

January 24, 2023

Press Release

The Public Commissioner was present today at the Appeal Chamber while initiated the judicial review of the appeal filed against the Decision no. 275/2020, of the Independent Qualification Commission, for the assessee, Mrs. Enkeleda Osmani (Xhengo), prosecutor at Durrës District Prosecution Office.

After verifying the parties' presence in the hearing, the presiding judge invited the Public Commissioner and the assessee to present the appeal grounds and the relevant objections, whereas the parties confirmed that via correspondence with the Chamber they were informed in advance about their claims.

The Public Commissioner, in support of the appeal grounds, requested by the Appeal Chamber to conclude that the assessee is found in the conditions of insufficiency related to the asset assessment criterion, which are mainly related to the verification of the creation of sources and of the legitimate income of the related person. The Public Commissioner concluded that the assessee, Mrs. Enkeleda Osmani (Xhengo), does not achieve a trustable level for her confirmation in duty and therefore asked the Chamber to amend decision no. 275/2020 of the Independent Qualification Commission and her dismissal from office.

The assessee, through the legal representative, claimed the opposite of the findings in the appeal, asking the panel the administration of new evidence in the context of reopening the investigation and her reconfirmation in office.

Afterwards with the consent of the Public Commissioner related to the documents filed by the assessee in the hearing session, the adjudication panel decided its administration in the quality of evidence, and once the parties did not state other procedural requests, was announced that the upcoming hearing to present the final discussions will be held on February 3, 2023, at 10:00.

Pursuant to paragraph 1, of 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.