

June 5, 2023

Press Release

The Public Commissioner was present today at the Appeal Chamber continuing the judicial review of the appeal filed against Decision no. 276/2020, of the Independent Qualification Commission, for the assessee, Mrs. Irena Brahimi, currently judge at the Court of Appeals of the Tirana General Jurisdiction.

After verifying the parties present in the hearing, the presiding judge announced that Chamber had conducted the financial analysis on the Public Commissioner's research and the assessee's claims, and after the parties confirmed their acquaintance with this act, invited them to present their stance at the hearing.

The Public Commissioner argued that, from the preliminary financial analysis conducted by the Legal Service Unit at the Appeal Chamber, according to the appeal grounds, it appears that as of 2005-2008 and 2014-2016, the assessee and the related persons have lack of legitimate sources to justify the investments, expenses, and savings as well.

The assessee claimed that the position of the Public Commissioner related to the financial analysis exceeds the appeal grounds albeit requested the adjudicated panel time to prepare her objections. Whereas, concerning a part of the financial analysis the assessee requested to submit additional documents.

The hearing continued with the stance of the assessee concerning the denunciation referred to in the appeal grounds, as regards the proficiency assessment criteria. She asked the adjudication panel not to investigate this denunciation, alleging that it does not meet the criteria of Article 53 of Law no. 84/2016.

Subsequently, the adjudication panel asked the Public Commissioner to forward by email the denunciation link, sent by IMO thereby requested the assistance of the IT specialists of the Appeal Chamber to access the material. In such circumstances, once the panel stated that the link could not be accessed, as it turned out to be deleted, the Public Commissioner made available a copy of the content of the denunciation, stand firm to his request to the Chamber, that as part of the investigation to this denunciation, to administer the criminal file, which is under review in the High Court.

The adjudication panel ruled to accept the request of the Public Commissioner to demand the High Court for a copy of the criminal case file, which is related to the denunciation part in the appeal and, awaiting these acts the panel decided to adjourn the following hearing on July 6, 2023, at 10 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.