

**18 March 2021**

**Press release**

The Public Commissioner was present today at the Appeal Chamber while initiated the judicial review against the decision no. 173/2019, of the Independent Qualification Commission, for the subject of re-evaluation Mr. Artan Madani, prosecutor/ Head of the Prosecution Office of the First Instance Court, Kavajë.

The Public Commissioner, in submitting the appeal, sustained his findings and based on the outcomes of the IMO recommendation to file the appeal, assessed that the decision of the Independent Qualification Commission to the confirmation in duty the subject of re-evaluation does not act in accordance with the Appeal Chamber jurisdiction, regarding the interpretation of the provisions of the Annex of the Constitution and law no. 84/2016. The Public Commissioner expressed his standing to the seeking appeal for the amendment of the decision of the Independent Qualification Commission and the dismissal from office of the subject of re-evaluation for lacking full and insufficient disclosure of the asset assessment and jeopardizing the public trust.

The subject of the re-evaluation, in opposing of the appeal grounds, requested the reopening of the judicial investigation and the administration in its function of some acts referred to in the hearing.

The Public Commissioner, questioned by the presiding judge about his position related to the request of the subject of re-evaluation for the reopening of the judicial investigation, stated that in the existing case in the appeal no further investigation was requested by the Appeal Chamber, but there would be no objections in this regard whether the adjudication panel would decide the judicial review of the case.

The adjudication panel, by intermediate decision, approved the opening of the judicial investigation, accepting the administration of a part of the acts, submitted at the hearing by the subject of re-evaluation. Whilst, for the rest of the acts, which were mainly issued by institutions of state administration of foreign countries, in order to provide time to the subject of re-evaluation to submit them properly as required by law, decided to adjourn the following hearing on April 13, 2021, 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 of 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.