

25 January 2022

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. 224/2019, of the Independent Qualification Commission, of the assessee Mr. Astrit Kalaja, judge at Shkodër Court of Appeal.

After verifying the presence of the parties, the presiding judge informed that assessee and the Public Commissioner have previously submitted on 7.1.2022, to the Appeal Chamber their submissions and written objections.

The Public Commissioner, sustaining all the appeal grounds presented for review before the adjudication panel, issues related to the inaccurate and insufficient declaration of the asset assessment criterion.

The assessee, through the legal representative, in submitting his objections, claimed the opposite of the appeal grounds, stating the fact that the legal interpretation on the provability of the acts administered during the administrative investigation in the Commission, is accurate, according to the specifics of the present case.

After hearing the submissions of the Public Commissioner and the objections presented by the assessee, the adjudication panel decided to administer in the quality of evidence the acts recently submitted by the assessee, however determine that their content had already been taken into consideration by the Commission onto issuing the relevant decision.

After the parties present in the trial stated they had no other acts or proceeding requests to be administered and submitted in view of this trial, the adjudication panel declared the closure of the judicial investigation and invited the parties to express their final conclusions.

The Public Commissioner sustained all the appeal grounds and submissions presented in the hearing, and underlined his stance, referring to a different legal interpretation he imparts, regarding the conclusions reached by the Commission in the re-assessment of the asset criterion, requesting the amendment of the decision and dismissal from office of the assessee.

The assessee and his legal representative also maintained the objections presented in the hearing, claiming that the legal interpretation applied by the Commission in this case, related to the evidence administered during the administrative investigation is accurate and in such conditions this decision must be upheld.

Following the administration of the final conclusions of the parties, the adjudication panel withdrew in order to decide on the final decision, which will be announced on January 27, 2022, at 13.00p.m.

Pursuant to paragraph 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.