

02 June 2021

Press release

The Public Commissioner was present today at the Appeal Chamber while initiated the judicial review against the decision no. 190/2019, of the Independent Qualification Commission, for the subject of re-evaluation, Mr. Ramiz Lala, judge/ Chairman of the Administrative Court of First Instance, Gjirokastër.

The presiding judge informed that the subject of the re-evaluation had submitted to the Appeal Chamber the objections and evidence in view of the investigation of the appeal grounds, wherewith there were acquainted the Public Commissioner and the IMO observer, as participants in the process, informing the subject of the re-evaluation that the mentioned acts were not taken into consideration, as they had to be presented through procedural due manner in the public hearing.

Following this narrative, the presiding judge invited the parties to present according to the procedure, the submissions of the appeal grounds and the objections related to them.

The Public Commissioner, referring to the findings in the appeal, stated the necessity to investigate over the claims raised in the denunciation of the General Directorate of State Police for lacking of professional skills of the subject of re-evaluation, in the assessment of two cases, requesting from the Appeal Chamber, the complete administration of the files.

Clarifying that the assessment of the asset criterion, in the present case, is considered related to the assessment of the proficiency criterion, the Public Commissioner requested from the Appeal Chamber the re-evaluation of financial analysis items, as of the years 2011 and 2014-2016, since the subject of re-evaluation results with negative balance.

The subject of the re-evaluation, from his part, rejected the claims raised in the denunciation referred by the Public Commissioner and requested from the Chamber the administration of evidence in view of the appeal grounds.

Following the administration of the evidence, the adjudication panel requested to the Public Commissioner to state his position regarding their content.

The Public Commissioner, in consideration of the treatment of the objections of the subject of re-evaluation, in relation to the appeal grounds, concentrated on the arguments presented for the grounds and the seeking of his appeal.

The adjudication panel, after consultation regarding the request of the Public Commissioner, according to Article F, paragraph 3 of the Annex of the Constitution and Articles 45 and 49 of law no. 84/2016 "On the transitional re-evaluation of judges and prosecutors in the Republic of Albania", with an intermediate decision, decided to request additional documentation to the Administrative Court of First Instance Gjirokastër and Tirana Administrative Court of Appeal, as far as relevant for further investigations on the transitional process of re-evaluation of the subject of re-evaluation.

The adjudication panel also decided to request the Legal Service Unit at the Appeal Chamber to conduct a financial analysis for the subject of the re-evaluation, as of the years 2011, 2014, 2015 and 2016.

In order to enforce this intermediate decision, the adjudication panel decided to adjourn the hearing session on June 22, 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 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.