

## INFORMATIVE NOTE

Tirana, 27 January 2024

### ***Regarding the request for disciplinary proceedings seeking the measures of “Reduction of Salary by 40% for 1 Year” and “Removal from the Position of Head of the Prosecutor’s Office” against Prosecutor K.Ll.***

The High Inspector of Justice initiated disciplinary proceedings against magistrate K.Ll., in his capacity as Head of the Prosecutor’s Office attached to the Court of First Instance of General Jurisdiction of Sarandë, based on six complaints submitted by a magistrate, concerning the disciplinary violations provided for under Article 102, paragraph 1, letters “c” and “l”, and Article 102, paragraph 2, letter “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 that:

- The actions and omissions of Head K.Ll. constitute a failure, in his capacity as head of the prosecutor’s office, to fulfill the obligations prescribed by law, in particular the duties relating to the case management system, pursuant to Article 102, paragraph 1, letter “l”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.
- The prosecutor has committed repeated violations of the rules of solemnity and the rules of conduct in his relations with other magistrates, pursuant to Article 102, paragraph 2, letter “dh”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.
- The disciplinary violation was committed with direct intent, and its negative impact may extend to the Prosecutor’s Office as a whole, creating a risk of similar incidents being repeated and thereby undermining the image of the Prosecutor’s Office.
- The magistrate has no prior disciplinary measure and has received positive professional evaluations.

The Report of the High Inspector of Justice concludes that the conduct and actions of magistrate K.Ll. constitute a “Serious Disciplinary Violation” and proposes to the High Prosecutorial Council (HPC):

1. Imposition of the disciplinary measure of “*Temporary Reduction of Salary by 40% for a Period of One Year*” for the disciplinary violation provided for under Article 102, paragraph 1, letter “l”, as well as Article 102, paragraph 2, letter “dh”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.
2. Proposal for the additional disciplinary measure of “*Removal from the Position of Head of the Prosecutor’s Office*,” provided for under Article 112, paragraph 2, letter “b”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended, for the disciplinary violation provided for under Article 102, paragraph 1, letter “l”, as well as Article 102, paragraph 2, letter “dh”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.