

July 6, 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' presence in the hearing, the presiding judge informed that the High Court had forwarded to the Chamber the file requested for the purpose of the judicial review and that the materials had been forwarded to the parties in the process, along with the request from a citizen raising claims related to a case trialed by the assessee.

The Public Commissioner confirming the acquaintance with the criminal case file forwarded by the High Court, also expressing his position on these acts based on the content of the records administered by the Gjirokastër Court of Appeals, referring to the claims raised in the denunciation presented in the public media forwarded by IMO, stated that; seemingly the visual material in the quality of evidence has been subjected to the judicial dispute and also the opinion of auto-tech experts expressed during the judicial examination of the case in this court, under the provisions of the Criminal Procedure Code. The Public Commissioner concluded that based on the appeal of the prosecution, the further examination of the case and the evidence will have to be managed by the High Court, where the case is pending examination.

In respect to her position related to the acts of the High Court, the assessee stood to the objections that the public denunciation does not meet the legal criteria and afterward presented her submissions regarding the appeal grounds of the asset assessment criterion, yet seeking the administration of new evidence.

The adjudication panel decided to administer in quality of evidence the files forwarded by the High Court for the criminal case and the written documents submitted by the assessee in today's hearing session. Regarding the citizen's request above-mentioned, the panel assessed that it does not contain the elements required by Article 53 of Law 84/2016, and as such will not be subject to judicial investigation of the case.

In such conditions whereof the parties did not submit other procedural requests, the adjudication panel decided to close the judicial review and adjourned the following hearing in order to present the final conclusions on July 19, 2023, at 11:30.

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.