

13 May 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. 410/2021, of the Independent Qualification Commission, for the assessee, Mrs. Atalanta Zeqiraj, judge at Vlora Judicial District Court.

During the verification of the parties' presence in the hearing, the presiding judge informed that Mrs. Irena Nino, elected Public Commissioner, based on the act issued by the Speaker of the Assembly of Albania, will replace the Public Commissioner, the appellant, Mr. Darjel Sina.

The hearing then proceeded with submissions of the final discussions.

The Public Commissioner, during the final discussions, assessed that after the judicial review of all requests and objections of the parties as well as the administered evidence, also taking into consideration the jurisprudence of the Appeal Chamber, any eventual judgment by this panel to uphold the decision no. 410/2021, of the Independent Qualification Commission, would be a well-grounded and rational conclusion, but we still evaluate that will have to be with a different reasoning.

With reference to the appeal grounds and IMO Recommendation, the Public Commissioner deemed that different reasoning would be necessary in this case and would help as an orientation to similar cases, having regard the fact, whether the principle of proportionality, applied by the commission in the decision subject to judicial review is in accordance with the existing standards, reasoned in the jurisprudence of the Chamber.

The assessee, during the final discussions, rejecting the appeal grounds, requested the upholding of the decision no. 410/2021, of the Independent Qualification Commission, and her confirmation in office.

The adjudication panel, after hearing the final discussions of the parties, withdrew to the deliberation room to proceed for the final decision, which will be announced on May 16, 2022, at 14:00 p.m.

Pursuant to paragraph 1, of Article 16, of the regulation of the Institution of Public Commissioners, the appeal and the 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”.

Public Commissioners represent the public interest during the transitional process of re-evaluation of judges and prosecutors in the Republic of Albania.