

**20 January 2020**

**Press release**

The Public Commissioner was present today at the Appeal Chamber, while initiated the judicial review of the appeal filed against the Decision no. 84/2018, of the Independent Qualification Commission, for the subject of re-evaluation Mr. Besnik Cani, magistrate/prosecutor, at the Prosecution Office of the First Instance Court Elbasan, and also member of the High Prosecutorial Council.

In today's hearing session, the subject of re-evaluation was assisted by his defense attorney, wherein his absence induced the adjournment of the previous hearing.

Prior to the commencement of the judicial review, the subject of re-evaluation, through his defense attorney filed a preliminary request to ouster from the adjudication panel two judges of the Appeal Chamber.

After withdrawing for decision, the adjudication panel, referring to Article 75/6 of the Code of Civil Procedure, notified the parties that the ouster request had been proceeded by law and requested for the continuance of the case.

In addition to the preliminary claims, the attorney of the subject of re-evaluation filed two additional requests, presenting the suspension of the adjudication of this case, and rejection of the appeal of the Public Commissioner. Following the opinion of the Public Commissioner, who demanded to rule out the two preliminary requests, that of suspension of the adjudication case and the rejection of the appeal, then the adjudication panel withdrew for its decision

The adjudication panel after deliberation, notified the parties over their decision to rule out the request to the suspension of adjudication of the case, whilst with regard to the rejection of the appeal would be communicated during the following sessions and the final decision.

After the case was declared open, the Public Commissioner set out the grounds of the appeal. Whereas the subject of re-evaluation and his defense attorney, amid their objections, refused the grounds of the appeal, requesting the administration of some new evidence in this regard.

At the end of the public hearing, in order to follow the formal procedure and to make acquainted to the Public Commissioner with the evidence presented by the subject of re-evaluation, the adjudication panel decided to adjourn the hearing on February 11, 2020, at 10:00.a.m.

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

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 transitional process of re-evaluation of judges and prosecutors in the Republic of Albania.