

**February 7, 2023**

### **Press Release**

The Public Commissioner was present today at the Appeal Chamber while initiated the judicial review of the appeal filed against Decision no. 519/2022, of the Independent Qualification Commission, for the assessee Mr. Kastriot Gramshi, judge in the Tirana Judicial District Court.

After the verification of the parties' presence in the hearing, the assessee read the request previously submitted to the Appeal Chamber, to be represented by two defense lawyers, one of whom is registered as a lawyer only in the relevant authority in the USA.

The adjudication panel, consulted in the hearing chamber, stated that the above request does not meet the conditions set forth in Article 23 of Law 55/2018 "The legal profession in the Republic of Albania".

Then, the assessee claimed another preliminary request on the applicable law in the process of transitional reevaluation of judges and prosecutors, partially opposing the financial analysis, referred to in the appeal.

The presiding judge requested the position of the Public Commissioner on the above claim, who expressed that the process of transitional re-evaluation of judges and prosecutors is based on the Annex to the Constitution, law no. 84/2016, "On the transitional re-evaluation of judges and prosecutors in the Republic of Albania" and the legislation, which is referred to by the subsidiary organs of this process.

The panel held the same view with the assessee's claims, and invited the parties to submit the appeal grounds and likewise their objections.

The Public Commissioner, based on the recommendation of the International Monitoring Operation, presented the case for adjudication, circumstances, and legal facts, for which it was stated that the assessee failed to prove the opposite of the burden of proof on; the accuracy and sufficiency of legitimate sources for the creation of an asset and bank deposits and savings in the United States, also for inclusion in the financial analysis of the period before 2005. In conclusion, the Public Commissioner requested the amendment of the decision no. 519/2022, of the Independent Qualification Commission, and the dismissal from office of the assessee, Mr. Kastriot Gramshi.

The assessee, through the legal representative, claimed the opposite of the appeal grounds, in particular objecting to the inclusion in the financial analysis of the period before the 2003. In

summary of his objections, the assessee requested to lodge in the quality of evidence some additional acts and his reconfirmation of office.

The adjudication panel, consulted in the hearing chamber, decided to open the judicial investigation and agreed to take in the quality of evidence some of the lodged documents, stating that the other documents, referred by the assessee will be consulted remotely in the same way they were provided by the assessee.

Therefore, after the parties did not state any further procedural requests, the panel closed the judicial investigation and asked the parties to submit their conclusions.

The Public Commissioner, referring to the administered evidence, expressed that his final appeal research was not alter from the one previously presented. Instead, the assessee requested time to prepare the conclusions.

Under these circumstances, the adjudication panel decided to adjourn the hearing, on February 14, 2023, at 15:00.p.m.

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.