

February 29, 2024

Press Release

The Public Commissioner was present today at the Appeal Chamber to initiate the judicial review of the appeal filed against Decision no. 681/2023, issued by the Independent Qualification Commission. This decision pertains to the assessee, Mr. Artur Ismajlukaj, who holds the position of prosecutor at the Prosecution Office of the First Instance Court of General Jurisdiction of Elbasan.

After the verification of the parties' attendance at the hearing, the presiding judge invited the Public Commissioner to present the appeal grounds.

The Public Commissioner, adhering to the findings in the appeal and considering the IMO's recommendation, stated that the assessee failed to prove the opposite of the burden of proof, regarding his association with persons involved in illegal activities and convicted of criminal offenses, thereby violating the public trust in the judicial system. Likewise, the Public Commissioner highlighted various circumstances related to the assessment of assets, and at the conclusions of the submissions requested the panel to amend the decision no. 681 /2023, of the Independent Qualification Commission, and the dismissal from office of the assessee, Mr. Artur Ismajlukaj.

The assessee through his legal representative, objected to the findings in the appeal and submitted additional documents to prove otherwise.

Subsequently, the presiding judge requested the opinion of the parties related to the two public denunciations.

The Public Commissioner stated that the complaints were thoroughly examined before the decision was appealed. Under these circumstances, the appeal grounds are deemed valid, and there was nothing further to add.

On the other hand, the legal representative of the assessee considered the allegations in the public denunciations unfounded.

Following a consultation in the counseling chamber, the adjudication panel decided to open the judicial investigation - to administer the additional acts filed by the assessee and not to pursue an investigation into public denunciations, citing that they do not meet the conditions outlined in Article 53 of Law 84/2016.

The upcoming hearing is scheduled on March 25, 2024, at 10:00, when the involved parties will also prepare and present the conclusions.

In accordance with Article 16, Point 1 of the Institution of Public Commissioners' regulations, the appeal and elements of the case are 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.