

December 21, 2022

Press Release

The Public Commissioner was present today at the Appeal Chamber while continuing the judicial review of the appeal filed against Decision no. 264/2020, of the Independent Qualification Commission, for the assessee, Mrs. Elona Toro, judge at Tirana Court of Appeals.

After verifying the parties' presence in the hearing, the presiding judge invited the Public Commissioner and the assessee to present their positions related to the financial analysis project conducted by the Appeal Chamber.

The Public Commissioner initially requested from the adjudication panel that some items reflected in the financial analysis project should not be referred to as findings of the Public Commissioner, as they do not represent intuitional position in the appeal and the submissions presented to the Chamber, whereby a full financial analysis is required based on the acts of the file and the methodology followed in the Appeal Chamber. Furthermore, the Public Commissioner, in the assessment of the financial analysis project, the objections of the assessee as well as from the analysis of the acts filed by the assessee during the judicial review, ascertained that on some of the appeal grounds, the assessee stands in the conditions of insufficiency related to the asset assessment criterion.

During her objections, the assessee claimed the opposite of the Public Commissioner's findings concerning the financial analysis of some of the reflected items.

Referring to the financial analysis project, the Public Commissioner answered one question of the case rapporteur concerning the items analysis, whereas the assessee requested time to consult over her answers.

The litigants also expressed their positions on the claims raised in two denunciations recently filed in the Chamber.

The adjudication panel, after consulting the positions of the parties on these denunciations, decided not to initiate an investigation, because these denunciations do not meet the requirements set out in Article 53 of Law no. 84/2016, "On the transitional re-evaluation of judges and prosecutors in the Republic of Albania". In what follows, the panel stated that the assessment of the financial analysis will continue in the subsequent hearing to be held on January 10, 2023, at 10:00 a.m., likewise requesting the parties to prepare for the submission of final conclusions.

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.