

26 July 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. 324/2020, of the Independent Qualification Commission, for the subject of re-evaluation, Mr. Sokol Ngresi, judge at Vlora Court of Appeal.

After verifying the presence of the parties in the hearing, the presiding judge communicated the responses received from the institutions referred to in the intermediate decision of the previous hearing emphasizing that the State Cadastre Agency of Vlora, has not yet responded to the request of the adjudication panel and three denunciations lodged in the Chamber.

Once the parties confirmed their acquaintance with the above acts, the adjudication panel requested their stance on the administration in view of the judicial investigation. The Public Commissioner assessed that the acts meet the legal criteria to be administered, while the subject of the re-evaluation claimed that the information provided by the construction company was forged and informed the panel that simultaneously with filing by the relevant authorities a criminal report for documents forging, had conducted examinations, to corroborate his allegations for documentation forging. Thereafter, the subject of the re-evaluation referred to the adjudication panel the acts provided by the State Cadastre Agency of Vlora, raising claim that eventually this institution could have intentionally impeded the information to the Chamber. The subject of the re-evaluation also rejected the allegations raised in the recent denunciations filed to the Appeal Chamber and asked the adjudication panel to administer additional evidence.

The adjudication panel after deliberation decided to administer in the quality of evidence the acts forwarded by the institutions, the new denunciations as well as the additional evidence filed in the hearing by the subject of re-evaluation along with the information provided by him from the State Cadastre Agency of Vlora.

Subsequently, the presiding judge requested the position of the Public Commissioner and the subject of re-evaluation related to the administered acts based on the intermediate decision of the previous hearing.

The Public Commissioner submitted that based on the state of the acts administered by the panel, the construction company has confirmed the ordering agreement relationship between the subject

of re-evaluation for a real estate property in the city of Vlora, such relationship was revoked between the parties, the referenced company presented the amounts paid out, according to the respective collection mandate. According to the information provided by HIDAACI, the Public Commissioner assessed that they lack support in the claims of the subject of re-evaluation in his counter-appeal and in the submissions stated in the hearing.

The Public Commissioner also referred to the content of the new denunciations filed to the Institution of Public Commissioners and the Appeal Chamber.

The subject of the re-evaluation, in contrary to the allegations raised in the public denunciations, reiterated his position, considering them as fabricated information in order to damage the process initiated against him and after the questions of the case rapporteur and the question of the adjudication panel regarding the relationship with the representative of the construction company, requested to report circumstances during the hearing session, but in closed doors.

Regarding this request, the adjudication panel reserved the right to express him shortly before having conducted the procedural actions and the following decided:

- To request the State Cadastre Agency of Vlora, based on Article 50 of law no. 84/2016 the reason for the lack of cooperation with the Chamber in forwarding of the acts required in view of the judicial investigation.
- To call in the capacity of witness the citizen *** ***, the administrator of the construction company.
- To order the citizen *** ***, to submit to the Appeal Chamber the original acts of the contracts, requested by the Chamber.

In order to carry out these proceedings, the following hearing session was adjourned on September 9, 2021, at 10:00 a.m.

Pursuant to paragraph 1, Article 16 of the regulation 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.