

INFORMATIVE NOTE

Tirana, 29 July 2026

Regarding the request for disciplinary proceedings seeking the measure of “Temporary Reduction of Salary by up to 40 percent...” against Judge S.D.

The High Inspector of Justice (HIJ) initiated disciplinary proceedings against magistrate S.D., a judge at the Court of First Instance of General Jurisdiction of Gjirokastër, following complaints submitted by the deputy chairperson of this court and two other complainants. The investigation was conducted in relation to the disciplinary violations provided for under Article 102, paragraph 1, letters “a” and “f”, and paragraph 2, letter “a”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.

Based on the totality of the facts established during the disciplinary investigation, it was proven that the magistrate committed the disciplinary violations defined by law as follows:

- Unjustified absence from duty for more than three working days in a year (specifically, seven days);
- Failure to submit a request for recusal from the proceedings or adjudication of a case when such recusal is mandatory by law, where the magistrate knew or should have known of the circumstances giving rise to such an obligation;
- Serious or repeated failure to comply with procedural and substantive legislation, or incorrect application of procedural and substantive legislation, where such failure is established by a higher court.

The HIJ investigation report assesses that the violations were committed intentionally, taking into account, among other factors, the magistrate’s professional experience. According to the report, Judge S.D.’s actions and omissions undermined the principles of impartiality and legality, the rights of the parties to the judicial proceedings, as well as the prestige of the magistrate and public confidence in the judicial system. The report further assesses that the conduct identified presents a risk of similar practices being repeated by other magistrates and creates a negative precedent for the functioning of the judicial system.

The HIJ inspectors found that there were no objective grounds or circumstances beyond the magistrate’s control that could justify the violations identified. As mitigating circumstances, the report takes into consideration the fact that the magistrate had no previous disciplinary measures in force and that she cooperated during the disciplinary investigation.

The HIJ concluded that Judge S.D.’s actions and omissions constitute serious disciplinary violations under Article 102, paragraph 1, letters “a” and “f”, and paragraph 2, letter “a”, of Law No. 96/2016. Accordingly, the HIJ proposed that the High Council of the Judiciary impose on Judge S.D. 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, letter “c”, subparagraph “i”, in conjunction with Article 108, letter “b”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.