

**November 30, 2023**

### **Press Release**

The Public Commissioner was present today at the Appeal Chamber as commenced the judicial review of the appeal filed against Decision no. 634/2023, issued by the Independent Qualification Commission, for the assessee, Mr. Naim Tota, who holds the position of prosecutor at the Tirana District Prosecution Office.

After verifying the parties' presence in the hearing, the presiding judge proceeded by enabling the litigants to present their claims in the hearing.

The Public Commissioner, adhering to all the grounds presented in the appeal, identified and stated as matters for judgment, circumstances, and legal facts, for which deemed that the assessee has not managed to prove the contrary of the results of the investigation regarding the asset and proficiency assessment criteria. In conclusion of the submissions, the Public Commissioner requested the panel after the judicial review, to decide the amendment of decision no. 634/2023, of the Independent Qualification Commission and the dismissal from office of the assessee, Mr. Naim Tota.

The assessee and his legal representative opposed the findings and search in the appeal, seeking the reconfirmation of duty, and in support of their objections, they submitted several new acts in the capacity of evidence.

Regarding two public denunciations received after the appeal, the Public Commissioner and the assessee shared the same stance, that the denunciations lack sufficient facts and circumstances for further investigations.

Following consultation, the adjudication panel decided to accept as evidence the three acts filed by the assessee, within the context of initiating the judicial investigation of the case. As for the two public denunciations, the panel opted not to pursue further investigations, as they do not meet the criteria outlined in Article 53 of Law no. 84/2016.

Once the parties in the process stated that they had no procedural requests, the adjudication panel opted to close the judicial investigation and invited them to present their conclusions, in the upcoming hearing session which will be held on December 7, 2023, at 12:00 p.m.

In accordance with Article 16, Point 1 of the Institution of Public Commissioners' regulations, the appeal has been published on the official website of the institution, which can be accessed at <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.