

Decision no. 13, dated 21.03.2023

(V-13/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Sonila Bejtja, members, with court secretary Belma Lleshi, on 21.03.2023, took under examination in plenary session on the basis of submitted documents, the case no. 9 (E) 2022 of the Basic Court Register, pertaining to:

APPLICANT: EDUARD KELMENDI

INTERESTED SUBJECT:

MUNICIPALITY OF TIRANA

OBJECT: Repeal of decision no. 00-2022-1082 (189), of the Administrative College of the Supreme Court, dated 13 May 2022, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 131, letter “f”, 134, points 1, letter “i” and 135, point 1, of the Constitution of the Republic of Albania; articles 6 and 46 of the European Convention on Human Rights, as well as article 1 of Protocol no.1 and article 1 of the Protocol no. 12 of the Convention; Law no. 8577, dated 10 February 2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania", (*law no. 8577/2000*), 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 72 et seq. of Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended, unanimously,

DECIDED:

1. Admission of the application.
2. Repeal of decision no. 00-2022-1082 (189), of the Administrative College of the Supreme Court, dated 13.05.2022, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the Administrative College of the Supreme Court for further proceedings.

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