

**02 November 2020**

### **Press release**

The Public Commissioner was present today at the Appeal Chamber while continued the judicial review of the appeal filed against the Decision no. 187/2019, of the Independent Qualification Commission, for the subject of re-evaluation Mr. Elvin Gokaj, prosecutor/ at that time head of the Appeal Prosecution Office, Shkodër.

The Public Commissioner, during his submissions, regarding the probative value of the new acts filed by the subject of re-evaluation, assessed that they meet the formal requirements for administration, but do not prove otherwise. Referring to the above acts, the Public Commissioner stated that the subject of re-evaluation failed to duly justify his actions and benefits from the bank accounts, as well as to credibly explain the non-declarations of the joint bank accounts analyzed in the appeal.

The Public Commissioner, when questioned by the rapporteur of the adjudication panel, related to one of the grounds of the appeal, concerning the negative balance in the costs and expenses items of the subject of re-evaluation and his spouse as of 2010-2016, he reaffirmed his position for all the appeal grounds and that in today's session required to the subject to explain the actions occurred on the accounts which were taken into analysis during the appeal.

The presiding judge at the end that the session announced that, the adjudication panel finds its necessary to have a clear view of the grounds of the appeal, which are exactly what the Public Commissioner stands for, likewise his arguments in relation to them, asking to be submitted in written form, without making a differentiation between the grounds being considered important or irrelevant grounds, as for the Appeal Chamber there cannot be such separation through the grounds of appeal, since they are already in the appeal.

With the aim of presenting as comprehensive as possible the appeal grounds, the adjudication panel requested to the Public Commissioner to present the financial analysis of the residential property in Durrës as well as the joint bank accounts of the spouse, her mother, and the parents of the subject of re-evaluation. The adjudication panel requested that these requirements of the court could be submitted by the Public Commissioner at the Appeal Chamber, upon November 4, 2020, at 15:00, in order to proceed further with the subject of re-evaluation.

The next public hearing shall be held on November 6, 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 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 process of re-evaluation of judges and prosecutors in the Republic of Albania.