

20 December 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. 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 invited the assessee to present her submissions regarding the public denunciations filed to the Appeal Chamber, as well as the questions addressed in the previous session.

The assessee, during her stance, objected to the allegations emerging from the denunciations, and in order to prove the opposite, she lodged new acts to the College. In respect of the questions addressed by the case rapporteur, the assessee claimed that they exceeded the Public Commissioner's appeal, and that the same questions were given comprehensive response also during administrative investigation in the Independent Qualification Commission.

Subsequently, the presiding judge requested the position of the Public Commissioner over the statements of the assessee in the previous session, as well as the public denunciations recently filed to the College.

The Public Commissioner, in his position, assessed that the submissions of the assessee and the attached acts do not constitute circumstances different from what was investigated and documented by the Commission during the administrative investigation and in spite of being stated by the Public Commissioner in the appeal grounds, which, in a thorough analysis of the administered evidence, in consideration of the Recommendation of IMO, are considered sufficient to reach into a final conclusion, that the assessee does not achieve a trustable level to the confirmation in office. Regarding the denunciations, the Public Commissioner expressed that they do not contain facts and circumstances for further processing, assigning the approaches of the decision-making to the court.

The adjudication panel, after consultation, administered in the quality of evidence new acts submitted to the hearing by the assessee and decided to adjourn the following hearing session on January 10, 2022, at 10:00 a.m., in order to take a decision related to the denunciations filed to the Appeal Chamber.

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.