



# ICLG

The International Comparative Legal Guide to:

## Litigation & Dispute Resolution 2016

### 9th Edition

A practical cross-border insight into litigation and dispute resolution work

Published by Global Legal Group, in association with CDR, with contributions from:

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59 Tanner Street  
London SE1 3PL, UK  
Tel: +44 20 7367 0720  
Fax: +44 20 7407 5255  
Email: info@glgroup.co.uk  
URL: www.glgroup.co.uk

**GLG Cover Design**  
F&F Studio Design

**GLG Cover Image Source**  
iStockphoto

**Printed by**  
Stephens & George  
Print Group  
February 2016

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ISBN 978-1-910083-81-9  
ISSN 1755-1889

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EDITORIAL

Welcome to the ninth edition of *The International Comparative Legal Guide to: Litigation & Dispute Resolution*.

This guide provides corporate counsel and international practitioners with a comprehensive worldwide legal analysis of the laws and regulations of litigation and dispute resolution.

It is divided into two main sections:

Two general chapters. These are designed to provide readers with a comprehensive overview of key issues affecting litigation and dispute resolution work.

Country question and answer chapters. These provide a broad overview of common issues in litigation and dispute resolution in 49 jurisdictions, with the USA being sub-divided into 11 separate state-specific chapters.

All chapters are written by leading litigation and dispute resolution lawyers and industry specialists, and we are extremely grateful for their excellent contributions.

Special thanks are reserved for the contributing editor Greg Lascelles of King & Wood Mallesons LLP for his invaluable assistance.

Global Legal Group hopes that you find this guide practical and interesting.

The International Comparative Legal Guide series is also available online at [www.iclg.co.uk](http://www.iclg.co.uk).

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# Albania



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## I. LITIGATION

### 1 Preliminaries

#### 1.1 What type of legal system has your jurisdiction got? Are there any rules that govern civil procedure in your jurisdiction?

The legal system of Albania is based on the continental judicial system and the courts are led by the law. Civil procedure in Albania is governed by the Code of Civil Procedure (hereinafter referred to as the “CCP”), approved with law no. 8116, dated 29.03.1996, amended by law no. 8181, dated 23.12.1996, law no. 8431, dated 14.12.1998, law no. 8491, dated 27.05.1999, law no. 8535, dated 18.10.1999, law no. 8601, dated 10.04.2000, law no. 8812, dated 17.05.2001, law no. 9062, dated 08.03.2003, law no. 9953, dated 14.07.2008, law no. 10052, dated 29.12.2008, law no. 49/2012, law no. 122/2013 and law no. 160/2013.

#### 1.2 How is the civil court system in your jurisdiction structured? What are the various levels of appeal and are there any specialist courts?

According to law no. 9877, dated 18.2.2008 “On Organization of the Judicial System in the Republic of Albania”, as amended, the civil court system is organised in the following structures:

- (i) District Courts;
- (ii) Courts of Appeal; and
- (iii) the Supreme Court.

There are two levels of appeal: (i) the Courts of Appeal; and (ii) the Supreme Court.

The District Courts are organised in specialised sections for allocation of the particular cases according to the subject of the claim, such as:

- section for civil disputes;
- section for family disputes; and
- section for commercial disputes.

With law no. 49/2012 “On Organization and Functioning of the Administrative Courts and Adjudication of the Administrative Disputes”, the specialised courts for the adjudication of administrative disputes were established. Administrative courts are organised as: (i) Administrative Courts of First Instance; (ii) the Administrative Court of Appeal; and (iii) the Administrative College of Supreme Court.

#### 1.3 What are the main stages in civil proceedings in your jurisdiction? What is their underlying timeframe?

The main stages in civil proceedings in the District Court are:

- (i) filing of the lawsuit with the court;
- (ii) notification of the lawsuit to the defendant and other parties;
- (iii) preliminary hearing (i.e. exchange of evidences between the parties);
- (iv) judicial hearings and examination;
- (v) last submissions; and
- (vi) final decision.

The duration of a proceeding in the District Court may last approximately six to 12 months.

In the Appeal Court the cases may be examined within six to 10 months from the filing date of the appeal, while in the Supreme Court the cases may be examined within three years.

#### 1.4 What is your jurisdiction’s local judiciary’s approach to exclusive jurisdiction clauses?

The jurisdiction of Albanian courts is regulated by article 37 of the CCP, which provides that the jurisdiction of Albanian courts cannot be transferred to a foreign jurisdiction by agreement of the parties, except when the legal proceeding is related to a dispute among foreign parties or among an Albanian and a foreign party (physical person or legal entity), when such exemptions have been stipulated in the agreement.

The exclusive jurisdiction of Albanian courts is also regulated by law no. 10428, dated 02.06.2011 “On Private International Law”, which provides for several cases when the Albanian courts have exclusive jurisdiction.

#### 1.5 What are the costs of civil court proceedings in your jurisdiction? Who bears these costs? Are there any rules on costs budgeting?

The costs of civil proceedings in Albania are: (i) the judicial tax, expenses for the acts to be carried out (i.e. notifications); (ii) the costs for the acts of expertise; and (iii) lawyers’ fees and other necessary expenses incurred during the trial (i.e. expenses for witnesses, different examinations, etc.).

The judicial tax is calculated according to the value of the claim. For claims with a value up to ALL 100,000, the judicial tax is ALL 3,000, whilst for claims with a value exceeding ALL 100,000, the

judicial tax is 1% of the claim's value. Such tax is paid by the plaintiff upon filing the claim.

The CCP provides for the obligation of the unsuccessful party to pay the legal costs.

Despite the above, in case the claim is partially accepted or when the court finds justified reasons, it may decide for the costs to be paid by the unsuccessful party in proportion with the accepted claim, or that each party should pay its own costs.

Albanian legislation is not familiar with costs budgeting rules.

### **1.6 Are there any particular rules about funding litigation in your jurisdiction? Are contingency fee/conditional fee arrangements permissible? What are the rules pertaining to security for costs?**

There are no particular rules about funding litigation in Albania. Any person that has a legal, actual and direct interest may file a lawsuit with the court.

The law does not provide specific regulation on contingency or conditional fees, but permits lawyers and their clients to define the fee in mutual agreement.

Under the provisions of law no. 9109, dated 17.07.2003, "On the Attorney Profession in the Republic of Albania", as amended, the remuneration for the service rendered by lawyers is defined: (i) in agreement between the client and the lawyer. If there is no agreement between the client and the lawyer, the remuneration of the latter is defined in accordance with the order no. 1284/3, dated 16.03.2005 "On Approval of the Tariffs for Lawyer's Remuneration" of the Minister of Justice and Chairman of National Chamber of Advocacy); and (ii) by the court and the prosecutor's office when the lawyer is nominated *ex officio*, in accordance with the order mentioned under point (i).

Albanian legislation does not provide any concrete regulation regarding security costs.

### **1.7 Are there any constraints to assigning a claim or cause of action in your jurisdiction? Is it permissible for a non-party to litigation proceedings to finance those proceedings?**

There are no constraints to assigning a claim (especially monetary claims) based on general principles on the assignment of rights under the provisions of the Albanian Civil Code.

Claims arising from strictly personal rights cannot be assigned.

Albanian law does not regulate the financing of litigation proceedings by a non-party to such proceedings.

## **2 Before Commencing Proceedings**

### **2.1 Is there any particular formality with which you must comply before you initiate proceedings?**

Albanian law does not provide for any mandatory pre-action procedures to be followed by the parties, other than the obligation of the creditor to serve to the debtor a notice for payment (or discharging any other contractual obligation) within at least 15 days if the contract does not provide for a term (article 463 of the Civil Code).

Nonetheless, the parties must comply with the pre-action procedures to which they have agreed in the contract.

### **2.2 What limitation periods apply to different classes of claim for the bringing of proceedings before your civil courts? How are they calculated? Are time limits treated as a substantive or procedural law issue?**

The Albanian Civil Code provides various limitation terms according to the types of claims.

The limitation term to file claims, deriving from the payment of contractual penalty clauses, is: six months; one year for claims deriving from spedition contracts; six months for claims deriving from transport contracts of either goods or travellers by railway, vehicles or airplanes; two years for claims for the payment of compensations from insurance and reinsurance contracts; three years for claims for payment deriving from rent contracts (i.e. apartments, shops and other immovable property); and three years for claims for payment arising out of contractual duty and the claims for the return of unjust profit.

The Civil Code also provides a general limitation term of 10 years for claims, the limitation terms of which are not provided differently by the law.

The limitation term for claims regarding administrative disputes is 45 days.

The limitation terms cannot be changed upon agreement of the parties.

The limitation term starts from the day when the party acquires the right to file the claim.

The right of a claim that is not exercised within the limitation term defined by law extinguishes and cannot be exercised to any further extent in front of the court.

## **3 Commencing Proceedings**

### **3.1 How are civil proceedings commenced (issued and served) in your jurisdiction? What various means of service are there? What is the deemed date of service? How is service effected outside your jurisdiction? Is there a preferred method of service of foreign proceedings in your jurisdiction?**

Civil proceedings commence with the submission of the lawsuit by the plaintiff or by his legal representative.

The court should notify the parties of the date of the preliminary hearing. The notification is made by the court officer or through the mail service. The court should also provide the defendant and the third parties (if any) with the lawsuit and the evidences submitted by the plaintiff.

The notification of the acts to a foreign state is made upon ordered letter through the Ministry of Justice, which sends such acts to the respective country.

The announcement of acts of a foreign state is done through the Ministry of Justice, which passes them on to the District Court of the place where the announcement should be made.

### **3.2 Are any pre-action interim remedies available in your jurisdiction? How do you apply for them? What are the main criteria for obtaining these?**

The plaintiff may apply for pre-action interim remedies when there are reasons to doubt that the enforcement of the court decision for his rights shall become impossible or difficult.

The court may issue the pre-action interim remedy when:

- a. the lawsuit is based on evidence in writing; and
- b. the plaintiff gives guarantees at the amount and type set by the court for the potential damage that might be caused to the defendant by the injunction measures.

The pre-action interim remedies consist of: (i) seizure of the debtor's assets; and (ii) other appropriate measures taken by the court, including the suspension of execution.

### 3.3 What are the main elements of the claimant's pleadings?

The lawsuit should be written in Albanian and must indicate: the competent court; the personal data of the plaintiff, the defendant and their representatives, if there are any; the electronic addresses of the plaintiff and his representative; the cause of action of the lawsuit; the value of the lawsuit when the subject is measurable; the legal base of the lawsuit; the indication of the facts and circumstances, documents and other evidences; the requirements of the plaintiff; and a list of witnesses the plaintiff requires to summon to the court.

### 3.4 Can the pleadings be amended? If so, are there any restrictions?

The CCP provides the right of the plaintiff to change the legal base of the lawsuit during the judicial proceedings.

The plaintiff is also entitled to add, reduce or amend the cause of action of the lawsuit without changing its legal base.

## 4 Defending a Claim

### 4.1 What are the main elements of a statement of defence? Can the defendant bring counterclaims/ claim or defence of set-off?

The main elements of defence are the counterarguments and the counterclaim. The defendant is entitled to file a counterclaim when it has a related subject with the claim or when compensation can be made between the claim and the counterclaim. The counterclaim can be filed at any time prior to the conclusion of the judicial examination.

### 4.2 What is the time limit within which the statement of defence has to be served?

Civil proceedings in Albania are adversarial and, based on such a principle, the CCP provides that the defendant may perform his defence throughout the proceeding, after the submissions of the plaintiff.

### 4.3 Is there a mechanism in your civil justice system whereby a defendant can pass on or share liability by bringing an action against a third party?

Under article 184 of the CCP, when it emerges during a trial that the lawsuit is brought against a defendant to whom it must not have been brought, on the request of the interested party the court may allow the replacement of the defendant by the person against whom the lawsuit should have been brought. For such replacement the court must first receive the approval of both parties and of the person who comes in the place of the defendant.

### 4.4 What happens if the defendant does not defend the claim?

Under the CCP it is provided that the court resolves the dispute in conformity with the mandatory legal provisions and makes an accurate determination of the facts and actions related to the dispute, without being bound to any determination proposed by the parties. Even when the defendant does not defend the claim or does not take part in the proceedings, the court has the duty to perform a complete and accurate judicial examination and to base its decision only on facts submitted during the legal proceedings.

### 4.5 Can the defendant dispute the court's jurisdiction?

The defendant has the right to dispute the jurisdiction of the court. The court, also at any stage of the proceeding, can verify whether the case falls under its jurisdiction. Decisions regarding jurisdiction can be appealed by the parties directly to the Supreme Court.

## 5 Joinder & Consolidation

### 5.1 Is there a mechanism in your civil justice system whereby a third party can be joined into ongoing proceedings in appropriate circumstances? If so, what are those circumstances?

Under the CCP, anyone may intervene in a judicial process taking place among other persons by filing a claim with the court against either both parties or one of them, when he claims partially or totally the right, subject of the dispute. According to article 189 of the CCP, such an action is defined as the main intervention.

The right of a third party to intervene in a legal proceeding when it has interest in supporting one of the litigant parties is defined as the secondary intervention. Such person joins the party during the proceeding to assist it.

The parties may call into the proceeding a third person they believe to have a common case with, or from whom they may request a guarantee or compensation related to the conclusion of the case. Third persons are also summoned by the court if they should be present in a proceeding of interest to them.

### 5.2 Does your civil justice system allow for the consolidation of two sets of proceedings in appropriate circumstances? If so, what are those circumstances?

It is possible to consolidate two sets of proceedings when they have connected subjects (article 57 of the CCP).

### 5.3 Do you have split trials/bifurcation of proceedings?

The plaintiff may present multiple claims in a lawsuit. The court may decide to consider the claims separately if it decides their joint consideration may cause difficulties in the proceedings.

## 6 Duties & Powers of the Courts

### 6.1 Is there any particular case allocation system before the civil courts in your jurisdiction? How are cases allocated?

The first level of the Albanian court is organised in specialised sections, where cases are allocated according to the subject of the claim. According to article 320 of the CCP, the sections are divided as follows:

- (i) section for civil disputes;
- (ii) section for family disputes; and
- (iii) section for commercial disputes.

Regarding the administrative disputes, please refer to Part I, question 1.2 above.

### 6.2 Do the courts in your jurisdiction have any particular case management powers? What interim applications can the parties make? What are the cost consequences?

The court manages the judicial process through its decisions and orders.

The court rules for all requests of the parties without exceeding the limits of the claim, conducting a fair, independent and impartial trial within a reasonable time frame, and bases its decision on the evidences presented during the judicial process.

During the proceedings, the court, upon request of the parties, may rule on the following interim applications:

- interim measure;
- amendment of the subject or a change of the legal base of the claim;
- orders for specific disclosure;
- sanctions for the parties that do not comply with the procedure rules;
- unification of claims;
- bifurcation of the case; and
- suspension or dismissal without prejudice of the case.

Regarding the cost consequences, please refer to Part I, question 1.5 above.

### 6.3 What sanctions are the courts in your jurisdiction empowered to impose on a party that disobeys the court's orders or directions?

The court may impose fines up to ALL 30,000 to parties that disobey the court orders or directions.

### 6.4 Do the courts in your jurisdiction have the power to strike out part of a statement of case or dismiss a case entirely? If so, in what circumstances?

The court has the power to strike out part of a statement of case or dismiss it entirely of its own motion when the claim is not based in law and is not supported by evidence, or the parties are not legitimated to file the claim, or the claim has been filed beyond the legal terms.

### 6.5 Can the civil courts in your jurisdiction enter summary judgment?

Albania is not familiar with summary judgments of the courts. Albanian civil courts are obliged to carry out a complete judicial examination and follow all the proceeding phases before giving a final decision.

### 6.6 Do the courts in your jurisdiction have any powers to discontinue or stay the proceedings? If so, in what circumstances?

An Albanian court decides to stay the proceeding when:

- the case cannot be solved prior to the termination of another administrative, criminal or civil case;
- a stay of the proceeding is requested by both parties;
- one of the parties dies or the juridical person terminates its activity;
- one of the parties does not possess or has lost the juridical capacity to act and it is necessary to appoint a legal representative for this party; and
- it is required by law.

The court may discontinue the proceedings when:

- none of the parties has requested, within six months, the recommencement of the suspended proceeding, when such suspension was decided by the court upon their request;
- the plaintiff renounces from the case; and
- it is required by law.

## 7 Disclosure

### 7.1 What are the basic rules of disclosure in civil proceedings in your jurisdiction? Is it possible to obtain disclosure pre-action? Are there any classes of documents that do not require disclosure? Are there any special rules concerning the disclosure of electronic documents?

The parties in a civil proceeding should disclose to each other and to the court all the evidence relevant to the dispute.

When the evidence, on which the solution or clarification of the case depends, is at risk of disappearing or its obtainment will become difficult, may be obtained upon court's order before filing the lawsuit (article 292 of the CCP).

For disclosure of documents which constitute state secrets, the permission of public authorities is required.

It is not required to disclose evidence supporting facts widely or officially known.

Under the law no. 10273, dated 29.04.2010 "On Electronic Documents", the electronic document which meets certain criteria (i.e. bearing the electronic signature, author's data, content readability, etc.) can be disclosed as evidence in a civil proceeding.

### 7.2 What are the rules on privilege in civil proceedings in your jurisdiction?

Under article 235 of the CCP, the attorneys of the parties cannot be summoned to testify on information they have received in their capacity as legal representatives. Also, the spouses, children, parents, grandparents or cousins of the parties, until the second line,

are included in the category of privilege. They cannot be summoned as witnesses in a civil proceeding, with the exception of cases when their testimony is necessary for the case resolution. The above-mentioned persons cannot be punished in case they refuse to testify.

### 7.3 What are the rules in your jurisdiction with respect to disclosure by third parties?

The court, at the request of an interested party in the civil proceeding, may order a third party to submit documents when deemed as necessary.

The court may also officially request the public administration authorities provide the documentation kept on their files or information upon such documentation, if necessary for the proceeding.

When the information required constitutes a state secret, the court requests the permission of the state authorities to obtain such information.

### 7.4 What is the court's role in disclosure in civil proceedings in your jurisdiction?

The court supports the disclosure process in a civil proceeding.

### 7.5 Are there any restrictions on the use of documents obtained by disclosure in your jurisdiction?

The evidence disclosed in a civil proceeding may be used only for this proceeding and for no other purposes.

However, in cases when disclosure of evidence has taken place in a public hearing, there are no restrictions for the publication of such evidence.

## 8 Evidence

### 8.1 What are the basic rules of evidence in your jurisdiction?

The parties are permitted to prove the facts they claim during the adjudication process by submitting to the court only evidences related and necessary for the case.

### 8.2 What types of evidence are admissible, which ones are not? What about expert evidence in particular?

Evidence should be submitted in accordance with the provisions and principles of the CCP. Pursuant to the article 213 of the CCP, only evidence which is necessary and related to the dispute is admissible under examination. Evidence includes: the confessions of the parties; witness testimony; documents; and the opinion of experts.

The court appoints one or more experts when, for the identification or clarification of facts related to the dispute, a certain expertise in science, technical issues or art is required.

### 8.3 Are there any particular rules regarding the calling of witnesses of fact? The making of witness statements or depositions?

The proof of facts through witnesses is widely accepted by the court, with the exception of cases when proof is specifically required

through documents. The court may summon witnesses at the request of the parties. The witnesses are questioned in the hearing, in the presence of the parties and their representatives.

### 8.4 Are there any particular rules regarding instructing expert witnesses, preparing expert reports and giving expert evidence in court? Does the expert owe his/her duties to the client or to the court?

The court appoints the duties to the expert, after taking the parties' opinions. The expert provides a written report. The court and the parties may address questions to the expert regarding the expert's report.

The expert bases his report on the evidence submitted by the parties in the proceeding. However, the expert can also request additional documents and perform verifications, as necessary, for the preparation of the report. The expert cannot give legal opinion on the case. The report of the expert is not binding but is assessed by the court in conjunction with the other evidences.

## 9 Judgments & Orders

### 9.1 What different types of judgments and orders are the civil courts in your jurisdiction empowered to issue and in what circumstances?

The court issues orders, non-final decisions and the final decision. The orders are taken by the court in order to insure that the judicial process is carried out in compliance with the provisions of the CCP. Upon the non-final decisions, the court terminates the adjudication process without solving the merits of the case. Upon the final decision, the court resolves the case.

### 9.2 What powers do your local courts have to make rulings on damages/interests/costs of the litigation?

Albanian courts are entitled to rule on the damages, interests and costs of the litigation through their decisions.

### 9.3 How can a domestic/foreign judgment be recognised and enforced?

A domestic judgment can be enforced by the bailiff, upon request of the interested party.

A foreign judgment is recognised in Albania through Court of Appeal procedure.

The Court of Appeal does not make a new evaluation of the merits of the case but examines only if the foreign court decision complies with the following criteria:

- (i) the foreign court had jurisdiction to resolve the dispute;
- (ii) the defendant/respondent has been duly notified in case the foreign court has ruled in absence of the defendant;
- (iii) the same case among the same parties has not been judged in Albania;
- (iv) action has not been filed with an Albanian court prior to the foreign court decision becoming final and enforceable;
- (v) the foreign court decision has become final in compliance with respective country legislation; and
- (vi) the said decision complies with the basic principles of the Albanian legislation.



The procedure with the Court of Appeal begins upon filing the request for recognition of a foreign court's decision, supported by the original or certified true copy of the decision and a statement/certificate issued by the said court that the decision is final.

After recognition by the Court of Appeal, the foreign judgment can be enforced by the bailiff.

#### 9.4 What are the rules of appeal against a judgment of a civil court of your jurisdiction?

The final decisions of the District Court can be appealed by the parties to the Appeal Court, within 15 days.

The non-final and intermediate decisions of the District Court can be appealed with the Appeal Court, within a term of five days.

The Appeal Court's decisions can be appealed to the Supreme Court within 30 days.

## 10 Settlement

### 10.1 Are there any formal mechanisms in your jurisdiction by which parties are encouraged to settle claims or which facilitate the settlement process?

Under the CCP, during the preliminary actions of the proceeding, depending on the nature of the case, the judge should make all efforts to encourage the parties to settle the dispute amicably. The judge should repeat such efforts at any stage of the proceeding.

The parties may choose as well to settle their disputes extra-judicially through mediation which is regulated by law no. 10385, dated 24.02.2011 "On Mediation in Disputes Resolution", as amended.

## II. ALTERNATIVE DISPUTE RESOLUTION

### 1 Preliminaries

#### 1.1 What methods of alternative dispute resolution are available and frequently used in your jurisdiction? Arbitration/Mediation/Expert Determination/Tribunals/Ombudsman (or other specialist courts)/Ombudsman? (Please provide a brief overview of each available method.)

In Albania, disputes can also be resolved by arbitration or mediation.

The parties may agree to resolve by arbitration any potential dispute.

Mediation is also applicable in resolving all civil, commercial and familiar disputes.

Mediation is also applicable in cases when it is requested and accepted by the parties, prior to or after the dispute has arisen.

#### 1.2 What are the laws or rules governing the different methods of alternative dispute resolution?

Arbitration proceedings in Albania are governed by the CCP.

Mediation is regulated by law no. 10385, dated 24.02.2011 "On Mediation in Disputes Resolution", as amended.

#### 1.3 Are there any areas of law in your jurisdiction that cannot use Arbitration/Mediation/Expert Determination/Tribunals/Ombudsman as a means of alternative dispute resolution?

Criminal law does not provide for any of the above alternative dispute resolution methods, except for certain criminal offences, disputes arising out of which, may be subject to mediation.

#### 1.4 Can local courts provide any assistance to parties that wish to invoke the available methods of alternative dispute resolution? For example, will a court – pre or post the constitution of an arbitral tribunal – issue interim or provisional measures of protection (i.e. holding orders pending the final outcome) in support of arbitration proceedings, will the court force parties to arbitrate when they have so agreed, or will the court order parties to mediate or seek expert determination? Is there anything that is particular to your jurisdiction in this context?

The court invites the parties to solve the dispute through mediation.

The court may issue interim measures provided by the law (pre or post the constitution of an arbitral tribunal) until the tribunal award is not final.

The court declares lack of jurisdiction/competence if the parties have agreed to arbitration.

#### 1.5 How binding are the available methods of alternative dispute resolution in nature? For example, are there any rights of appeal from arbitration awards and expert determination decisions, are there any sanctions for refusing to mediate, and do settlement agreements reached at mediation need to be sanctioned by the court? Is there anything that is particular to your jurisdiction in this context?

The arbitral awards are final and enforceable, except in cases where the law provides for the right of appeal against such awards with the Appeal Court (article 434 of the CCP). According to the Mediation Law, the settlement agreements reached through mediation are binding for the parties and enforceable in the same manner as arbitration awards.

The law does not provide for any sanctions if the parties refuse to mediate. The parties can freely decide to solve the dispute through mediation.

## 2 Alternative Dispute Resolution Institutions

### 2.1 What are the major alternative dispute resolution institutions in your jurisdiction?

Albanian legislation does not provide for consolidated institutions for dispute resolution through arbitration. The arbiters are appointed *ad hoc* by the parties pursuant to the provisions of the CCP.

On the other hand, the Mediation Law provides for the establishment of the National Chamber of Mediators and the Chambers of Mediators as consolidated institutions for performing the mediation process. The mediators are licensed and registered at the Register of Mediators with the Ministry of Justice. The parties can appoint the mediators for resolution of their dispute from the Register of Mediators.

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Gerhard is a Partner at Boga & Associates, which he joined in 2000. His core practice area is litigation and alternative dispute resolution, overarching a wide range of business issues in Albania.

Gerhard represents international clients in courts of all levels, in cases related mainly to banking and finance, real estate, taxation, competition, intellectual property and all sorts of other commercial/corporate disputes.

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Elona is an Associate at Boga & Associates, which she joined in 2010.

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Elona acts as a representative of local and international clients in courts of all levels, in cases related mainly to corporate, commercial, taxation, real estate, public administrative matters, employment disputes, etc.

She is also involved in legal due diligences regarding real estate development issues and property disputes.

Elona graduated in Law at the Law Faculty, University of Tirana, Albania (2007) and earned a Master's Degree in "Comparative Constitutional Law and European Law" from the University of Tirana, Albania (2011).

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## BOGA & ASSOCIATES

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Boga & Associates, established in 1994, has emerged as one of the premier law firms in Albania, earning a reputation for providing the highest quality legal, tax and accounting services to its clients. The firm also operates in Kosovo (Pristina), offering a full range of services. Until May 2007, the firm was a member firm of KPMG International and the Senior Partner/Managing Partner, Mr. Genc Boga, was also Senior Partner/Managing Partner of KPMG Albania.

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