

21 July 2021

Press release

The Public Commissioner within the legal time limit filed an appeal at the Appeal Chamber by the Constitutional Court against the Decision no. 374/2021, of the Independent Qualification Commission, for the subject of re-evaluation, Mr. Shkëlqim Miri, former judge of the Tirana Court of Appeals.

After verifying the presence of the parties, the presiding judge noticed the absence of the subject of the re-evaluation, for which he confirmed that although he was aware of the hearing occurring, he had not presented any legal reason for the lack of his participation.

After being acquainted with the position of the Public Commissioner, the adjudication panel decided the continuance the judicial review in the absence of the subject of the re-evaluation.

The Public Commissioner submitted a preliminary request to the adjudication panel, whereby he requested that the appeal against decision no. 374/2021, of the Independent Qualification Commission, corresponding to the subject of re-evaluation, Mr. Shkëlqim Miri, to be reviewed after the Appeal Chamber has adjudicated the case related to the appeal he had filed against the decision no. 316/2021, corresponding to the subject of re-evaluation, Mr. Ibrahim Hoxha, where, among others, was required to the College for indication to the Independent Qualification Commission to resolve similar cases.

The adjudication panel after consultation ruled out the request of the Public Commissioner as not based in law.

Subsequently, the Public Commissioner, at the request of the presiding judge stated the appeal grounds, sustaining his seeking appeal, that decision no. 374/2021, of the Independent Qualification Commission, for the subject of re-evaluation Mr. Shkëlqim Miri to be examined by the Appeal Chamber and pursuant to Article 66 of Law no. 84/2016, to decide to amend the point 1 of the provision otherwise to uphold the decision.

The adjudication panel, upon receiving the confirmation of the Public Commissioner that there was no other procedural request, decided to end the judicial investigation and invited him to present the final conclusions in the subsequent hearing, which will be held on September 8, 2021, at 10 a.m.

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