

INFORMATION NOTE

Tirana, 17.09.2026

On the request of the High Inspector of Justice for disciplinary proceedings with the sanction of “Public reprimand” against Judge L. Zh.

The High Inspector of Justice opened, on its own initiative, a disciplinary investigation into Judge L. Zh., serving at the Berat First Instance Court of General Jurisdiction, for the disciplinary misconduct provided for in Article 102, paragraph 2, letter “c”, of Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended, in connection with the manner in which the sentence period of a convicted person was calculated.

The ILD disciplinary investigation established actions and omissions by Judge L. Zh. that constitute disciplinary misconduct. Specifically:

- In examining a request for the aggregation of a convicted person’s sentences, the judge did not correctly and fully apply the legal provisions on calculating the unserved portion of the sentence, or on recognizing the period of pre-trial detention served outside the territory of Albania for the purposes of extradition.
- The misconduct committed by magistrate L. Zh. resulted in the convicted person being deprived of liberty for a long period of time beyond the date on which, according to the calculation established in the disciplinary investigation, the sentence should have ended.
- The magistrate’s misconduct infringed a fundamental right of the convicted person and also undermined public trust in the justice system.
- The magistrate’s established actions and omissions create a risk that erroneous standards will be repeated in similar cases concerning the aggregation and execution of sentences, thereby creating the potential for infringements of the liberty of other convicted persons.
- The HIJ investigation did not find that the magistrate acted intentionally or with gross negligence; rather, she acted out of carelessness and a lack of due professional diligence. In substance, she examined the necessary evidence and sought to reason her decision on the basis of the relevant legal provisions, although her legal analysis proved to be incomplete.

In assessing disciplinary liability, the High Inspector of Justice took into account the nature and circumstances of the misconduct, the degree of culpability, the consequences that ensued, the risk created, the magistrate’s professional experience, the absence of previous disciplinary measures, and her cooperative attitude during the disciplinary investigation.

In these circumstances, HIJ considers that the misconduct committed constitutes “*Minor disciplinary misconduct*” within the meaning of Article 102, paragraph 2, letter “c”, of Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended, and proposes that the High Judicial Council accept the request to initiate disciplinary proceedings against Judge L. Zh. and impose on her the disciplinary sanction of “*Public reprimand*”.