

May 11, 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. 276/2020, of the Independent Qualification Commission, for the assessee, Mrs. Irena Brahimi, judge at Gjirokatstër Court of Appeals of Tirana General Jurisdiction.

After verifying the parties present in the hearing, the presiding judge announced that the appeal of the Public Commission and the appeal of the assessee have been filed in the Appeal Chamber. With regards to the latter, the case rapporteur asked the assessee to make available to the Chamber the postal delivery slip to confirm the exact date of the appeal filed in the IQC.

The hearing then continued with the submissions of the parties in the process, previously filed in the Chamber.

The Public Commissioner in presenting the appeal grounds, asked the Appeal Chamber to be conducted a financial analysis related to some of the items, which are referred to in the appeal grounds on the asset assessment criterion. The Public Commissioner also asked the Chamber that during the examination of the whole case, to conduct a full investigation over the denunciation referred to in the appeal grounds on the proficiency assessment criteria.

The assessee claimed the opposite of the findings of the Public Commissioner's appeal, specifically justifying its decision-making of the case referred to in the denunciation, also part of the Public Commissioner's appeal.

The afore-mentioned appeal ground was brought back by the case rapporteur, requesting information on the means of access to the denunciation from the Public Commissioner. The latter stated that the denunciation was provided by the International Monitoring Operation and that it can be accessed through open sources. At the request of the court, the Public Commissioner made available the above elements.

With an interim decision, the adjudication panel decided to open the judicial investigation and administer in the quality of evidence the acts filed by the assessee in the hearing session. With a majority of votes, the panel decided to conduct the financial analysis according to the request of the Public Commissioner. Regarding the denunciation referred by IMO, the adjudication panel will communicate their viewpoint in the upcoming hearing session that will take place on June 5, 2023, at 10:00 a.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.