

07 February 2022

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 communicated that, in response to the request of the adjudication panel, the Prosecution Office of the First Instance Court, Durrës, had conveyed to the Appeal Chamber information on the criminal cases reviewed by the assessee as of 2018- 2021, which were mainly related to illegal constructions and that this information had also become acquainted to the parties to the trial.

The Public Commissioner affirmed that he was acquainted with the content of the above document and that he agreed to administer it, in view of the trial.

While the assessee stated that she had not yet received the document from the Appeal Chamber, and after the presiding judge read its contents, the assessee noted that, due to the function and the workload, she had investigated 1(one) sole case registered in that period, as mentioned in the prosecution office document.

Subsequently, the adjudication panel on-the –spot consultation decided to administer in the quality of evidence the response delivered by the Prosecution Office of the First Instance Court, Durrës, and to close the judicial review of the case, inviting the parties to present the final conclusions.

During the final conclusions, the Public Commissioner sustained all the appeal grounds and the submissions in the court hearings, and in consideration of IMO's recommendation, assessed that the evidence and allegations submitted by the assessee failed to prove the opposite of the appeal grounds. At conclusion of his submissions, the Public Commissioner requested from the adjudication panel the amendment of the decision no. 221/2019, of the Independent Qualification Commission and the dismissal from office of the assessee, Ms. Anita Jella.

The assessee, on her stance, opposed all the appeal grounds, claiming that in her case, the Public Commissioner and the International Monitoring Operation had not applied the Constitution and that they had not followed the same standard during the re-evaluation process.

The adjudication panel, after hearing the final conclusions, withdrew to the deliberation room, communicating that the final decision will be announced on February 15, 2022, at 9:00 a.m.

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.