

Decision no. 17, dated 23.03.2023

(V-17/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Ilir Toska, Elsa Toska with court secretary Belma Lleshi, on 23.02.2023, took under examination in plenary session on the basis of submitted documents, the case no. 14 (Sh) 2022 of the Basic Court Register, pertaining to:

APPLICANT: SHIQIRI MANJANI

INTERESTED SUBJECT:

HIGH PROSECUTORIAL COUNCIL

OBJECT: Repeal of decisions no. 295, dated 17 December 2020 of the High Prosecutorial Council; no. 20 (86-2021-229), dated 18 March 2021 of the Administrative Court of Appeal; no. 00-2022-683, dated 17 March 2022 of the Administrative College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania. Return the case for retrial to the High Prosecutorial Council.

LEGAL BASIS: Articles 4, 17, 33, 35, 42, 49, 57, 131, point 1, letter “f”, 134, point 1, letter “i” and 145 of the Constitution of the Republic of Albania; articles 6, 8 and 2 of Protocol no.1 of the European Convention on Human Rights (ECHR); 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 71 and 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.