

11 September 2020

Press release

The Public Commissioner was present today at the Appeal Chamber, while continued the judicial review of the appeal against the Decision no. 103/2019, of the Independent Qualification Commission, for the subject of re-evaluation Mrs. Donika Prela, magistrate /prosecutor, at that time lead of the Prosecution Office of the First Instance Court for Serious Crimes.

During the verification of the presence of the parties in the court room, the presiding judge indicated the absentia of the subject of the re-evaluation. Whilst, present at the hearing was the legal representative, appointed by court statement from the subject of the re-evaluation, who announced that due to health issues, the subject of the re-evaluation was unable to appear at the hearing session and requested for the trial continuance to proceed.

Following the hearing, the adjudication panel, after withdrawing to decide on the legal representative entitlements, based on the judicial statement of the subject of the re-evaluation, informed the parties that during the time when the panel was in the deliberation room, an electronic communication had arrived from the official address of the subject of the re-evaluation, confirming the willingness to be represented in her absentia, by the legal representative appointed by her.

After the parties involved in the trial requested for the trial continuance to proceed, the adjudication panel, in order to perform the assigned task remained from the previous session, gave the word to the legal representative of the subject of re-evaluation to present the objections related to the submissions of the Public Commissioner, in the session dated on 3.9.2020.

Upon the presentation of the objections by the legal representative of the subject of the re-evaluation, the adjudication panel requested the parties whether they had more acts to present in relation to the investigation of the case. Since the parties in the trial established that they had no further evidence to present, the panel requested information unless they were disposed to present the final conclusions on the case.

The Public Commissioner expressed the readiness to present his final conclusions, in conformity with the assignment entitled by the adjudication panel in the previous session. The legal

representative of the subject of the re-evaluation requested time in order to present the final conclusions, alleging to present them after the final conclusions of the Public Commissioner would be presented.

After withdrawing for decision, the adjudication panel decided to end the judicial investigation and invited both parties to present their final conclusions, and adjourned the next hearing on September 18, 2020, 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 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”.

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