

**December 5, 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. 264/2020, of the Independent Qualification Commission, for the assessee, Mrs. Elona Toro, judge at Tirana Court of Appeals.

After verifying the presence of the parties, the presiding judge invited the Public Commissioner to present the appeal grounds, simultaneously confirming that the Public Commissioner and the assessee had previously filed by the Chamber, their claims regarding the case under review.

The Public Commissioner, sustaining all the appeal grounds, requested the panel to conduct a full investigation aiming to assess the financial ability of the assessee and the circle of persons related to him, depending on the results, to then perform a financial analysis for the assessee on the declaration period as of 2003-2016.

The assessee, during her objections, requested the panel the documents administration, which, according to her, proves the opposite of the appeal grounds.

Further, the presiding judge requested the parties' opinion related to the public denunciations, filed in the Chamber after the appeal.

The Public Commissioner, sustaining the appeal grounds, expressed that the content of the denunciations does not enhance other reasons than those determined in the appeal. While the assessee requested that these denunciations should not be taken into consideration by the adjudication panel, as according to her they are anonymous and not based on evidence and facts thereof.

The adjudication panel, following deliberation in the counseling room, with an interim decision, decided to open the investigation and administer in the quality of evidence the acts presented by the assessee in the hearing.

Regarding the denunciations, the panel, after taking into consideration the position of the Public Commissioner and the assessee, evaluated that they do not meet the criteria provided for in Article 53 of Law no. 84/2016, "On the transitional re-evaluation of judges and prosecutors in the Republic of Albania", and therefore will not undergo to further investigation of the case.

While concerning the Public Commissioner's request, the panel decided to conduct a preliminary analysis, which will be made available to the parties by December 15, 2022, and to provide time for discussions over these documents, the adjudication panel decided the following hearing to take place on December 21, 2022, at 10:00 a.m.

Pursuant to paragraph 1, of 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”.

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