

30 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. 183/2019, of the Independent Qualification Commission, for the subject of re-evaluation, Mr. Petrit Çano, prosecutor/Head of the Prosecution Office of the First Instance Court, Krujë.

At the commencement of the hearing, the presiding judge announced that, through the International Observer in the Chamber, had been filed a denunciation against the subject of the re-evaluation, by the citizen Mr. N.LL, the denounce has been forwarded to the parties present in the trial. Likewise, the presiding judge requested information from the Public Commissioner regarding the execution of the assignment set at the end of the previous hearing, to become acquainted with the information to the relevant information organ, as well as the position on this recent filed denunciation.

The Public Commissioner informed that, through the International Observer the adjudication panel was at the same time informed regarding the lack of acquaintance with the data of the information organ, which was also confirmed at the hearing by the representative of the International Monitoring Operation. The Public Commissioner, under these circumstances, stated that whether the adjudication panel deem necessary the potential need for further investigation, based on the data of the information organ, such data noticed by the panel. Regarding the recent filed denunciation, the Public Commissioner underlined that the citizen Mr. N.LL. is addressed to the representative of the International Monitoring Operation to request further investigations about the facts that resulted in being part of a previous denunciation, for which the adjudication panel, earlier during this trial, had decided that it did not constitute the elements provided by Article 53 of law no.84 / 2016.

On the same questions of the adjudication panel, the subject of the re-evaluation claimed that it is difficult to maintain a position on the grounds of the report of the responsible body, which has altered over the ascertainment of inadequacy for the continuation of the task, considering that he is not acquainted with the content of these data. In spite of this report, the subject of the re-evaluation submitted the fact that, from the last year, by the same institution, he was provided with the highest level of security certificate, which should be considered as evidence of the background assessment criterion. Regarding the denunciation, the subject of re-evaluation

claimed that the whistleblower reiterates the same facts previously claimed, as regards conditions when against this citizen the Prosecution Office, headed by the subject of re-evaluation, is conducting verifications based on criminal reports filed by citizens of the Kruja city.

Following the hearing session, the representative of the International Monitoring Operation, addressed to the subject of re-evaluation some questions regarding the content of the denunciation of the citizen Mr. N.LL.

Subsequently, the adjudication panel withdrew for decision-making regarding the proceeding of the trial of the case. After returning to the courtroom, the panel informed the parties of the decision not to administer the denunciation filed through the representative of the International Monitoring Operation, based on the same legal reasons for which it was approachable in the same way, even earlier in this trial.

The presiding judge also informed the parties participating in the trial that was decided that to the Public Commissioner should be given the possibility to be institutionally acquainted with the data of the informing authority and therefore the following hearing was adjourned to take place on August 8, 2021, at 12.00 p.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.