

INFORMATIVE NOTE

Regarding the request for disciplinary proceedings seeking the measure of “Dismissal from Office” against Magistrate Z.V.

The High Inspector of Justice initiated disciplinary proceedings ex officio against magistrate Z.V., serving as a judge at the Elbasan District Court, for the disciplinary violation provided for under Article 140, paragraph 2, letter “b”, of the Constitution of the Republic of Albania, as well as Article 104 of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended, on the grounds of her conviction for committing the criminal offense of “Passive Corruption of a Judge, Prosecutor, and Other Officials of Justice Bodies,” as provided for under Article 319/ç of the Criminal Code.

The disciplinary investigation conducted by the inspectors of the High Inspector of Justice concluded that:

- The judge was found guilty by the Special Court of First Instance against Corruption and Organized Crime and by the Special Court of Appeal against Corruption and Organized Crime of committing the criminal offense of “Passive Corruption of Judges, Prosecutors and Other Officials of Justice Bodies,” provided for under Article 319/ç of the Criminal Code. She was sentenced to two years’ imprisonment, converted to a two-year suspended sentence, and deprived of the right to exercise public functions for a period of five years.
- With reference to the facts and circumstances accepted by the Special Court of First Instance against Corruption and Organized Crime and the Special Court of Appeal against Corruption and Organized Crime, it is established that: “...the criminal offense was committed with the primary motive of seeking an unlawful monetary benefit in exchange for taking an action intended to mitigate the sentence imposed on a citizen, by Judge Z.V.”
- The improper exercise of her duties by the magistrate, given the very nature of the criminal conduct committed, has had consequences for the administration of justice, seriously discredited her standing, authority, and dignity, and severely undermined public confidence in the magistrate and the justice institutions. It has seriously discredited the position and standing of a judge and undermined public confidence in the justice system.

The HIJ Investigation Report concludes that the disciplinary violation committed is so serious that it renders the magistrate unsuitable or unfit to continue exercising her function. Accordingly, it requests that the High Council of the Judiciary accept the request of the High Inspector of Justice to impose on magistrate Z.V. the disciplinary measure of “*Dismissal from Office*” for the disciplinary violation provided for under Article 140, paragraph 2, letter “b”, of the Constitution of the Republic of Albania, as well as Article 104 of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.