

22 July 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. 112/2019, of the Independent Qualification Commission, for the subject of re-evaluation Mr. Dritan Peka, prosecutor, head of the Prosecution Office of the Appeal Court, Tirana.

At the commencement of the hearing session, the legal representative of the subject of the re-evaluation submitted the request for reopening the administrative investigation and providing new evidence in view of the appeal of the Public Commissioner.

The Public Commissioner, in his stance, upheld all the grounds of the appeal and submitted to the adjudication panel the request to be conducted a financial analysis regarding the financial adequacy of the subject of the re-evaluation for the period 2010-2016, as he also referred his viewpoints on the public denunciations, administered by the AC, a few days ago, and requested from the Appeal Chamber that the controlling jurisdiction of the IQC decision for the subject of re-evaluation Mr. Dritan Peka, to be exercised over the three re-evaluation criteria.

The subject of re-evaluation objected to the grounds of the appeal and was also explained regarding the denunciations referred to in the Public Commissioner's appeal, whilst requested to be provided time to present his position concerning the public denunciations administered in the AC. Following the objections, his legal representative requested the administration of new evidence in view of the grounds of the Public Commissioner's appeal.

After deliberation, the adjudication panel decided to reopen the judicial investigation and accepted to administer in the quality of evidence of three new acts, introduced by the subject of re-evaluation. The adjudication panel announced that it will decide on the request of the Public Commissioner, for the conduct of the financial analysis, upon hearing his arguments regarding the evidence administered and, decided not to investigate the denunciation received in the email address of the Institution of Public Commissioners on 15.4.2019, since the denunciation does not include indicia for evidence regarding the re-evaluation criteria as stipulated in Article 53/1, of law no. 84/2016.

The adjudication panel decided to adjourn the hearing session on September 14, 2020, at 10:00 a.m., in order to provide to the parties the opportunity to express their views on the evidence and on the public denunciations as well.

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, and 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.