

30 September 2021

Press release

The Public Commissioner was present today at the Appeal Chamber while initiated the judicial review against the decision no. 286/2020, of the Independent Qualification Commission, of the assessee Mr. Genti Shala, magistrate/judge at Tirana Court of Appeals.

During the verification of the parties' presence, at the request of the presiding judge, the Public Commissioner, Mr. Darjel Sina, submitted the elements of the case filed by the Public Commissioner Mr. Florian Ballhysa, who had announced the impossibility of his participation in the hearing.

The Public Commissioner in sustaining the appeal grounds, requested by the Appeal Chamber to reopen the judicial investigation concerning two new issues, previously uninvestigated and unfounded, throughout the decision of the Commission, which are submitted in terms of content and are part of the recommendation of IMO, respectively: a denunciation received in the address of the International Monitoring Operation, on 10.11.2020, regarding the ownership of the assessee in a construction company and a loan contract of 2015, reflected in the notarial register, administered by the Ministry of Justice.

In the following of the seeking of the appeal, the Public Commissioner requested from the adjudication panel the full administration of documentation practice related to the two aforementioned issues.

The assessee from his position, rejected the allegations raised in the denunciation, indicating them false and misleading information, while regarding the notarial act he claimed a technical erroneous in the notarial register, emphasizing that it was a loan contract for the use of a vehicle in 2015, during a family trip abroad.

The adjudication panel, with an intermediate decision, decided to reopen the judicial investigation in view to administer the acts filed by the assessee as well as to request access and outright administration of all documents and acts in the business Register of the National Business Center. The adjudication panel also decided to administer the documentation practice on the notarial act referred to in the appeal and not to investigate over the three denunciations deposited at the College.

Following the response of the Public Commissioner, referring to the questions addressed by a member of the panel, the latter decided to close the judicial investigation and invited the parties to present the final conclusions in the hearing of October 7, 2021, at 14:00 p.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 re-evaluation process of judges and prosecutors in the Republic of Albania.