QARKUT TË GJIROKASTRËS	21/01/09	This decision enters into force immediately	Official website of COM
6	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN GOLEM, TË QARKUT TË TIRANËS	21/01/09	This decision enters into force immediately	Official website of COM
7	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN SHALË, TË QARKUT TË SHKODRËS	21/01/09	This decision enters into force immediately	Official website of COM
8	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN GJORICË, TË QARKUT TË DIBRËS.	2/2/2009	This decision enters into force immediately	Official website of COM
9	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË KOMUNËN DAJÇ, TË QARKUT TË LEZHËS	2/2/2009	This decision enters into force immediately	Official website of COM
10	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË KOMUNËN PETRELË, TË QARKUT TIRANË	19/02/09	This decision enters into force immediately	Official website of COM
11	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN KALIS, TË QARKUT TË KUKËSIT	19/02/09	This decision enters into force immediately	Official website of COM
12	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN MBROSTAR, TË QARKUT TË FIERIT	19/02/09	This decision enters into force immediately	Official website of COM
13	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN KAÇINAR, TË QARKUT TË LEZHËS	19/02/09	This decision enters into force immediately	Official website of COM
14	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME PUBLIKE, SHTETËRORE, NË KOMUNËN GJERBËS, TË QARKUT TË BERATIT	25/02/09	This decision enters into force immediately	Official website of COM
15	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN RRAPE, TË QARKUT TË SHKODRËS	06/03/09	This decision enters into force immediately	Official website of COM
16	VENDIM PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR AGJENCINË E PROKURIMIT PUBLIK	12/03/09	This decision enters into force immediately	Official website of COM
17	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË KOMUNËN PAJOVË, TË QARKUT TË ELBASANIT	12/03/09	This decision enters into force immediately	Official website of COM



No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
18	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË KOMUNËN KOTË, TË QARKUT TË VLORËS	18/03/09	This decision enters into force immediately	Official website of COM
19	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN KODOVJAT, TË QARKUT TË ELBASANIT	25/03/09	This decision enters into force immediately	Official website of COM
20	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN QENDËR LIBRAZH, TË QARKUT TË ELBASANIT	25/03/09	This decision enters into force immediately	Official website of COM
21	V E N D I M PËR RISHPËRNDARJE FONDESH NDËRMJET PROGRAMEVE TË BUXHETIT TË MIRATUAR PËR VITIN 2009, PËR MINISTRINË E EKONOMISË, TREGTISË DHE ENERGJETIKËS	25/03/09	This decision enters into force immediately	Official website of COM
22	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN BUJAN, TË QARKUT TË KUKËSIT	08/04/09	This decision enters into force immediately	Official website of COM
23	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, NË KOMUNËN STËBLEVË, TË QARKUT TË ELBASANIT	08/04/09	This decision enters into force immediately	Official website of COM
24	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, TË CILAT I KALOJNË NË PËRGJEGJËSI AMINISTRIMI SHOQËRISË ANONIME "TRAJTIMI I STUDENTËVE, NR.1"	22/04/09	This decision enters into force immediately	Official website of COM
25	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN KUKUR, TË QARKUT TË ELBASANIT	22/04/09	This decision enters into force immediately	Official website of COM
26	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN GURRË, TË QARKUT TË DIBRËS	22/04/09	This decision enters into force immediately	Official website of COM
27	VENDIM PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN POTOM, TË QARKUT TË BERATIT	22/04/09	This decision enters into force immediately	Official website of COM
28	VENDIM PËR ORGANIZIMIN, FUNKSIONIMIN DHE PËRBËRJEN E KOMISIONIT QENDROR TË REGJISTRIMIT	22/04/09	This decision enters into force immediately	Official website of COM
29	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN SHISHTAVEC, TË QARKUT TË KUKËSIT	06/05/09	This decision enters into force immediately	Official website of COM
30	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN LABINOT MAL, TË QARKUT TË ELBASANIT	06/05/09	This decision enters into force immediately	Official website of COM
31	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN TREGAN, TË QARKUT TË ELBASANIT	06/05/09	This decision enters into force immediately	Official website of COM
32	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E TURIZMIT, KULTURËS, RINISË DHE SPORT-EVE, PËR SHPËRBLIMIN E DISA SPORTISTËVE DHE TË TRAJNERËVE TË TYRE, QË KANË ARRITUR REZULTATE TË LARTA NË KAMPIONATIN EVROPIAN TË PESHENGTIJES PER TE RINJ	06/05/09	This decision enters into force immediately	Official website of COM
33	V E N D I M PËR NJË SHITESË DHE DISA NDRYSHIME NË VENDIMIN NR.94, DATË 21.1.2009, TË KËSHILLIT TË MINISTRAVE, "PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E BUJQËSISË, USHQIMIT DHE MBROJTJES SË KONSUMATORIT, PËR KRYERJEN E STUDIMIT PËR ULLIRIN"	06/05/09	This decision enters into force immediately	Official website of COM
34	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E BRENDSHME, PËR BASHKINË BULQJZË, PËR RIKONSTRUKSIONIN E NDËRTESESË SË ISH-KOMPLEKSIT TË PUNËTORËVE, NË LAGJEN "GJEOLUGU", TË KËSAJ BASHKIE	06/05/09	This decision enters into force immediately	Official website of COM



No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
35	VENDIM PER NJË NDRYSHIM NË VENDIMIN NR.875, DATË 20.12.2006, TË KËSHILLIT TË MINISTRAVE, "PËR FINANCIMIN E SHËRBIMEVE TË KUJDESIT SHËNDETËSOR PARËSOR, NGA SKEMA E DETYRUESHME E SIGURIMEVE TË KUJDESIT SHËNDETËSOR", TË NDRYSHUAR	13/05/09	This decision enters into force after publication in the Official Journal	Official website of COM
36	VENDIM PER NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR DREJTORINË E SHËRBIMEVE QEVERTARE, PËR PËRFUNDIMIN E RIKONSTRUKSIONIT TË DISA VILAVE QEVERTARE	13/05/09	This decision enters into force immediately	Official website of COM
37	V E N D I M PËR NJË NDRYSHIM NË VENDIMIN NR.502, DATË 18.7.2003, TË KËSHILLIT TË MINISTRAVE, "PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE, ME KARAKTER SEKRET, TË CILAT I KALOJNË NË PËRGJEGJËSI ADMINISTRIMI SHËRBIMIT INFORMATIV	28/05/09	This decision enters into force immediately	Official website of COM
38	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN MARKAT, TË QARKUT TË VLORËS	28/05/09	This decision enters into force immediately	Official website of COM
39	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN HOTOLISHT, TË QARKUT TË ELBASANIT	28/05/09	This decision enters into force immediately	Official website of COM
40	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN TUNJË, TË QARKUT TË ELBASANIT	28/05/09	This decision enters into force immediately	Official website of COM
41	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E BRENDSHME, PËR MODERNIZIMIN E SHËRBIMIT TË GJENDJES CIVILE	28/05/09	This decision enters into force immediately	Official website of COM
42	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR KRYEMINISTRINË, PËR PAGESËN E ZYRËS SË PNUD-IT, TIRANË, NË ZBATIM TË MARRËVESHJES SË PLANIT TË VEPRIMEVE TË PROGRAMIT KOMBËTAR, 2006-2010, TË NËNSHKRUAR NDËRMJET KËSHILLIT TË MINISTRAE TË REPUBLIKËS SË SHQIPËRISË DHE PROGRAMIT PËR ZHVILLIM TË KOMBEVE TË BASHKUARA	28/05/09	This decision enters into force immediately	Official website of COM
43	V E N D I M PËR KALIMIN NË PRONËSI TË BASHKISË SË SHKODRËS TË TRUALLIT PRANË ISH-SMT-SË, SHKODËR, PËR NDËRTIMIN E TERRENEVE SPORTIVE TË KLUBIT TË FUTBOLLIT "VLAZANIA"	28/05/09	This decision enters into force after publication in the Official Journal	Official website of COM
44	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E FINANCAVE, PËR PAGESËN E SHUMAVE TË BLOKUARA (OFFSETTING) NGA KOMISIONI EVROPIAN	28/05/09	This decision enters into force immediately	Official website of COM
45	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E EKONOMISË, TREGTISË DHE ENERGETIKËS, PËR QENDRËN KOMBËTARE TË LICENCIMIT	28/05/09	This decision enters into force after publication in the Official Journal	Official website of COM
46	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E PJESSHËM TË SHPENZIMEVE TË KURIMIT TË Z. ENGJËLL GJONDREKAJ, NË ITALI	28/05/09	This decision enters into force immediately	Official website of COM
47	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN LEVAN, TË QARKUT TË FIERIT	11/06/09	This decision enters into force immediately	Official website of COM
48	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN BRATAJ, TË QARKUT TË VLORËS	11/06/09	This decision enters into force immediately	Official website of COM
49	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN ANA E MALIT, TË QARKUT TË SHKODRËS	11/06/09	This decision enters into force immediately	Official website of COM
50	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË KOMUNËN DROPULL I SIPËRM, TË QARKUT TË GJIROKASTRËS	11/06/09	This decision enters into force immediately	Official website of COM
51	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHTETËRORE NË BASHKINË KONISPOL, TË QARKUT TË VLORËS	11/06/09	This decision enters into force immediately	Official website of COM
52	V E N D I M PËR MIRATIMIN E MARRËVESHJES, NDËRMJET KËSHILLIT TË MINISTRAVE TË REPUBLIKËS SË SHQIPËRISË DHE KËSHILLIT TË MINISTRAVE TË BOSNJË DHE HERCEGOVINËS, PËR ASISTENCË TË NDËRSJELLË NË ÇËSHTJET DOGANORE	11/06/09	This decision enters into force immediately	Official website of COM



No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
53	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E TURIZMIT, KULTURËS, RINISË DHE SPORTEVE, PËR SHPËRBLIMIN E DISA SPORTISTËVE DHE TË TRAJNERËVE	11/06/09	This decision enters into force immediately	Official website of COM
54	V E N D I M PËR RISHPËRNDARJE FONDESH NË BUXHETIN E VITIT 2009, NDËRMJET MINISTRISË SË MBROJTJES DHE MINISTRISË SË PUNËVE TË JASHTME	11/06/09	This decision enters into force immediately	Official website of COM
55	V E N D I M PËR MIRATIMIN E MARRËVESHJES, NDËRMJET KËSHILLIT TË MINISTRAVE TË REPUBLIKËS SË SHQPËRISË DHE QEVERISË SË REPUBLIKËS SË MAQEDONISË, PËR BASHKËPUNIM NË FUSHAT E POSTAVE DHE KOMUNIKIMEVE ELEKTRONIKE	11/06/09	This decision enters into force immediately	Official website of COM
56	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR, PËRKATËSISHT, PËR MINISTRINË E TURIZMIT, KULTURËS, RINISË DHE SPORTEVE DHE MINISTRINË E BRENDSHME, PËR FINANCIMIN E FESTIVALIT FOLKLORIK KOMBËTAR, GJIROKASTËR, 24-29 SHTATOR 2009	11/06/09	This decision enters into force immediately	Official website of COM
57	V E N D I M PËR NJË SHITESË FONDI, NË FONDIN E SHPENZIMEVE MIRATUAR PËR VITIN 2009, PËR ENTIN RREGULLATOR TË SEKTORIT TË FURNIZIMIT ME UJË DHE LARGIMIT E PËRPUNIMIT TË UJËRAVE TË NDOTURA (ERRU)	11/06/09	This decision enters into force immediately	Official website of COM
58	V E N D I M PËR MIRATIMIN E STRUKTURËS, ORGANIZIMIN, VARËSINË STRUKTURE DHE LIMITIN ORGANIK TË GARDËS SË REPUBLIKËS SË SHQPËRISË, SI DHE PËR NJËSIMIN E FUNKSIONEVE ORGANIKE SIPAS NIVELIT TË GRADAVE	11/06/09	This decision enters into force immediately	Official website of COM
59	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E PUNËVE PUBLIKE, TRANSPORTIT DHE TELEKOMUNIKACIONIT, PËR FINANCIMIN E TVSH-SË PËR PROJEKTIN E MENAXHIMIT DHE TË ADMINISTRIMIT TË TOKAVE, KOMPONENTI B	11/06/09	This decision enters into force immediately	Official website of COM
60	V E N D I M PËR SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR, PËRKATËSISHT, PËR BASHKITË VORË, MEMALIAJ E BERAT	01/07/09	This decision enters into force immediately	Official website of COM
61	V E N D I M PËR MIRATIMIN E RAPORTIT TË PARË KOMBËTAR, PERIODIK, NË KUADËR TË KONVENTËS "PËR MBROJTJEN E TË DREJTAVE TË TË GJITHË PUNËTORËVE MIGRANTË DHE ANËTARËVE TË FAMILJEVE TË TYRE"	01/07/09	This decision enters into force immediately	Official website of COM
62	VENDIM PËR KËMBIMIN E MJEDISEVE TË PUNËS, NDËRMJET PREFEKTIT TË QARKUT TË LEZHËS E ADMINISTRATËS SË TIJ DHE BASHKISË LEZHË	15/07/09	This decision enters into force immediately	Official website of COM
63	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALUAJTSHME SHPETËRORE NË KOMUNËN QENDËR LIBOHOVË, TË QARKUT TË GJIROKASTRËS	22/07/09	This decision enters into force immediately	Official website of COM
64	VENDIM PËR NJË PËRJASHTIM NGA VENDIMI NR.53, DATË 21.1.2009, I KËSHILLIT TË MINISTRAVE, "PËR NGARKIMIN E MINISTRISË SË BRENDSHME PËR KRYERJEN E PROCEDURAVE TË PROKURIMIT PUBLIK, NË EMËR DHE PËR LLOGARI TË KRYEMINISTRISË, MINISTRIVE DHE INSTITUCIONEVE TË VARESISE PËR DISA MALLRA DHE SHERBIME	29/07/09	This decision enters into force immediately	Official website of COM
65	VENDIM PËR LEJIMIN E KRYERJES SË PROCEDURAVE TË PROKURIMIT, PËR SHËRBIMIN E KONSULENCËS, PËR DHËNIEN ME KONCESION TË HIDROCENTRALEVE NË KASKADËN E LUMIT VJOSË	05/08/09	This decision enters into force immediately	Official website of COM
66	VENDIM PËR PËRDORIMIN E FONDIT TË KONTIGJENCËS, TË VITIT 2009	05/08/09	This decision enters into force immediately	Official website of COM
67	VENDIM PËR MIRATIMIN E MARRËVESHJES TEKNIKE, NDËRMJET KËSHILLIT TË MINISTRAVE TË REPUBLIKËS SË SHQPËRISË, PËRFAQËSUAR NGA MINISTRIA E MBROJTJES, DHE KOMANDËS SUPREME TË FORCAVE TË ALEANCËS NË EVROPË (SHAPE), PËRFAQËSUAR NGA KOMANDA E KOMPONENTIT AJOR TË BASHKERENDIMIT NE SHERBIMET E TRAFIKUT AJROR	12/08/09	This decision enters into force immediately	Official website of COM
68	V E N D I M PËR LEJIMIN E KRYERJES SË PROKURIMIT, ME "PROCEDURË TË HAPUR", PËR BLERJE PAJISJESH ELEKTRONIKE DHE TELEKOMUNIKACIONI	19/08/09	This decision enters into force immediately	Official website of COM



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69	V E N D I M P E R N J Ě S H T E S Ě F O N D I N Ě B U X H E T I N E V I T I T 2 0 0 9, M I R A T - U A R P Ě R M I N I S T R I N Ě E S H Ě N D E T Ě S I S Ě, P Ě R M B U L I M I N E P J E S S H Ě M T Ě S H P E N Z I M E V E P Ě R K U R I M I N E Z. I L I R G J O K A, N Ě I T A L I	19/08/09	This decision enters into force immediately	Official website of COM
70	V E N D I M P Ě R L E J I M I N E Z H V I L L I M I T T Ě P R O C E D U R A V E T Ě D I S A P R O K U R I M E V E	18/09/09	This decision enters into force immediately	Official website of COM
71	V E N D I M P Ě R L E J I M I N E K R Y E R J E S Ě P R O K U R I M E V E, M E " P R O C E - D U R Ě T Ě H A P U R ", P Ě R B L E R J E O R E N D I S H D H E P A J I S J E Z Y R A S H, P Ě R L L O G A R I T Ě K R Y E M I N I S T R I S Ě, M I N I S T R I V E E I N S T I T U C I O N E V E, N Ě V A R Ě S I T Ě T Y R E, D H E P Ě R K R I J I M I N E P R O G R A M I T P Ě R R E G I S T R I N K O M B Ě T A R T Ě A D R E S A V E G I S	30/09/09	This decision enters into force immediately	Official website of COM
72	V E N D I M P Ě R L I R I M D H E E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
73	V E N D I M P Ě R L I R I M D H E E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
74	V E N D I M P Ě R L I R I M D H E E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
75	V E N D I M P Ě R L I R I M D H E E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
76	V E N D I M P Ě R E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
77	V E N D I M P Ě R E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
78	V E N D I M P Ě R E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
79	V E N D I M P Ě R E M Ě R I M N Ě D E T Y R Ě	08/10/09	This decision enters into force immediately	Official website of COM
80	V E N D I M P Ě R L E J I M I N E K R Y E R J E S Ě P R O C E D U R A V E T Ě P R O K U R I M I T, P Ě R R I K O N S T R U K S I O N I N E A R K I V I T T Ě K U V E N D I T T Ě R E P U B L I K Ě S Ě S H Q I P Ě R I S Ě	08/10/09	This decision enters into force immediately	Official website of COM
81	V E N D I M P Ě R N J Ě N D R Y S H I M N Ě V E N D I M I N N R. 8 6 3, D A T Ě 2 9. 7. 2 0 0 9, T Ě K Ě S H I L L I T T Ě M I N I S T R A V E, " P Ě R M I R A T I M I N E S T R A T E G J I S Ě S Ě S H K E N C Ě S, T Ě T E K N O L O G J I S Ě D H E I N O V A C I O N I T, 2 0 0 9 - 2 0 1 5 "	08/10/09	This decision enters into force after publication in the Official Journal	Official website of COM
82	V E N D I M P Ě R L E J I M I N E Z H V I L L I M I T T Ě P R O C E D U R A V E T Ě P R O K U R I M I T P Ě R S T U D I M E E P R O J E K T I M E, P Ě R D I S A O B J E K T E T Ě I N F R A T R U K - T U R Ě S Ě U J I T J E S D H E T Ě K U L L I M I T	08/10/09	This decision enters into force immediately	Official website of COM
83	V E N D I M P Ě R N J Ě S H T E S Ě F O N D I N Ě B U X H E T I N E V I T I T 2 0 0 9, M I R A T - U A R P Ě R M I N I S T R I N Ě E T U R I Z M I T, K U L T U R Ě S, R I N I S Ě D H E S P O R T E V E, P Ě R S H P Ě R B L I M I N E S P O R T I S T I T E R V I S T A B A K U D H E T Ě T R A J N E R I T T Ě T I J, S O K O L B I S H A N A K U, P Ě R R E Z U L T A T E T E L A R T A, T Ě A R R I T U R A N Ě K A M P I O N A T I N B O T E R O R T E P E S H E N G R I T J E S P E R T E R I N J R U M A N I 2 0 0 9	14/10/09	This decision enters into force immediately	Official website of COM
84	V E N D I M P Ě R L E J I M I N E S H T Y R J E S Ě A F A T I T T Ě P R O C E D U R Ě S Ě P R O K U R I M I T, M E O B J E K T " H A R T I M I I P R O J E K T I T T Ě N D Ě R T E S Ě S Ě R E T Ě P R O K U R O R I S Ě S Ě R R E H I T G J Y Q Ě S O R, K O R Ç Ě "	14/10/09	This decision enters into force immediately	Official website of COM
85	V E N D I M P Ě R E M Ě R I M N Ě D E T Y R Ě	14/10/09	This decision enters into force immediately	Official website of COM
86	V E N D I M P Ě R S H T Y R J E N E A F A T I T T Ě P Ě R F U N D I M I T T Ě P R O C E D U R Ě S Ě P R O K U R I M I T, M E O B J E K T " H A R T I M I I P R O J E K T I T T Ě N D Ě R T E S Ě S Ě R E T Ě P R O K U R O R I S Ě S Ě R R E H I T G J Y Q Ě S O R, K O R Ç Ě "	25/11/09	This decision enters into force immediately	Official website of COM
87	V E N D I M P Ě R M I R A T I M I N E L I S T Ě S Ě I N V E N T A R I T T Ě P R O N A V E T Ě P A L U A J T S H M E S H T E T Ě R O R E N Ě K O M U N Ě N F I N I Q, T Ě Q A R K U T T Ě V L O R Ě S	25/11/09	This decision enters into force immediately	Official website of COM
88	V E N D I M P Ě R N J Ě S H T E S Ě F O N D I N Ě B U X H E T I N E V I T I T 2 0 0 9, M I R A T U A R P Ě R M I N I S T R I N Ě E F I N A N C A V E, P Ě R N J Ě S I N Ě E M B I K Ě Q Y R J E S Ě L O J Ě R A V E T Ě F A T T	03/12/09	This decision enters into force immediately	Official website of COM



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89	V E N D I M PËR SHTYRJEN E AFATIT TË KRYERJES SË PROCEDURËS SË PROKURIMIT PËR KAPITENERINË E PËRGJITHSHME TË PORTEVE, SI AUTORITET KONTRAKTOR	11/12/09	This decision enters into force immediately	Official website of COM
90	V E N D I M PËR SHTYRJEN E AFATIT TË KRYERJES SË PROCEDURAVE TË PROKURIMIT PËR DREJTORINË QENDRORE DHE DREJTORINË RAJONALE, PËR QARKUN E TIRANËS, TË AGJENCISË SË LEGALIZIMIT, URBANIZIMIT DHE INTEGRIMIT TË ZONAVE/NDËRTIMEVE INFORMALE, SI AUTORITETE KONTRAKTORE	11/12/09	This decision enters into force immediately	Official website of COM
91	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALU-AJTSHME SHTETËRORE NË KOMUNËN BYTYÇ, TË QARKUT TË KUKËSIT	11/12/09	This decision enters into force immediately	Official website of COM
92	V E N D I M PËR SHTYRJEN E AFATIT TË BOTIMIT TË NJOFTIMIT TË FITUESIT E TË NJOFTIMIT TË KONTRATËS SË LIDHUR DHE PËR ZHBLLOKIMIN E FONDEVE PËR INVESTIME, TË VITIT 2009, PËR PROCEDURAT E PROKURIMIT, TË KRYERA NGA MINISTRIA E SHËNDETËSISË E DISA INSTITUCIONE, NE VARESIT TE SAJ SI AUTORITETE KONTRAKTORE.	11/12/09	This decision enters into force immediately	Official website of COM
93	V E N D I M PËR MIRATIMIN E LISTËS SË INVENTARIT TË PRONAVE TË PALU-AJTSHME SHTETËRORE, NË KOMUNËN FARKË, TË QARKUT TË TIRANËS	2/02/09	This decision enters into force immediately	Official website of COM
94	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR, PËR DREJTORINË E SHËRBIMEVE QEVERITARE, PËR SHPËRBLIMIN E PUNONJËSVE ME RASTIN E FESTAVE TË FUNDVITIT	23/12/09	This decision enters into force immediately	Official website of COM
95	V E N D I M PËR NJË SHITESË FONDI KOMUNËS MILOT TË QARKUT TË LEZHËS, PËR DHËNIE NDIHME FINANCIARE FAMILJES SË SHTETASIT GJETAN PJETËR LALA, SI PASOJË E DËMTIMIT TË BANESËS NGA FATKEQËSITË NATYRORE	23/12/09	This decision enters into force immediately	Official website of COM
96	V E N D I M PËR MIRATIMIN E KALENDARIT TË VITIT 2009, PËR MENAXHIMIN E SHPENZIMEVE PUBLIKE	07/01/09	This decision enters into force immediately and strats its effects from 1.1.2009	Official Journal Extra 63
97	V E N D I M PËR LIRIMIN DHE EMËRIMIN E ANËTARIT TË KËSHILLIT TË STATISTIKAVE	21/01/09	This decision enters into force immediately	Official Journal Extra 63
98	V E N D I M PËR SHKARKIM DHE EMËRIM NË DETYRË	14/01/09	This decision enters into force immediately	Official Journal Extra 63
99	V E N D I M PER DHËNIEN NË PËRDORIM QENDRËS KOMBËTARE TË LICENCIMIT TË DISA MJEDISEVE NË NDËRTESEN (GODINËN) E INIMA-s	11/02/09	This decision enters into force immediately	Official Journal Extra 63
100	V E N D I M PËR NJË SHITESË NË VENDIMIN NR.338, DATË 19.3.2008, TË KËSHILLIT TË MINISTRAVE, "PËR MIRATIMIN E MODELIT TË TREGUT TË ENERGJISË ELEKTRIKE", TË NDRYSHUAR	11/02/09	This decision enters into force immediately and strats its effects from 1.1.2009	Official Journal Extra 63
101	VENDIM PËR NJË NDRYSHIM NË VENDIMIN NR.429, DATË 30.8.1993, TË KËSHILLIT TË MINISTRAVE, "PËR KRIJIMIN E KOMITETIT QEVERITAR TË BISEDIMIT TË BORXHIT TË JASHTËM", TË NDRYSHUAR	19/02/09	This decision enters into force immediately	Official Journal Extra 65
102	VENDIM PËR MIRATIMIN E FONDIT LIMIT TË SHPENZIMEVE TË KËSHILLIT KOMBËTAR TË RADIOS DHE TELEVISIONIT, PËR 2009	19/02/09	This decision enters into force immediately and strats its effects from 1.1.2009	Official Journal Extra 63
103	VENDIM PËR DHËNIEN E NJË FONDI FINANCIAR KOMUNËS HAJMEL, TË QARKUT TË SHKODRËS, PËR TË NDIHMUAR FAMILJET E DËMTUARA, PËR SHKAK TË PËRMBYTJES NGA LUMI GJADËR	19/02/09	This decision enters into force immediately	Official Journal Extra 63
104	VENDIM PËR MIRATIMIN E RREGULLORES PËR KONTROLLIN NË ANË TË RRUGËS DHE NË ZYRAT E NDËRMARRJEVE, PËR SA I PËRKET ZBATIMIT TË RREGULLAVE TË KOHËS SË PUNËS, PËR PERSONAT, QË KRYEJNË TRANSPORT RRUGOR, DHE PËR ORËT E DREJTUESVE TË MJETEVE	25/02/09	This decision enters into force after publication in the Official Journal	Official Journal Extra 65
105	V E N D I M PËR PËRCAKTIMIN E NUMRIT TË PUNONJËSVE MËSIMORË, ME KONTRATË TË PËRKOSSHME, PËR PERIUdhËN JANAR-QËRSHOR 2009, PËR MINISTRINË E ARSIMIT DHE SHKENCËS	06/03/09	This decision enters into force immediately, and shall be publishen in the Officila Journal (OJ), and strats its effects from 1.1.2009	Official Journal Extra 65



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106	V E N D I M P Ë R N J Ë N D R Y S H I M N Ë V E N D I M I N N R. 1 7 0 3, D A T Ë 2 4. 1 2. 2 0 0 8, T Ë K Ë S H I L L I T T Ë M I N I S T R A V E, " P Ë R V E N D O S J E N E S T A N D A R D E V E T Ë S H Ë R B I M E V E D H E T Ë V E P R I M T A R I V E S E Z O N A L E / T Ë P Ë R K O H S H M E, P Ë R M I N I S T R I T Ë D H E I N S T I T U C I O N E T B U X H E T O R E "	06/03/09	This decision enters into force immediately	Official Journal Extra 65
107	V E N D I M P Ë R K A L I M I N N Ë P R O N Ë S I T Ë B A S H K I S Ë S H K O D Ë R T Ë N D Ë R T E S Ë S " P R E F E K T U R A S H K O D Ë R "	18/03/09	This decision enters into force immediately	Official Journal Extra 65
108	V E N D I M P Ë R C A K T I M I N E A N Ë T A R Ë V E, P Ë R F A Q Ë S U E S T Ë K Ë S H I L L I T T Ë M I N I S T R A V E, N Ë K Ë S H I L L I N M B I K Ë Q Y R Ë S T Ë A G J E N C I S Ë S Ë T R A J T I M I T T Ë K R E D I V E	01/04/09	This decision enters into force immediately	Official Journal Extra 66
109	V E N D I M P E R K O N T R I B U T I N E Q E V E R I S Ë S H Q I P T A R E P Ë R R I N G R I T J E N E K A P A C I T E V E T Ë F O R C A V E T Ë A R M A T O S U R A T Ë I R A K U T	08/04/09	This decision enters into force immediately	Official Journal Extra 66
110	V E N D I M P E R P Ë R C A K T I M I N E T A R I F A V E P Ë R L Ë S H I M I N E D O K U M E N T E V E L I G J O R E N G A A U T O R I T E T I I K O N T R O L L I T S H T E T Ë R O R T Ë E K S P O R T E V E S U B J E K T E V E T Ë P Ë R F S H I R A N Ë T R A N S F E R I M E T N D Ë R K O M B Ë T A R E T Ë M A L L R A V E U S H T A R A K E D H E T Ë M A L L R A V E E T E K N O L O G J I V E M E P Ë R D O R I M T Ë D Y F I S H T E	08/04/09	This decision enters into force after publication in the Official Journal	Official Journal Extra 66
111	V E N D I M P Ë R D I S A N D R Y S H I M E N Ë V E N D I M I N N R. 3 7 0, D A T Ë 1 5. 9. 1 9 9 7, T Ë K Ë S H I L L I T T Ë M I N I S T R A V E, " P Ë R H A P J E N E M I S I O N I T T Ë R E P U B L I K Ë S S Ë S H Q I P Ë R I S Ë P R A N Ë S E L I S Ë S Ë N A T O - s, B R U K S E L ", T Ë N D R Y S H U A R	08/04/09	This decision enters into force immediately	Official Journal Extra 66
112	V E N D I M P Ë R M I R A T I M I N E F L A M U R I T D H E T Ë S T E M Ë S S Ë P O L I C I S Ë S Ë B U R G J E V E	06/05/09	This decision enters into force immediately	Official Journal Extra 66
113	V E N D I M P E R N J Ë N D R Y S H I M N Ë V E N D I M I N N R. 1 7, D A T Ë 2 1. 1. 2 0 0 0, T Ë K Ë S H I L L I T T Ë M I N I S T R A V E, " P Ë R P Ë R D O R I M I N D H E K O N T R O L L I N E F O N D E V E P U B L I K E, P Ë R V E P R I M T A R I S P E C I F I K E, O P E R A T I V E, T Ë S H Ë R B I M I T I N F O R M A T I V T Ë S H T E T I T "	06/05/09	This decision enters into force immediately	Official Journal Extra 66
114	V E N D I M P Ë R D I S A S H T E S A N Ë V E N D I M I N N R. 7 5 1, D A T Ë 7. 1 1. 2 0 0 7, T Ë K Ë S H I L L I T T Ë M I N I S T R A V E, " P Ë R M I R A T I M I N E S T R A T E G J I S Ë S E K T O R I A L E T Ë P U N Ë S I M I T D H E T Ë P L A N I T T Ë V E P R I M I T P Ë R Z B A T I M I N E S A J "	06/05/09	This decision enters into force immediately	Official Journal Extra 66
115	V E N D I M P E R E M Ë R I M N Ë D E T Y R Ë	13/05/09	This decision enters into force immediately	Official Journal Extra 67
116	V E N D I M P E R E M Ë R I M N Ë D E T Y R Ë	13/05/09	This decision enters into force immediately	Official Journal Extra 67
117	V E N D I M P E R N J Ë N D R Y S H I M N Ë V E N D I M I N N R. 5 2 6, D A T Ë 2 2. 8. 2 0 0 7, T Ë K M, " P Ë R F U N K S I O N I M I N E K O O R D I N A T O R I T K O M B Ë T A R P Ë R Ç Ë S H T J E T M E O R G A N I Z A T Ë N E A T L A N T I K U T T Ë V E R I U T (N A T O) "	13/05/09	This decision enters into force immediately	Official Journal Extra 67
118	V E N D I M P E R K A L I M I N E P Ë R G J E G J Ë S I S Ë S Ë A D M I N I S T R I M I T T Ë I S H S P I T A L I T T Ë K F O R - I T, D U R R Ë S, N G A M I N I S T R I A E D R E J T Ë S I S Ë T E M I N I S T R I A E S H Ë N D E T Ë S I S Ë, P Ë R T R A J T I M I N E P E R S O N A V E M E M A S Ë M J E K Ë S O R E " M J E K I M I D E T Y R U A R N Ë N J Ë I N S T I T U C I O N M J E K Ë S O R "	13/05/09	This decision enters into force immediately	Official Journal Extra 67
119	V E N D I M P Ë R N J Ë S H T E S Ë F O N D I N Ë B U X H E T I N E V I T I T 2 0 0 9, M I R A T U A R P Ë R M I N I S T R I N Ë E S H Ë N D E T Ë S I S Ë, P Ë R M B U L I M I N E S H P E N Z I M E V E, P Ë R K R Y E R J E N E T R A N S P L A N T I T T Ë V E S H K Ë S, P Ë R D I S A S H T E T A S	11/06/09	This decision enters into force immediately	Official Journal Extra 67
120	V E N D I M P Ë R E M Ë R I M I N E A N Ë T A R Ë V E, P Ë R F A Q Ë S U E S T Ë P U S H T E T I T Q E N D R O R, N Ë K Ë S H I L L I N D R E J T U E S T Ë F S H Z H - S Ë	18/06/09	This decision enters into force from 1.07.2009	Official Journal Extra 67
121	V E N D I M P Ë R D H Ë N I E F O N D I S H T E S Ë K O M I S I O N I T Q E N D R O R T Ë Z G J E D H J E V E, P Ë R F I N A N C I M I N E Z G J E D H J E V E T Ë P J E S S H M E N Ë K O M U N Ë N B A L L A G A T, T Ë Q A R K U T T Ë F I E R I T,	29/07/09	This decision enters into force immediately	Official Journal Extra 67
122	V E N D I M P Ë R D H Ë N I E S H T E S Ë P E N S I O N I T Ë P O S A Ç Ë M S H T E T Ë R O R Z. Y Z E I R P O S H I	29/07/09	This decision enters into force immediately	Official Journal Extra 67
123	V E N D I M P Ë R N J Ë S H T E S Ë F O N D I N Ë B U X H E T I N E V I T I T 2 0 0 9, M I R A T U A R P Ë R M I N I S T R I N Ë E S H Ë N D E T Ë S I S Ë, P Ë R M B U L I M I N E S H P E N Z I M E V E T Ë K U R I M I T T Ë Z. P A J T I M S E N K A J, N Ë T U R Q J	29/07/09	This decision enters into force immediately	Official Journal Extra 67
124	V E N D I M P Ë R D H Ë N I E S H T E S Ë P E N S I O N I T Ë P O S A Ç Ë M S H T E T Ë R O R Z. T A H I R B A Ç O V A	29/07/09	This decision enters into force immediately	Official Journal Extra 67



No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
125	VENDIM PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR Z. ROBERT JASHARI	29/07/09	This decision enters into force immediately	Official Journal Extra 67
126	VENDIM PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR ZNJ. VILHELME HAXHIRAJ (VRANARI)	29/07/09	This decision enters into force immediately	Official Journal Extra 67
127	VENDIM PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR ZNJ. REXHINA HANXHARI	29/07/09	This decision enters into force immediately	Official Journal Extra 67
128	VENDIM PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR Z. NESTOR NEPRAVISHTA	29/07/09	This decision enters into force immediately	Official Journal Extra 67
129	VENDIM PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR Z. ISUF KASAPI	29/07/09	This decision enters into force immediately	Official Journal Extra 67
130	VENDIM PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E SHPENZIMEVE TË KURIMIT TË Z. JETMIR MUJA, NË GREQ	29/07/09	This decision enters into force immediately	Official Journal Extra 67
131	VENDIM PËR DHËNIEN NË PËRDORIM QENDRËS KOMBËTARE TË APLIKIMEVE PËR ENERJINË TË DISA MJEDISEVE NË NDËRTESËN (GODINËN) E ISH-INIMA-s	05/08/09	This decision enters into force immediately	Official Journal Extra 67
132	VENDIM PËR SHPALLJE DITË ZIE KOMBËTARE	07/08/09	This decision enters into force immediately	Official Journal Extra 67
133	VENDIM PËR DHËNIE NDIHME FINANCIARE 4 FAMILJEVE, TË ISHPUNONJËSVE TË POLICISË SË SHTETIT, VRARË NË KRYE TË DETYRËS	07/08/09	This decision enters into force immediately	Official Journal Extra 67
134	VENDIM PËR MIRATIMIN E MARRËVESHJES DHE TË PROTOKOLLIT ZBATUES TË SAJ, NDËRMJET KËSHILLIT TË MINISTRAVE TË REPUBLIKËS SË SHQIPËRISË DHE QEVERISË SË REPUBLIKËS SË ITALISË, NË FUSHËN E PUNËS	12/08/09	This decision enters into force immediately	Official Journal Extra 67
135	V E N D I M PËR NJË NDRYSHIM NË VENDIMIN NR.342, DATË 8.4.2009, TË KËSHILLIT TË MINISTRAVE, "PËR KONTRIBUTIN E QEVERISË SHQIPTARE PËR RINGRITJEN E KAPACITETEVE TË FORCAVE TË ARMATOSURA TË IRAKUT"	30/09/09	This decision enters into force immediately	Official Journal Extra 68
136	V E N D I M PËR MIRATIMIN E VLERËS SË DËMEVE TË SHKAKTUARA NË OBJEKTE, PRONË PRIVATE, SI RRJEDHOJË E TËRMETIT, RËNË NË QARKUN E DIBRËS, DHE TË LISTAVE EMËRORE, ME VLERAT PËRFITUESE	30/09/09	This decision enters into force immediately	Official Journal Extra 67
137	V E N D I M PËR LEJIMIN E KRYERJES SË PROCEDURAVE TË PROKURIMIT, PËR BLERJEN E PAJISJEVE ELEKTRONIKE PËR INSTITUCIONIN E KUVENDIT TË REPUBLIKËS SË SHQIPËRISË	30/09/09	This decision enters into force immediately	Official Journal Extra 68
138	VENDIM PER NGARKIMIN E ZËVENDËSKRYEMINISTRIT DHE MINISTËR I PUNËVE TË JASHTME PËR NDJEKJEN E PROCESIT TË INTEGRIMIT TË VENDIT NË BASHKIMIN EVROPIAN	08/10/09	This decision enters into force immediately	Official Journal Extra 68
139	VENDIM PËR LIRIM DHE EMËRIM NË DETYRË	08/10/09	This decision enters into force immediately	Official Journal Extra 68
140	VENDIM PËR MIRATIMIN E RAPORTIT KOMBËTAR PERIODIK PËR PAKTIN NDËRKOMBËTAR PËR TË DREJTAT EKONOMIKE, SHOQËRORE DHE KULTURORE	08/10/09	This decision enters into force immediately	Official Journal Extra 68
141	V E N D I M PËR LIRIM DHE EMËRIM NË DETYRË	14/10/09	This decision enters into force immediately	Official Journal Extra 68
142	VENDIM PER LEJIMIN E ZHVILLIMIT TË PROCEDURAVE TË DISA PROKURIMEVE	21/10/09	This decision enters into force immediately	Official Journal Extra 68
143	VENDIM PËR DHËNIE NDIHME FINANCIARE FAMILJEVE TË TË NDJERËVE SHKËLZEN DESTAN DOBRUSHI DHE RAMADAN SADIK HILAJ, ISH-PUNONJËS POLICIE, TË VRARË NË KRYE TË DETYRËS	21/10/09	This decision enters into force immediately	Official Journal Extra 68
144	VENDIM PER MIRATIMIN E FONDIT TË SHPENZIMEVE, PËR VITIN 2010, PËR ENTIN RREGULLATOR TË SEKTORIT TË FURNIZIMIT ME UJË DHE TË LARGIMIT E PËRPUNIMIT TË UJËRAVE TË NDOTURA	21/10/09	This decision enters into force immediately	Official Journal Extra 68



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145	V E N D I M PËR EMËRIM NË DETYRË	21/10/09	This decision enters into force immediately	Official Journal Extra 68
146	VENDIM PËR LIRIM DHE EMËRIM NË DETYRË	28/10/09	This decision enters into force immediately	Official Journal Extra 68
147	V E N D I M PËR LIRIM DHE EMËRIM NË DETYRË	21/10/09	This decision enters into force immediately	Official Journal Extra 68
148	V E N D I M PËR LIRIM DHE EMËRIM NË DETYRË	21/10/09	This decision enters into force immediately	Official Journal Extra 68
149	V E N D I M PËR NJË NDRYSHIM NË VENDIMIN NR.659, DATË 3.10.2007, TË KËSHILLIT TË MINISTRAVE, “ PËR RREGULLAT E KRYERJES SË PROCEDURAVE TË PROKURIMIT ME MJETE ELEKTRONIKE”	11/12/09	This decision enters into force immediately	Official Journal Extra 68
150	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E PJESSHËM TË SHPENZIMEVE TË KURIMIT TË Z.FADIL MEHMETAJ, NË GJERMANI	11/12/09	This decision enters into force immediately	Official Journal Extra 68
151	V E N D I M PER LIRIM DHE EMERIM NE DETYRE TE KRYEATARIT TE QENDRES KOMBETARE TE KINEMATOGRAFISE	11/12/09	This decision enters into force immediately	Official Journal Extra 68
152	V E N D I M PER NJË SHITESË NË VENDIMIN NR.1151, DATË 25.11.2009, TË KËSHILLIT TË MINISTRAVE, “PËR KRJIMIN DHE PËRDORIMIN E FONDIT TË VEÇANTË”	16/12/09	This decision enters into force immediately	Official Journal Extra 68
153	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E PJESSHËM TË SHPENZIMEVE TË KURIMIT TË Z.DEJVIS KORRECI, NË ITALI	16/12/09	This decision enters into force immediately	Official Journal Extra 68
154	V E N D I M PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E PJESSHËM TË SHPENZIMEVE TË KURIMIT TË ZNJ.NURIE MALOKU, NË TURQI	16/12/09	This decision enters into force immediately	Official Journal Extra 68
155	V E N D I M PËR ORGANIZIMIN, FUNKSIONIMIN, PËRBËRJEN DHE PËRCAKTIMIN E MASËS SË SHPËRBLIMIT TË ANËTARËVE TË KOMITETIT NDËRSEKTORIAL PËR MBROJTJEN E SHËNDETIT NGA PRODUKTET E DUHANIT (KNMSPHD)	16/12/09	This decision enters into force immediately	Official Journal Extra 68
156	VENDIM PËR DISAHTESA NË VENDIMIN NR. 824, DATË 6.12.2006, TË KËSHILLIT TË MINISTRAVE, “PËR MIRATIMIN E INSITUACIONEVE TË AUTORIZUARA PËR VERIFIKIMIN, NË MËNYRË ELEKTRONIKE, TË GJENDJES GJYQËSORE, SI DHE TË FORMULARIT TË VETËDEKLARIMIT”, TE NDRYSHUAR	23/12/09	This decision enters into force after publication in the Official Journal	Official Journal Extra 68
157	V E N D I M PËR NJË SHITESË FONDI BASHKISË BERAT, PËR DHËNIE NDIHME FINANCIARE FAMILJES SË SHTETASIT ARTUR KAJA, SI PASOJË E ZJARRIT TË RËNË NË BANESË, MË 22.11.2009	23/12/09	This decision enters into force immediately	Official Journal Extra 68
158	V E N D I M PËR EMËRIMIN NË DETYRË TË DREJTORIT TË PËRGJITHSHËM TË AUTORITETIT KOMBËTAR TË AUTORITETIT KOMBETAR TE USHQIMIT	23/12/09	This decision enters into force immediately	Official Journal Extra 68
159	V E N D I M PËR EMËRIM NË DETYRË	23/12/09	This decision enters into force immediately	Official Journal Extra 68
160	V E N D I M PËR LEJIMIN E BOTIMIT TË KONTRATËS SË NËNSHKRUAR NGA DREJTORIA E PËRGJITHSHME E TATIMEVE, SI AUTORITET KONTRAKTOR	29/12/09	This decision enters into force immediately	Official Journal Extra 68
161	V E N D I M PËR MIRATIMIN E RAPORTIT TË DYTË KOMBËTAR, PERIODIK, NË KUADËR TË KONVENTËS “KUNDËR TORTURËS, TRAJTIMEVE APO DËNIMEVE TË TJERA TË EGRA, ÇNJERËZORE DHE DEGRADUESE”	14/01/09	This decision enters into force immediately	Official Journal Extra 63
162	V E N D I M PËR PAGESËN E SHPENZIMEVE ADMINISTRATIVE TË ARBITRAZHIT NDËRKOMBËTAR PËR ÇËSHTJEN “S.SARANDA”, SHPK, V.S, REPUBLIKA E SHQIPËRISË	26/8/09	This decision enters into force immediately	Official Journal Extra 67
163	VENDIM PER LEJIMIN E PËRDORIMIT TË FONDEVE PËR INVESTIMET, TË VITIT 2009, NGA MINISTRIA E DREJTËSISË, PËR DREJTORINË E PËRGJITHSHME TË SHËRBIMIT TË PROVËS	02/09/09	This decision enters into force immediately	Official Journal Extra 67



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164	PËR NJË NDRYSHIM DHE SHITESË NË VENDIMIN NR.630, DATE 21.5.2008 TË KËSHILLIT TË MINISTRAVE "PËR DHËNIE NDIHME FINANCIARE FAMILJEVE, SHITËPITË E TË CILAVE JANË SHKATËRRUAR TËRËSISHT NGA AKSIDENTI TEKNOLOGJIK, I DATËS 15 MARS 2008, NË FSHATIN GËRDEC, BASHKIA VORË"	14/01/09	This decision enters into force immediately	Official Journal Extra 63
165	VENDIM PER LIRIM DHE EMERIM NE DETYRE	28/10/09	This decision enters into force immediately	Official Journal Extra 68
166	PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E E SHPENZIMEVE TË KURIMIT, NË FINLANDË, TË Z.BUJAR NISHANI	07/01/09	This decision enters into force immediately	Official Journal Extra 63
167	PËR NJË SHITESË NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E SHPENZIMEVE PËR KURIMIN E Z.MEVLAN SHANAJ, NË GREQI	4/01/09	This decision enters into force immediately	Official Journal Extra 63
168	PËR NJË NDRYSHIM DHE SHITESË NË VENDIMIN NR.817, DATE 11.6.2008 TË KËSHILLIT TË MINISTRAVE "PËR MIRATIMIN E VLERËS SË DËMEVE, TË SHKAKTUARA NË OBJEKTET, PRONË PRIVATE, SI RRJEDHOJË E AKSIDENTIT TEKNOLOGJIK, TË NDODHUR NË, DHE TË LISTAVE ME EMRAT E INDIVIDËVE DHE PERSONAVE FIZIKË DHE JURIDIKË, QË DO TË KOMPENSOHEN, SI REZULTAT I PROCESIT TË VLERËSIMIT DHE TË RIVLERËSIMIT"	14/01/09	This decision enters into force immediately	Official Journal Extra 63
169	PER MIRATIMIN E PROGRAMIT TË PËRGJITHSHËM ANALITIK TË PROJEKTAKTEVE, QË DO TË PARAQITEN PËR SHQYRTIM NË KËSHILLIN E MINISTRAVE, GJATË VITIT 2009	21/01/09	This decision enters into force immediately	Official Journal Extra 63
170	PER PËRCAKTIMIN E KUSHTEVE DHE TË KRITEREVE PËR PËRFITIMIN, NË FORMË GRANTI, TË ASISTENCËS FINANCIARE PËR ZONAT E THELLA MALORE DHE ME POPULLSI TË RRALLË	21/01/09	This decision enters into force after publication in the Official Journal	Official Journal Extra 63
171	PER MIRATIMIN E PROGRAMIT AFATMESËM EKONOMIK DHE FISKAL, TË SHQPËRISË, 2008-2011	21/01/09	This decision enters into force immediately	Official Journal Extra 63
172	PER MIRATIMIN E STRATEGJISË KOMBËTARE PËR DIALOGUN NDËRKULTUROR, NË ZBATIM TË PLANIT DYVJEÇAR TË ALEANCËS SË QYTETËRIMEVE	7/01/09	This decision enters into force immediately	Official Journal Extra 63
173	PËR DHËNIEN NË PËRDORIM KOMISIONERIT PËR MBROJTJEN E TË DHËNAVE PERSONALE, TË NJË PJESE TË NDËRTESES SË ISH-MINISTRISË SË TRANSPORTEVE E TELEKOMUNIKACIONEVE	2/02/09	This decision enters into force immediately	Official Journal Extra 65
174	PËR PËRCAKTIMIN E AUTORITETIT KONTRAKTUES DHE FILLIMIN E PROCEDURAVE PËR DHËNIEN ME KONCESION TË SHËRBIMIT TË REGJISTRIT TË BARRËVE SIGURUESE	2/02/09	This decision enters into force immediately	Official Journal Extra 63
175	PËR MIRATIMIN E DOKUMENTIT TË POLITIKAVE DHE TË PLANIT TË VEPRIMEVE, PËR PËRMIRËSIMIN E RAPORTIMIT FINANCIAR NË SHQPËRI	19/02/09	This decision enters into force immediately	Official Journal Extra 64
176	PËR MIRATIMIN E MARRËVESHJES SË NDRYSHUAR, NDËRMJET ALPETROL, SH.A.-SË, DHE BANKERS PETROLEUM ALBANIA, LTD, PËR MARRËVESHJEN HIDROKARBURE TË DATËS 19 QERSHOR 2004, MIRATUAR ME VENDIMIN NR.477, DATË 16.7.2004 TË KËSHILLIT TË MINISTRAVE "PËR MIRATIMIN E MARRËVESHJES ZHVILLIMIN DHE PRODHIMIN E HIDROKARBUREVE, NË VENDBURIMIN E PËR PATOS-MARINZËS	12/03/09	This decision enters into force after publication in the Official Journal	Official Journal Extra 65
177	PËR EKZEKUTIMIN E VENDIMIT TË GJYKATËS EUROPIANE PËR TË DREJTAT E NJERIUT, DATË 1.12.2008, PËR ÇËSHTJEN "XHERAJ KUNDËR SHQPËRISË"	12/03/09	This decision enters into force immediately	Official Journal Extra 65
178	PËR DISA SHITESA E NDRYSHIME NË VENDIMIN NR.343, DATE 27.3.2008 TË KËSHILLIT TË MINISTRAVE "PËR MIRATIMIN E BURIMEVE DHE TË PROCEDURAVE TË FINANCIMIT TË DËMEVE PASURORE, TË SHKAKTUARA NGA AKSIDENTI TEKNOLOGJIK I GËRDECIT",	12/03/09	This decision enters into force immediately	Official Journal Extra 65
179	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR Z.SHERIMITA	12/03/09	This decision enters into force immediately	Official Journal Extra 66
180	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR Z.MUNIR KARAGJOZI	12/03/09	This decision enters into force immediately	Official Journal Extra 66
181	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËROR Z.SAIMIR KUMBARO	12/03/09	This decision enters into force immediately	Official Journal Extra 66



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182	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.HEKTOR ÇOÇOLI	12/03/09	This decision enters into force immediately	Official Journal Extra 66
183	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.MIRUSH DELIALLISI	12/03/09	This decision enters into force immediately	Official Journal Extra 66
184	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.AGIM GJAKOVA	12/03/09	This decision enters into force immediately	Official Journal Extra 66
185	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.SABRI PEQINI	12/03/09	This decision enters into force immediately	Official Journal Extra 66
186	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.ISMET BELLOVA	12/03/09	This decision enters into force immediately	Official Journal Extra 66
187	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.RAMAZAN BOGDANI	12/03/09	This decision enters into force immediately	Official Journal Extra 66
188	PËR DHËNIE SHITESË PENSIONI TË POSAÇËM SHTETËTOR Z.SKËNDER PLASARI	12/03/09	This decision enters into force immediately	Official Journal Extra 66
189	PËR FINANCIMIN E VEPRIMTARIVE FESTIVE "SHQPËRIA NË NATO	18/03/09	This decision enters into force immediately	Official Journal Extra 65
190	PËR LIRIM NGA DETYRA	30/03/09	This decision enters into force immediately	Official Journal Extra 66
191	PER DHËNIE NDIHME FINANCIARE QEVERISË SË REPUBLIKËS SË ITALISË, PËR LEHTËSIMIN E PASOJAVE, TË SHKAKTUARA NGA TËRMETI I DATES 6.4.2009	30/03/09	This decision enters into force immediately	Official Journal Extra 66
192	PËR LIRIM DHE EMËRIM NË DETYRË	16/04/09	This decision enters into force immediately	Official Journal Extra 66
193	PËR EMËRIM NË DETYRË	13/05/09	This decision enters into force immediately	Official Journal Extra 66
194	PËR DISA NDRYSHIME NË VENDIMIN NR.191, DATË 19.2.2009 TË KËSHILLIT TË MINISTRAVE "PËR DHËNIEN , E NJË FONDI FINANCIAR KOMUNËS HAJMEL DËMTUARA PËR SHKAK TË PËRMBYTJES NGA LUMI GJADËR TË QARKUT TË SHKODRËS, PËR TË NDIHMUAR FAMILJET E DËMTUARA PËR SHKAK TË PËRMBYTJES NGA LUMI GJADËR	13/05/09	This decision enters into force immediately	Official Journal Extra 67
195	PER EMËRIM NË DETYRË	14/05/09	This decision enters into force immediately	Official Journal Extra 66
196	PËR LIRIMIN NGA DETYRA TË PREFEKTIT TË QARKUT TË BERATIT	20/05/09	This decision enters into force immediately	Official Journal Extra 67
197	PËR LIRIMIN NGA DETYRA TË PREFEKTIT TË QARKUT TË GIROKASTRËS	20/05/09	This decision enters into force immediately	Official Journal Extra 67
198	PËR LIRIMIN NGA DETYRA TË PREFEKTIT TË QARKUT TË KORÇËS	20/05/09	This decision enters into force immediately	Official Journal Extra 67
199	PËR LIRIMIN NGA DETYRA TË PREFEKTIT TË QARKUT TË FIERIT	20/05/09	This decision enters into force immediately	Official Journal Extra 67
200	PËR LIRIMIN NGA DETYRA TË PREFEKTIT TË QARKUT TË KUKËSIT	20/05/09	This decision enters into force immediately	Official Journal Extra 67
201	PËR EMËRIM NË DETYRË	20/05/09	This decision enters into force immediately	Official Journal Extra 67
202	PËR EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË KUKËSIT	1/06/09	This decision enters into force immediately	Official Journal Extra 67
203	PËR EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË GIROKASTRËS	1/06/09	This decision enters into force immediately	Official Journal Extra 67



No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
204	PËR EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË KORÇËS	1/06/09	This decision enters into force immediately	Official Journal Extra 67
205	PËR EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË FIERIT	1/06/09	This decision enters into force immediately	Official Journal Extra 67
206	PËR EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË BERATIT	1/06/09	This decision enters into force immediately	Official Journal Extra 67
207	PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MBULIMIN E PJESSHËM TË SHPENZIMEVE TË KURIMIT TË Z. ARBEN ISARAJ, NË GJERMANI MIRATUAR PËR MINISTRINË E SHËNDETËSISË	10/06/09	This decision enters into force immediately	Official Journal Extra 67
208	PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR-MINISTRINË E SHËNDETËSISË, PËR MBULIMIN E PJESSHËM TË SHPENZIMEVE TË KURIMIT TË ZNJ. IRMA BALA, NË ITALI	10/06/09	This decision enters into force immediately	Official Journal Extra 67
209	PËR LIRIMIN DHE EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TIRANË	08/08/09	This decision enters into force immediately	Official Journal Extra 67
210	PËR SHPËRBLIMIN E DISA PUNONJËSVE TË POLICISË SË FORCËS SË POSAÇME, NË DREJTORINË E PËRGJITHSHME TË POLICISË SË SHITETIT	19/08/09	This decision enters into force immediately	Official Journal Extra 67
211	PËR MIRATIMIN E RAPORTIT TË DYTË, TË TRETË DHE TË KATËRT PERIODIK, KOMBËTAR, NË ZBATIM TË KONVENTËS "PËR TË DREJTAT E FËMIJËVE"	26/08/09	This decision enters into force immediately	Official Journal Extra 67
212	PËR DHËNIE NDIHME FINANCIARE FAMILJEVE, SHTËPITË DHE PRONAT E TË CILAVE, TË NDODHURA BRENDA PERIMETRIT, ME RREZE 300 M NGA VATRA E AKSIDENTI TEKNOLOGJIK, I DATËS 15 MARS 2008, NË FSHATIN GËRDEC, BASHKIA VORË SHPËRTHIMIT, JANË SHKATËRRUAR PLOTËSISHT NGA....	26/08/09	This decision enters into force immediately	Official Journal Extra 67
213	PËR DHËNIE NDIHME FINANCIARE NJË KATEGORIE PERSONASH, TË STREHUAR NË REPUBLIKËN E SHQIPËRISË	03/09/09	This decision enters into force immediately	Official Journal Extra 67
214	PËR LIRIM NGA DETYRA	12/10/09	This decision enters into force immediately	Official Journal Extra 68
215	PËR LIRIMIN DHE EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË KUKËSIT	14/10/09	This decision enters into force immediately	Official Journal Extra 68
216	PËR EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË LEZHËS.	23/10/09	This decision enters into force immediately	Official Journal Extra 68
217	PËR LIRIM DHE EMËRIM NË DETYRË	23/10/09	This decision enters into force immediately	Official Journal Extra 68
218	PËR EMËRIM NË DETYRË	23/10/09	This decision enters into force immediately	Official Journal Extra 68
219	PËR EMËRIM NË DETYRË	23/10/09	This decision enters into force immediately	Official Journal Extra 68
220	PËR LIRIMIN DHE EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË FIERIT	23/10/09	This decision enters into force immediately	Official Journal Extra 68
221	PËR LIRIMIN DHE EMËRIMIN NË DETYRË TË PREFEKTIT TË QARKUT TË DURRËSIT	23/10/09	This decision enters into force immediately	Official Journal Extra 68
222	PËR MIRATIMIN E PLANIT KOMBËTAR TË VEPRIMIT PËR DEKADËN E PËRFSHIRJES SË ROMËVE, 2010-2015	28/10/09	This decision enters into force immediately	Official Journal Extra 68
223	PËR MIRATIMIN E PËRDORIMIT TË FONDEVE BUXHETORE NGA KOMISIONI QENDROR I ZGJEDHJEVE, PËR FINANCIMIN E SHPENZIMEVE PËR ZGJEDHJET E PJESSHME PËR PUSHTETIN VENDOR, PËR DISA BASHKI E KOMUNA, MË 15 NËNTOR 2009	13/11/09	This decision enters into force immediately	Official Journal Extra 68
224	PËR NJË NDRYSHIM NË VENDIMIN NR.115, DATË 2.2.2009 TË KËSHILLIT TË MINISTRAVE "PËRQENDRORE", PËRCAKTIMIN E NUMRIT TË PUNONJËSVE ME KONTRATË TË PËRKOSSHME, PËR VITIN 2009, NË DISA MINISTRI DHE INSTITUCIONE TË NDRYSHUAR	13/11/09	This decision enters into force after publication in the Official Journal	Official Journal Extra 68



No.	DCM (title and content) identified as unpublished in the Official Journal, 2009	Date of issue	Mode of entry into force	Published in
225	PËR SHPRONËSIMIN PËR INTERES PUBLIK, TË PRONARËVE TË PASURIVE TË PALUAJTSHME, PRONË PRIVATE, QË PREKEN NGA NDËRTIMI I LINJËS 220 KV, TEC I RI, VLORE-NËNSTACIONI 220/110/35 KV, BABICË, VLORE	13/11/09	This decision enters into force immediately	Official Journal Extra 68
226	PËR NJË SHITESË FONDI NË BUXHETIN E VITIT 2009, MIRATUAR PËR MINISTRINË E TURIZMIT, KULTUTËS, RINISË DHE SPORTEVE, PËR SHPËRBLIMIN E PESHËNGRITËSVE, ROMELA BEGAJ E ERKAND QERIMAJ, DHE TË TRAJNERËVE TË TYRE, HEKTOR SHAQIRI E ZEF KOVAÇI, PËR REZULTATET E LARTA, QË KANË ARRITUR NË LOJËRAT MESDHETARE, PESCARA 2009	13/11/09	This decision enters into force immediately	Official Journal Extra 68
227	PËR MIRATIMIN E NJË FONDI SHITESË PËR KOMPENSIMIN E DËMEVE NË BANESAT E DËMTUARA NGA RRËSHQITJA MASIVE, NË LAGJEN QAFË- DARDHË TË FSHATIT GUR-SHPATË, KOMUNA POLIS, RRETHI LIBRAZH, QARKU ELBASAN	18/11/09	This decision enters into force immediately	Official Journal Extra 68
228	PËR PËRCAKTIMIN E NUMRIT TË AUTOMJETEVE DHE TË SHOFERËVE NË DISPOZICION TË MINISTRIVE DHE TË INSTITUCIONEVE QENDRORE	24/11/09	This decision enters into force immediately	Official Journal Extra 68
229	PËR PROPOZIMIN KUVENDIT TË REPUBLIKËS SË SHQIPËRISË LIRIMIN NGA DETYRA TË ANËTARËVE TË KËSHILLIT DREJTUES TË ENTIT RREGULLATOR TË TELEKOMUNIKACIONEVE DHE EMËRIMIN NË DETYRË TË KËSHILLIT TË ANËTARËVE DREJTUES TË AUTORITETIT TË KOMUNIKIMEVE ELEKTRONIKE DHE POSTARE	25/11/09	This decision enters into force immediately	Official Journal Extra 68
230	PËR EMËRIM NË DETYRË	4/12/09	This decision enters into force immediately	Official Journal Extra 68
231	PËR EMËRIM NË DETYRË	7/12/09	This decision enters into force immediately	Official Journal Extra 68
232	PËR LIRIM DHE EMËRIM NË DETYRË	21/12/09	This decision enters into force immediately	Official Journal Extra 68
233	PËR KALIMIN NË PËRGJEGJËSI ADMINISTRIMI INSTITUTIT TË STATISTIKAVE (INSTAT) TË DISA MJEDISEVE, NË ADMINISTRIM TË MINISTRISË SË EKONOMISË, TREGTISË DHE ENERGETIKËS	24/12/09	This decision enters into force immediately	Official Journal Extra 68



SPECIAL ANNEX No. 2

TABLES OF INTERNATIONAL ACTS

“In 2002, the People’s Advocate Office undertook a study to evidence what were the international acts signed by the relevant organs (President, Government, Ministries, etc.), how many out of them were ratified in due time and what out of the ratified acts (or of those entered into force after ratification) were published or not in the Official Journal. The study was considered necessary due to strong indications that only a small number of the ratified international acts were published in the Official Journal as an official translation text in Albanian, along with the ratifying law.

...The People’s Advocate practically came to the conclusion that at list 25 out of 47 Conventions, Agreements or Protocols of the Council of Europe already ratified by the Albanian state, were not officially translated in Albanian and consequently not published in the Official Journal till 2002. Whereas, with regard to UNO’s acts, already ratified by the Assembly (Parliament), the publication of the officially translated text body did not occur for 50 out of 87”.

The two above paragraphs placed in the inverted commas are extracted from the Special Report No.1 of the People’s Advocate (PA), sent to the Assembly on 25.03.2008. While acknowledging (accepting it as given) the existence of the problem in question as it was identified and addressed by the People’s Advocate, CPII has included in this report even finding regarding publication (or not) in “Extra” Official Journal of the Albanian translated version of international acts (text body) that PA identified as unpublished “stock” in his Special Report No.1, dated 23.05.2008. Although the study undertaken by the PA concluded in 75 international acts ratified by the Albanian Parliament yet not published in Albanian language in the Official Journal, the CPII itself does not guaranty the certification by 100% of this conclusion’s consistency, as long as its verification methodology has not been applied upon this “stock”.

Facsimile of PA’s Special Report No. 1 “On the publication of Albania ratified international acts in the Official Journal”, dated 23.05.2008.

In addition to that, as already underlined in the chapter on “International Acts”, from the moment PA’s Special Report No. 1 was sent to the Assembly (Parliament), to the present, about 16 international acts (1 UNO Convention and 15 COE acts) are translated and published in “Extra” editions of the Official Journal.

In the Special Annex No. 2 of this monitoring report, CPII has listed 22 international acts, ratified after the year 1990, and identified by the PA as unpublished in Albanian, for which the “CPII” Methodology was partially applied and for which was concluded that they still remain un-published in the Official Journal till today.

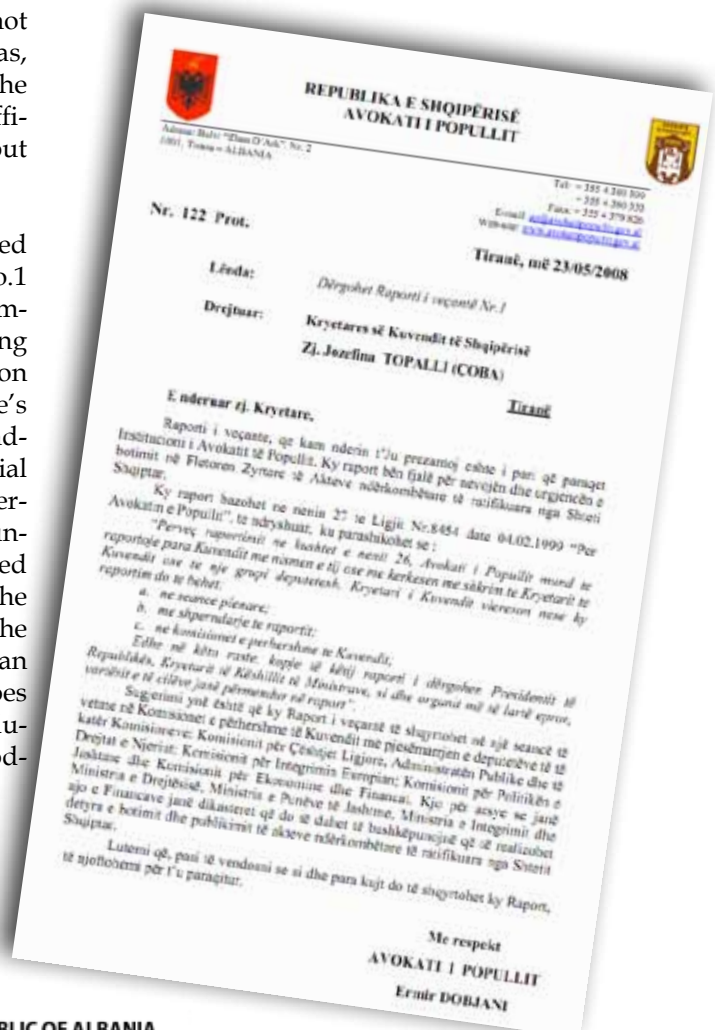


Table No. 8 – UN International Acts still pending publication in Official Journal

No	Title	Ratified by
1	The Adherence of the Republic of Albania in the convention "C105 Abolition of Forced Labour Convention, 1957", C111 Discrimination (Employment and Occupation) Convention, 1958; and C138 Minimum Age Convention, 1973	Law No.8086, dated 13.03.1996
2	The Adherence of the Republic of Albania in the convention "For the Unification of Some Rules of the International Air Transport", signed at Warsaw on 12.10.1929	Law No.8150, dated 11.09.1996
3	The Adherence of the Republic of Albania in the International Labour Organisation Convention, No. 81 „Labour Inspection in Industry and Commerce“, No.135 "Employee's representatives"; No.142 "Rural workers' organizations"	Law No.8185, dated 23.01.1997
4	The Adherence of the Republic of Albania in the convention "On Offenses and Certain Other Acts Committed on Board Aircraft", signed at Tokyo on 14.09.1963, "On Suppression of Unlawful Seizure of Aircraft", signed at Hague on 16.12.1970 "On Suppression of Acts against the Safety of Civil Aviation", signed at Montreal on 23.09.1971	Law No.8197, dated 6.03.1997
5	The Adherence of the Republic of Albania in the Basel Convention "Control of Transboundary Movements of Hazardous Wastes and their Disposal"	Law No.8216, dated 3.05.1997
6	Ratification of the Energy Charter Treaty, Energy Charter Protocol, and relevant environmental aspects.	Law No.8261, dated 1.12.1997
7	Ratification of "The Protocol of the amendment of article 83 bis of ICAO Convention", signed at Montreal on 06.10.1980	Law No.8278, dated 15.01.1998
8	The Adherence of the Republic of Albania in the International Labour Organisation "ILO Convention 181 on Private Employment Agencies"	Law No.8350, dated 20.5.1998
9	The Adherence of the Republic of Albania in the "Vienna Convention for the Protection of the Ozone Layer" and "The Montreal Protocol on Substances That Deplete the Ozone Layer"	Law No.8463, dated 10.3.1999
10	The Adherence of the Republic of Albania in the "EUROCONTROL International Convention"	Law No.8821, dated 15.10.2001
11	The Adherence of the Republic of Albania in the "Vienna Convention on Consular Relations"	Law No.7507, dated 31.7.1991
12	The Adherence of the Republic of Albania in the "Convention on the Rights of the Child"	Dated 27.2.1992
13	The Adherence of the Republic of Albania in "Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery"	Decree nr.2613, dated 10.3.1958

Table No. 9 – COE conventions and protocols, pending publication in Official Journal

No.	Title	Date of signature	Adherence/Ratified by
1	Statute of the Council of Europe	13.07.1995	
2	European Cultural Convention		Law No.232 dated 23.06.1992
3	On the adherence of the Republic of Albania in the "European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment" and two additional protocols: 1 and 2.	2/10/1996	Law No.8135 dated 1.3.2002
4	On the adherence of the Republic of Albania in the "General Agreement on Privileges and Immunities of the Council of Europe " 2 September 1949, and Agreement on addition protocols, 2,4,5		Law No.8174 dated 23.12.1996
5	On the ratification of the "Convention on the Conservation of European Wildlife and Natural Habitats"		Law No.8294 dated 02.03.1998
6	On the ratification of the "European Convention on Extradition" and two additional protocols		Law No. 8322 dated 02.04.1998
7	On the Ratification of " European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches"		Law No.8400 dated 9.9.1998
8	On the adherence of the Republic of Albania in the "Convention for the "Protection of the Marine Environment and the Coastal Region of the Mediterranean" and the 6 protocols		Law No.8690 dated 16.11.2000
9	On the adherence of the Republic of Albania in the "Bonn Convention on the Conservation of Migratory Species of Wild Animals"		Law No.8692 date 16.11.2000



