

INFORMATION NOTE

On the HIJ's Request for the Termination Without a Final Decision of the Disciplinary Proceedings against Former Magistrate M.F.

On 29 July 2024, the High Inspector of Justice (HIJ) initiated a disciplinary investigation, at the complainant's initiative, against magistrate M.F., a prosecutor at the Prosecution Office attached to the Court of First Instance of General Jurisdiction of Shkodër.

On 13 December 2024, the HIJ issued a decision expanding the subject matter of the disciplinary investigation against the magistrate, concerning the disciplinary violations provided for under Article 102, paragraph 1, subparagraphs "ç", "d" and "ë" of Law No. 96/2016, "On the Status of Judges and Prosecutors in the Republic of Albania," as amended.

Upon completion of the disciplinary investigation, on 25 April 2025, the HIJ submitted to the High Prosecutorial Council (HPC) the investigation report containing a request for disciplinary proceedings against magistrate M.F. Pursuant to Article 105, 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, the HIJ requested the imposition of the disciplinary measure of "Temporary Reduction of Salary."

Meanwhile, by decision dated 10 June 2025, the Special Appeals Chamber (SAC) amended the decision of the Independent Qualification Commission and ordered the dismissal from office of M.F. Pursuant to the Constitution and the law governing the transitional re-evaluation process, this decision takes immediate effect and results in the termination of the exercise of her office.

Consequently, M.F. no longer holds the status of a magistrate and is no longer subject to the disciplinary jurisdiction of the HPC. Under these circumstances, the disciplinary proceedings previously initiated have become devoid of subject matter and of any achievable purpose.

Pursuant to Article 95 of the Code of Administrative Procedures, under which administrative proceedings are terminated without a final decision when their subject matter or purpose becomes impossible to achieve, the High Inspector of Justice proposes that the High Prosecutorial Council decide to *terminate the disciplinary proceedings against former magistrate M.F. without issuing a final decision.*