

Decision no. 5, dated 09.02.2023

(V-5/23)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Holta Zaçaj, Sandër Beci, members, with court secretary Belma Lleshi, on 09.02.2023, took under examination in plenary session on the basis of submitted documents, the case no. 8 (M) 2022 of the Basic Court Register, pertaining to:

APPLICANT: MARJANA PRENDI

INTERESTED SUBJECTS:

**MINISTRY OF INTERNAL AFFAIRS
GUARD OF THE REPUBLIC OF ALBANIA**

**OBJECT: Repeal of decisions no. 920, of the Administrative Court of First Instance of Tirana, dated 10 March 2014; no. 3640, of the Administrative Court of Appeal, dated 02 October 2014; no. 00-2022-442, of the Administrative College of the Supreme Court, dated 21 March 2022, as incompatible with the Constitution of the Republic of Albania.
Remanding of the case to the Administrative Court of First Instance of Tirana for further proceedings.**

LEGAL BASIS: Articles 4, point 1, 42, 43, 49, point 2, 131, point 1, letter “f”, 134, point 1, letter “i”, 142, point 1 and 145, point 2, of Constitution of the Republic of Albania; article 6 of the European Convention on Human Rights (ECHR); articles 27 et seq. 71 and 71/a of Law no. 8577, dated 10 February 2000 "On the organization and

functioning of the Constitutional Court of the Republic of Albania", amended.

Constitutional Court of the Republic of Albania, in pursuance of articles 131, point 1, letter "f", and 134, point 1, letter "i" of the Constitution, as well as articles 71, 72 of Law no. 8577, dated 10 February 2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania", amended, by majority of votes,

DECIDED:

1. Rejection of the application.

This decision is final and enters into force on the day of its publication in the Official Gazette.