

June 12, 2023

Press Release

The Public Commissioner was present today at the Appeal Chamber initiating the judicial review of the appeal filed against Decision no.629/2023, of the Independent Qualification Commission, for the assessee, Mr. Besnik Cengu, prosecutor of Tirana District Prosecution Office.

After verifying the parties' presence in the hearing, the presiding judge invited the Public Commissioner and the assessee to present their claims regarding the appeal.

The Public Commissioner, stands to the appeal grounds, also in consideration of the recommendation of the International Monitoring Operation, assessed that the reasoning and conclusion reached by the Independent Qualification Commission is the result of the wrong application of the legal provisions in force.

At the end of the submissions, the Public Commissioner asked the court to amend the decision no. 629/2023, of the Independent Qualification Commission and to decide the termination of the transitional re-evaluation process for the assessee Mr. Besnik Cengu, acting prosecutor at Tirana District Prosecution Office, and in application of point 2, of Article G of the Annex of the Constitution, to decide for the assessee Mr. Besnik Cengu that no longer be appointed as a judge or prosecutor of any level, member of the High Judicial Council or High Prosecution Council, High Justice Inspector or Prosecutor General for a duration of 15 years.

From his side, the assessee opposed the appeal grounds as they were not based on the law, requesting that, in consideration of his objections, he submit some medical reports mainly related to his health conditions.

The adjudication panel decided to administer them in the quality of evidence and, in such conditions where the parties did not refer to other procedural requests, the hearing continued with the presentation of the final discussions.

The Public Commissioner stated that the new evidence did not affect the appeal grounds and that stood to the submissions presented in today's session.

The assessee also stood firm to his submissions, requesting the court to dismiss the Public Commissioner's appeal and uphold the IQC's decision.

The adjudication panel, after becoming acquainted with the final research of the parties, retired for deliberation to make the final decision, which will be announced tomorrow, June 13, 2023, at 13:00 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.