

INFORMATION NOTE

Tirana, 18 September 2025

Regarding the request for disciplinary proceedings with the measure “Public Reprimand” against prosecutor A.K.

The High Inspector of Justice initiated disciplinary proceedings ex officio against Ms. A.K., prosecutor at the Prosecutor’s Office attached to the First Instance Court of General Jurisdiction of Korçë, for violations of the provisions governing the organization and functioning of the courts/prosecution service, as well as violations of the rules on confidentiality and the prohibition against disseminating information arising from an investigation or trial, whether pending or concluded. In her capacity as the prosecutor assigned to the case, prosecutor A.K. filed a complaint with the High Inspector of Justice concerning the decision of the Court of Appeal of General Jurisdiction. In doing so, she signed the complaint in her official capacity as Head of the Special Section and for information, forwarded it, together with procedural documents forming part of the case file to several other institutions both within and outside the justice system. These actions are considered disciplinary violations.

According to the disciplinary investigation report, it has been established that:

- During an appeal/information process, although acting in her capacity as the prosecutor assigned to the case, A.K. signed the correspondence in her capacity as Head of the Special Section and forwarded information for notification, accompanied by more than 20 documents forming part of the case file, to several institutions within and outside the justice system. These actions are considered disciplinary violations provided for under Article 102, paragraph 1, subparagraphs “j” and “g” of Law No. 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.
- The prosecutor signed correspondence without having the requisite authority, disclosed and sent to third parties copies of several documents forming part of the case file of a matter under investigation, thereby disregarding the authority of the head of the prosecution office and undermining the image of the prosecution office. The disclosure of procedural documents carries the risk of causing adverse consequences to the investigation and, consequently, of undermining public confidence in the functioning of the Prosecution Service in accordance with the law rather than according to the magistrate’s discretion.
- Law No. 97/2016 “On the Organization and Functioning of the Prosecution Service” provides, among other things, that: 1. *Prosecutors and all prosecution service personnel, during the exercise of their duties and after their duties have ended, are obliged to maintain confidentiality and state secrecy concerning facts of which they become aware, except where otherwise provided by law.* 2. *The Prosecution Service is prohibited from making public or providing third parties with information that could prejudice a matter under investigation or trial, infringe upon the dignity and private life of individuals, violate the rights of minors, or disclose confidential or restricted information.* 3. *Prosecutors are prohibited from making statements or expressing opinions concerning the activities of other bodies.*

Taking into consideration the nature of the disciplinary violation; the existence of a mitigating circumstance relating to the fact that it was the first violation; her two years of experience in the position of prosecutor and the adverse impact on the image of the Prosecution Service and public confidence in the justice system, it is concluded that her actions constitute a “Minor Disciplinary Violation”. Accordingly, the High Inspector of Justice proposes that the High Prosecutorial

Council impose the disciplinary measure of “*Public Reprimand*” on Ms. A.K., prosecutor at the Prosecutor’s Office attached to the First Instance Court of General Jurisdiction of Korçë.