

19 April 2021

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. 231/2020, of the Independent Qualification Commission, for the subject of re-evaluation, Mr. Anton Martini, commanded prosecutor at the Prosecution Office of the First Instance Court, Tiranë.

The presiding judge, after verifying the presence of the parties in hearing session, in reference to the assignments left by the previous session, invited the parties to present their views regarding the provability of the administered acts and the public denunciations.

The Public Commissioner, in his position stated that, the acts administered by the adjudication panel in the quality evidence, do not prove circumstances different from what was investigated and documented by the Commission during the administrative investigation also in line with what was submitted by the Public Commissioner, in the appeal grounds before the Appeal Chamber related to the asset, proficiency assessment criterion as well as the overall assessment of the case, referring to the provisions of law no. 84/2016.

Regarding the denunciations filed by the Appeal Chamber, the Public Commissioner noting that they contain the elements provided by Article 53 of Law no. 84/2016 and that their administration is decided in the context of the opening of judicial investigation, over the request of the subject of re-evaluation, he left to the court the assessment concerning their probative value.

Under such circumstances, the Public Commissioner, standing by all the appeal grounds, requested that they could be considered by the Appeal Chamber and, at the end of the case review, to decide the amendment of decision no. 231/2020, of the Independent Qualification Commission, and the dismissal from office of the subject of re-evaluation, Mr. Anton Martini, prosecutor at the Prosecution Office of the First Instance Court, Shkodër.

The subject of the re-evaluation, in his position regarding the public denunciations, filed at the Appeal Chamber, considered the allegations emerged to be intentional.

The adjudication panel, based on the requirements of Article 45 and Article 53, paragraph 3, of Law no. 84/2016, decided to open the judicial investigation for two more denunciations and to request information and copies of procedural acts in the General Prosecutor Office and in the Prosecution Office of the First Instance Court, in Shkodër and Fier, regarding the fact whether the subject of the re-evaluation had any involvement in criminal matters, as referred to in the denunciations.

In order to administer the above acts by the relevant institutions, the adjudication panel decided to adjourn the following hearing, on May 11, 2021, at 10:00 a.m.

Pursuant to point 1, Article 16, of the regulation of the Institution of Public Commissioners, the appeal and elements of 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 re-evaluation process of judges and prosecutors in the Republic of Albania.