

15 December 2021

Press release

The Public Commissioner was present today at the Appeal Chamber while initiated the judicial review of the appeal filed against the Decision no. 221/2019, of the Independent Qualification Commission, of the assessee Ms. Anita Jella, Prosecutor /Head of the Prosecution Office in the First Instance Court, Durrës.

After verifying the presence of the parties in the hearing, the presiding judge communicated that the assessee and the Public Commissioner had filed their submissions at the Appeal Chamber, and informed that the parties in the process were acquainted with the denunciations filed recently at the College.

The Public Commissioner, sustaining all the appeal grounds, presented for review before the adjudication panel, issues related to; inaccurate and insufficient declaration for the control of the asset assessment criterion and the evaluation of the facts and circumstances, which contain the transferred practices to the competent inspecting disciplinary body for disciplinary violations, whereby the Public Commissioner, deemed that the assessee has not proved otherwise of the burden of proof. The Public Commissioner considered that the controlling and re-evaluation jurisdiction of the Appeal Chamber will have to be exercised for all three re-evaluation criteria and at the end of the judicial review to be decided the amendment of the decision, no. 221/2019, of the IQC ,and the dismissal from office of the assessee, Ms. Anita Jella.

The assessee, in expressing her objections, claimed the opposite of the appeal grounds, requesting from the adjudication panel to reopen the judicial investigation, to administer new evidence, refuting the appeal of the Public Commissioner and to uphold the decision of the IQC for the confirmation in office.

Regarding her stance on the denunciations recently filed at the Appeal Chamber, the assessee requested time for the written preparation, while the Public Commissioner reserved the right to express himself after being acquainted with her claims in this regard.

The adjudication panel decided to reopen the judicial investigation and administer in the quality of evidence the acts lodged at the hearing by the assessee, and after the case rapporteur addressed several questions to the assessee, related to the asset criterion, decided to adjourn the hearing on December 20, 2021, at 10:00 a.m., in order to provide time to the assessee to prepare her stance related to the denunciations filed at the College, as well as on the questions addressed to her during the hearing.

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.