

January 31, 2023

Press Release

The Public Commissioner was present today at the Appeal Chamber while continuing the judicial review of the appeal filed against Decision no. 287/2020, of the Independent Qualification Commission, for the assessee, Mrs. Anita Mici, judge at Durrës Court of Appeal.

After the verification of the parties' presence in the hearing, the presiding judge invited the Public Commissioner and the assessee to present the appeal grounds and the submissions, while confirming that the parties were previously familiar with their claims through the correspondence with the Appeal Chamber.

The Public Commissioner, in presenting the appeal grounds, finds that the assessee is in the conditions of inaccuracy and insufficiency of the declaration of assets, while regarding the proficiency assessment criterion, the Public Commissioner finds that the assessee has failed to prove the contrary of the burden of proof, on the findings resulting from the acts administered by the subsidiary bodies of the re-evaluation process.

At the end of his submissions, the Public Commissioner requested the Appeal Chamber to examine the appeal grounds and at the end of the review to decide the amendment of decision no. 287/2020, of the Independent Qualification Commission, and the dismissal from office of the assessee, Mrs. Anita Mici.

The assessee objected to the findings in the appeal and, in the context of reopening the investigation asked the panel for the administration of new evidence.

In subsequent, with the consent of the Public Commissioner to collect in the quality of evidence the acts deposited in the hearing by the assessee, the presiding judge asked for the perspective of the parties regarding the public denunciations.

The Public Commissioner assessed needless the investigation of these denunciations, thus considers the appeal grounds sufficient.

The assessee presented her objections concerning an anonymous denouncement.

The panel, after being consulted by an interim decision, decided to open the judicial investigation and collect in the quality of evidence the documents deposited in the Chamber by the assessee. Regarding the public denunciations, the court decided not to further investigate as they do not contain facts and data referred to in Article 53 of Law 84/2016, "On the transitional re-evaluation of judges and prosecutors in the Republic of Albania".

Afterwards, the parties in the process did not refer to other procedural requests, and the adjudication panel by interim decision decided to close the judicial investigation and invited the parties to present the final discussions.

The Public Commissioner and the assessee asked for an appropriate time to be prepared, and in such circumstances the adjudication panel on a spot consultation, decided to adjourn the hearing on February 13, 2023, at 10:00.

Pursuant to point 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 process of re-evaluation of judges and prosecutors in the Republic of Albania.