INFORMATION NOTE

Tirana, 29.10.2026

Regarding the request of the High Inspector of Justice for disciplinary proceedings with the measure of "Reduction of salary by up to 40 per cent for a period not exceeding one year" against Prosecutor S.Q.

The High Inspector of Justice (HIJ) has initiated disciplinary proceedings on its own initiative against magistrate S.Q., prosecutor at the Prosecuting Office of the Court of First Instance General Jurisdiction of Dibër, for serious or repeated failure to comply with procedural and substantive legislation, or its incorrect application, established by a higher court. Upon examination of the facts and evidence administered during the disciplinary investigation, the HIJ found that magistrate S.Q. had committed several actions and omissions that constitute disciplinary violations:

- The prosecutor refused to forward the information requested by the Court of Appeal, relying on the argument of preserving the secrecy of the investigation. This position was considered by the court to constitute an incorrect application of criminal procedural legislation, with direct consequences for the assessment of the security measure, the quality of the investigations conducted up to that stage, and the claim under consideration.
- The actions and omissions affected the administration of justice, limiting the Court of Appeal's ability to rule on all grounds raised in the appeal, in a case directly concerning the individual's fundamental right to liberty.
- The prosecutor was found to have maintained the same position regarding the interpretation and application of procedural provisions on the preservation of the secrecy of the investigation, including when assessing aggravating circumstances.
- The magistrate's omission is not related to the lack of professional skills, but constitutes direct and voluntary conduct, since, despite her limited experience as a prosecutor, her previous professional experience demonstrated knowledge of the responsibilities arising from the performance of her duties as a magistrate towards the parties to the proceedings.
- The magistrate's conduct has compromised the image of the justice system and public trust in its administration, risking the creation of a negative precedent for other magistrates as well, by encouraging the repetition of inappropriate practices in similar cases

The HIJ investigation report emphasizes that compliance with the law and procedural rules constitutes a fundamental obligation for every prosecutor. The exercise of this function must be characterized by impartiality, objectivity and fairness, ensuring the rights of the parties and the conduct of fair legal proceedings. Failure to comply with these obligations undermines legal certainty, damages public trust in the Prosecution Office and may hinder the courts in the effective exercise of their powers. For these reasons the HIJ has reached the conclusion that the actions and omissions of magistrate S.Q., assessed as a whole, constitute a serious disciplinary violation, and has proposed to the High Prosecutorial Council the imposition of the disciplinary measure of

“Temporary reduction of salary by up to 40 per cent, for a period not exceeding one year” , on the basis of Article 102, point 2, letter “a”, of Law. No. 96/2016, as amended.