

April 29, 2024

Press Release

The Public Commissioner was present today at the Appeal Chamber where initiated the judicial review of the appeal filed against Decision no. 675/2023, of the Independent Qualification Commission, for the assessee, Mr. Alfred Balla, former Legal Advisor at the High Court, currently serving as Chairman of the High Prosecutorial Council.

Following 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 all the grounds and arguments presented in the appeal, considering the purpose outlined in Article 179/b of the Constitution, as well as the jurisprudence of the Chamber, along with the opinion and findings of the international observer for the present case, deemed that the Commission's decision is unjust and not based on the factual situation documented in the acts within the fascicle. According to the Public Commissioner's assessment, upon analyzing the circumstances of the fact and the applicable legal framework, the assessee has exercised his rights by making a personal choice, expressing the undisputed will to interrupt the re-evaluation process, opting for the *ipso jure* and the prohibition provided for in Article G of the annex of the Constitution. Consequently, the Public Commissioner requested the panel the amendment of decision no. 675/2023, of the Independent Qualification Commission, as follows:

- 1. Interruption of the re-evaluation process against the assessee, Mr. Alfred Balla.*
- 2. Prohibition of the assessee, Mr. Alfred Balla, to no longer be appointed as a judge or prosecutor of any level, a member of the High Judicial Council or High Prosecutorial Council, or High Inspectorate of Justice or the Prosecutor General for a duration of 15 years.*

The assessee, initially took the floor and opposed the findings and grounds put forth by the Public Commissioner in the appeal. In the meantime, through the legal representative the assessee requested the administration of some additional acts in support of his objections. In the end, he requested the adjudication panel to uphold the decision issued by the Independent Qualification Commission.

The adjudication panel decided to administer a part of the acts presented by the assessee, which could not be discussed online, then invited the parties to present their final arguments.

The Public Commissioner and the assessee both embraced their submissions, focusing briefly on their final findings.

Subsequently, the adjudication panel withdrew to reach the final decision, which will be announced on May 21, 2024, at 15:00.

Based on point 1, Article 16 of the regulation of the Institution of Public Commissioners, the appeal and the elements of the case are 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.