

INFORMATION NOTE

On the High Inspector of Justice's Request for Disciplinary Proceedings with the Measure of "Temporary Reduction of Salary by 40% for a Period of One Year" against Magistrate D.G.

On 29 July 2024, the High Inspector of Justice initiated a disciplinary investigation, at the complainant's initiative, against magistrate D.G., a prosecutor at the Prosecution Office attached to the Court of First Instance of General Jurisdiction of Berat.

On 29 January 2025, the High Inspector of Justice expanded the subject matter of the investigation against this magistrate, investigating the disciplinary violations provided for under Article 102, paragraph 1, subparagraphs "ç" and "dh" of Law No. 96/2016, "On the Status of Judges and Prosecutors in the Republic of Albania," as amended.

The disciplinary investigation conducted by the High Inspector of Justice established the following:

- Unjustified and repeated failure to perform his functions during the investigation.
- Actions and conduct by the magistrate that caused harm to the parties involved in an investigative proceeding, in breach of the law. These actions and/or omissions by the magistrate are provided for as disciplinary violations under Article 102, paragraph 1, subparagraphs "ç" and "dh" of Law No. 96/2016, "On the Status of Judges and Prosecutors in the Republic of Albania," as amended.
- The form and degree of culpability, with the disciplinary violation having been committed through negligence.
- The magistrate's seniority within the justice system and his professional qualifications, demonstrating his sound knowledge of the law and procedure.

The investigation report concludes that the circumstances surrounding the violation do not constitute a "Very Serious Disciplinary Violation" and that the imposition of a more severe disciplinary measure would not be appropriate.

Consequently, the High Inspector of Justice (HIJ) proposes that the High Prosecutorial Council (HPC) impose on prosecutor D.G. the disciplinary measure of *"Temporary reduction of salary by up to 40 percent, for a period not exceeding one year,"* as provided for under Article 105, paragraph 1, subparagraph "c", item "i", and Article 108 of Law No. 96/2016, "On the Status of Judges and Prosecutors in the Republic of Albania," as amended.