

March 25, 2024

Press Release

The Public Commissioner was present today at the Appeal Chamber to continue 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 verifying the parties' attendance at the hearing, the presiding judge announced that the parties' had also been informed about the content of a denunciation received at the Appeal Chamber on March 13, 2024.

The Public Commissioner stated that the aforementioned denunciation does not contain data defined in Article 53 of Law 86/2016, "On the transitional re-evaluation of judges and prosecutors in the Republic of Albania".

The hearing then continued with the presentation of the final conclusions.

The Public Commissioner, adhering to all the appeal grounds, submissions and arguments presented during the case review, also in consideration of the IMO's Recommendation, assessed that the decision of the IQC, related to the confirmation in office of the assessee is unfair, as the assessee has violated the public image of the judicial institutions. At the end of the conclusions, the Public Commissioner, requested the panel to amend decision no. 681/2023, of the Independent Qualification Commission, and the dismissal from office of the assessee, Mr. Artur Ismajlukaj.

The assessee, through the legal representative, stated that the Public Commissioner, despite the request for a comprehensive assessment of the case, has not presented any grounds for the appeal concerning the control of asset and proficiency assessment. The circumstances arising from the background control criterion, - stated the legal representative, cannot lead to the dismissal of the assessee from duty, as he has demonstrated professional integrity.

The adjudication panel, after becoming acquainted with the conclusions of the parties, retired to the consultation chamber to reach the final decision, which will be announced on April 2, 2024, at 15:00.

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.