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**CALL FOR EU MEMBER STATES JUDGES AND PROSECUTORS WITH 15 YEARS OF SERVICE IN
THEIR NATIONAL JUDICIARY**

International Monitoring Operation (IMO)

**Support to the process of transitional re-evaluation of Judges and
Prosecutors in Albania**

The Austrian Development Agency (ADA), the Delegation of the European Union to Albania (EUD) and the Management Board of the International Monitoring Operation (IMO Board) are looking for qualified experts from the judiciaries of EU Member States to be deployed as **three (3)** long-term and full-time *International Observers (IOs)*.

Interested applicants are expected to examine carefully and comply with all instructions and specifications contained in this vacancy announcement. Failure to submit an application containing all the required information and documentation within the set deadline will lead to the rejection of the application.

1. BACKGROUND

The deployment of IOs in the framework of the International Monitoring Operation (IMO) is foreseen under Article B of the Annex to the Constitution of the Republic Albania. The Constitution, as amended in July 2016, provides that the IMO, led by the European Commission, is established to oversee the process of transitional re-evaluation of Judges and Prosecutors in Albania.

The IMO has been entrusted with monitoring the vetting process throughout, from the establishment of the vetting institutions until the completion of the whole re-evaluation exercise. The Albanian vetting institutions, namely: the Independent Qualifications Commission, the Appeal Chamber Judges, and the Office of the Public Commissioners,



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became operational in autumn 2017. Under the aegis of the IMO Board, and the leadership of the European Commission, the IMO has consistently overseen the process.

The vetting institutions ground their investigations on three pillars, which have been provided for in the law No 84/2016 "On the Transitional Re-evaluation of Judges and Prosecutors in the Republic of Albania". These pillars include: (i) asset assessment, (ii) background assessment, (iii) proficiency assessment:

- Asset assessment evaluates any financial obligation behind assessee's assets and any possible private interest rising from it. All judges and prosecutors are required to declare their assets and submit all other necessary documents justifying the veracity and legitimacy of his/her statements.
- Background assessment aims to identify any potential links with organised crime.
- Proficiency assessment evaluates the relevant skill set of assesses, their organisational skills, ethics and personal qualities based on standards foreseen by the law.

Based on this three-pronged assessment, each assessee is either confirmed in or dismissed from duty. If deficiencies related to the proficiency assessment only are identified, assessee can be suspended from office and sent to compulsory training.

2. DESCRIPTION OF THE ASSIGNMENT

In the framework of the Albanian Constitution and Law 84/2016 ('Vetting Law'), IOs monitor and oversee the entire re-evaluation process as conducted by the Albanian institutions. After the establishment of the vetting institutions, the main responsibilities of the IOs entail the following duties:

1. To file findings and opinions on issues examined by the Commission and the Appeal Chamber and contribute to the background assessment regulated in article DH. In those findings, IOs may request that the Commission or the Appeal Chamber consider evidence or may present evidence obtained from state bodies, foreign entities or private persons, in accordance with the law;



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3. To submit a written recommendation to the Public Commissioners to file an appeal. If such recommendation is not followed up, the Public Commissioner is required to issue a written report stating the reasons for the refusal.

More specifically, supported by his/her team, the IOs, will:

- Investigate on all facts and assess all necessary circumstances for the re-evaluation of the Albanian Judges and Prosecutors;
- Request information from any subject of public law and will administer all documents which ascertain acts and facts;
- Attend all meetings, hearings and deliberations scheduled by the panels of the respective vetting institutions, initiate these meetings if necessary and provide input when necessary;
- File 'findings', documents or reports including evidence to the vetting institutions, as well as written 'opinions';
- File 'dissenting opinions' following the decisions taken by the respective vetting institutions and file 'recommendations for appeal' if deemed necessary / useful.
- Participate in the weekly meetings of the senior management of the project and, if needed, participate in meetings with other institutions;
- Apart from the responsibilities above, it should be noted that the IOs do not have specific decision-making or executive functions vis-à-vis the vetting process.

4. QUALIFICATIONS AND EXPERIENCE REQUIREMENTS

4.1. Eligibility criteria

To be eligible, an applicant shall:

- Possess a level of education which corresponds to completed university studies in Law, attested by a diploma when the normal period of university education is four years or more (of full-time education);



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- Possess (by the closing date for applications) at least 15 years of proven full-time professional experience, serving as a judge/prosecutor in the judiciary in the home country (only duly documented professional activity will be taken into account);
- Excellent knowledge of English;
- Be a citizen of one of the Member States of the European Union and enjoy full rights as its citizen.

Additionally, in order to be selected, the appointed applicant shall:

- Produce the appropriate character references as to his/her suitability for the performance of duties (a criminal record certificate or equivalent certificate, not older than six months) and a declaration in relation to interests that might be considered prejudicial to his/her independence.

4.2. Selection criteria

Suitability of applicants will be assessed against the following criteria in different steps of the selection procedure. Shortlisted applicants will be assessed during interviews against the following criteria:

4.2.1. Professional competences

- Advanced university degree in law;
- Proven previous experience in economic/financial investigations, as well as experience in the field of judicial evaluation/disciplinary;
- Excellent knowledge of English: excellent command of legal drafting skills; excellent written and spoken proficiency; excellent oral and written communication skills, with the ability to convey complex legal issues in an appropriate manner.

In addition to the above, the following capabilities might be considered an asset:

- Experience of working in an international setting;
- Experience in countries in transition;
- Experience in justice reform processes;



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- Basic knowledge of the Albanian language.

4.2.2. Personal qualities and competences

- High standards of integrity and experience in handling confidential information;
- Ability to establish smooth relationships with wide range of interlocutors;
- Ability to organise and manage work and responsibilities under pressure and to deliver timely on expected results;
- Flexibility, strong adaptation skills and ability to work effectively within a multicultural team and to cope with a dynamic and changing environment;
- Pragmatic approach with strong strategic thinking and operational planning.

5. DURATION AND LOCATION OF THE ASSIGNMENT

Availability must be ensured for a long-term and full-time engagement, as follows:

- for two posts, the assignment will be from 1 April 2020 until 30 November 2022 (indicatively);
- for one post, the assignment will be from 1 September 2020 until 30 November 2022 (indicatively).

Location of work is Tirana, Albania (no remote work is allowed).

6. SUBMISSION OF APPLICATIONS

Applications containing an English CV preferably in EUROPASS format and a motivation letter must be received **no later than 18th of February 2020 at 17:00 Brussel Time** at the following email addresses:

- NEAR-IMO-INFO@ec.europa.eu
- (cc: tirana.application@ada.gv.at)

7. SELECTION PROCEDURE



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All received applications will be reviewed and shortlisted candidates will be invited to an interview in Brussels. The Evaluation Committee will be chaired by a representative from the European Commission and include members of the IMO Management Board. Observers to the panel may include one ADA Representative, as well as one current IMO International Observer. Following the interview, the Evaluation Committee will make the final decision on the candidate(s) selection.

The costs borne by the shortlisted applicants to participate to the interviews will be covered by the project, as follows:

- flights: return tickets in economy class only
- rates for per diem for Brussels: € 36,00/day
- rates for accommodation in Brussels: max € 125/night

In order to obtain a reimbursement, the shortlisted applicants shall send an email to ADA (within 2 weeks of the interview) at the following address tirana@ada.gv.at,

with all the receipts and documentation (scan of the ticket, scan of boarding cards, hotel receipts, dates/duration of trip) and their bank account number.

8. INDEPENDENCE AND DECLARATION OF INTEREST

The selected applicant(s) will be required to make a declaration of commitment to act independently in the EU interest and to make a declaration in relation to interests that might be considered prejudicial to his/her independence.

9. EQUAL OPPORTUNITIES

ADA and the EU apply an equal opportunities policy and accept applications without distinction on grounds of age, race, political, philosophical or religious conviction, sex or sexual orientation and regardless of disabilities, marital status or family situation.

10. APPOINTMENT AND CONDITIONS OF EMPLOYMENT

The successful applicants selected by the evaluation committee will be employed by ADA. More Information on the salary and benefits will be provided during the interview.



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For this post, the required level of **clearance** is **EU SECRET**. Candidates who currently hold a valid personnel security clearance at the above-mentioned level (or higher) may not need to obtain a new one, pending confirmation from their respective National Security Authority. The National Security Authority of the candidate shall provide ADA and the IMO Board with an opinion or a personnel security clearance in accordance with relevant national legislation. In case selected candidates do not currently hold a valid security clearance at the above-mentioned level, the IMO Board will request such from the National Security Authority of the candidates' state of citizenship. In case of a failure to obtain the required personnel security clearance or if the National Security Agency issues a negative opinion at the above-mentioned level after the signature of the contract, ADA has the right to terminate the contract.

11. PROTECTION OF PERSONAL DATA

ADA and the EU ensure that applicants' personal data are processed in accordance with Article 5(1)(a) of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.