

22 July 2019

Press release

The Public Commissioner was present today at the Appeal Chamber, where continued the judicial review of the appeal filed against the Decision no. 43/2018, of the Independent Qualification Commission, for the subject of re-evaluation Mrs. Nertina Kosova, magistrate/judge at Serious Crimes Appeal Court.

The Public Commissioner and the subject of re-evaluation presented their final claims as closed the investigation proceedings.

The Public Commissioner submitted that the judicial review based on the grounds of the appeal, pointed out the deficiencies found in several elements of the control of the asset assessment criterion, during the investigation of the case by the Independent Qualification Commission. The Public Commissioner considered that the investigation conducted by the Adjudication Panel, aimed the necessity to the similar cases, when recognized the factual and jurisdiction circumstances therein, the seeking appeal of the Public Commissioner could be rather alternative amongst the jurisdictional control of the College, accordingly proved, all the grounds of the appeal of the Public Commissioner, in reference to the Article 52 of law no. 84/2016, were found answers to nearly 70 (seventy) new evidences presented by the subject of re-evaluation.

The Public Commissioner requested to the Adjudication Panel, to uphold the decision no. 43/2018 of the Independent Qualification Commission, for the subject of re-evaluation Mrs. Nertina Kosova, by diverse reasoning, wherein to be argue for all the grounds of the appeal and the evidences presented in this regard, by the subject of re-evaluation.

Whilst, the subject of re-evaluation, in the final claims, clarified that the evidence submitted from her in the College, fulfilled the need to the investigation of the grounds of the appeal raised by the Public Commissioner, whereon enabled a thorough investigation as requested by him.

With regard to the submission of the final claims, the Panel decided to close the judicial review, and informed the parties that the final decision shall be announced on the next hearing session held on July 26, 2019, at 09:00 a.m.

Pursuant to point 1, Article 16 of the Regulation “On the activity of the Institution of Public Commissioners”, the appeal and elements of the case are published on the official website of this institution: <http://ikp.al/ankime/>

The Institution of Public Commissioners has been established and operates under Article 179/b, the Annex of the Constitution of the Republic of Albania and Law No. 84/2016, “On the Transitional Re-evaluation of Judges and Prosecutors in the Republic of Albania”.

Public Commissioners represent the public interest during the process of re-evaluation of judges and prosecutors in the Republic of Albania.