INFORMATION NOTE

Tirana, 23.10.2026

Regarding the request of the High Inspector of Justice for disciplinary proceedings with the measure of "Dismissal from duty" against Judge A.XH.

The High Inspector of Justice has initiated disciplinary proceedings against magistrate A. XH, a judge at the Kukës First Instance Court of General Jurisdiction, based on a complaint by the Vice-President of the Kukës First Instance Court of General Jurisdiction concerning the judge's failure to report for duty. During the investigation of the case, the High Inspector of Justice also identified other disciplinary violations, thereby expanding the scope of the investigation against the judge.

From the analysis of the facts and evidence gathered during the disciplinary investigation, the following disciplinary violations have been established against magistrate A.XH;

- Failure to submit a request for recusal from the proceedings, established in two criminal proceedings, despite the existence of close family ties with the defendants.
- Unjustified and repeated failure to fulfil judicial duties, evidenced by the adjournment of hearings without objective and substantiated grounds, including 38 hearings adjourned without specific reasons and 29 hearings adjourned for unsubstantiated family-related reasons.
- Repeated delays and unjustified prolongation of procedural actions and acts, evidenced by 341 decisions pending the preparation of their reasoning, 331 of which were overdue under the statutory deadline, as well as the submission of only 4 reasoned decisions during the period January-June 2026 and the existence of decisions that had not been pronounced for extended periods.
- Unjustified absence from duty for more than three working days per year, specifically, 23 days during February and March 2026, without supporting documentation.
- Repeated violation of the rules of conduct in institutional and professional relations, manifested in communication with the court's management, the court administration and support staff, through inappropriate conduct and expressions established during the disciplinary investigation.

The HIJ report concludes that the violations committed by Judge A.XH. do not constitute isolated incidents but are characterized, in part, by their recurrence, continuity and impact on the conduct of judicial proceedings, the functioning of the court and the effective exercise of the parties' procedural rights. The HIJ has taken into consideration the nature and circumstances of the violations, their frequency , the proven consequences, the continuation of the problems despite the support measures provided to the magistrate by the court's management, the previous disciplinary measure of "Public Reprimand", as well as the mitigating circumstances supported by evidence, while excluding justified periods and avoiding a double assessment of the same facts. Based on the totality of the proven violations, the HIJ considers that the conditions are met for proposing to

the High Judicial Council the imposition of the disciplinary measure of “Dismissal from duty” against Judge A.Xh, for the disciplinary violations provided for under Article 102, paragraph 1, letters “a”, “ç”, “d” and “f”, as well as Article 102, paragraph 2, letter “dh”, of Law No. 96/2016, as amended.