

Decision no. 19, dated 04.04.2023

(V-19/23)

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 04.04.2023, took under examination in plenary session on the basis of submitted documents, the case no. 29 (A) 2022 of the Court Basic Register, pertaining to:

APPLICANT: AGRON LAÇAJ

**INTERESTED SUBJECT:
GENERAL PROSECUTION OFFICE**

OBJECT: Repeal of decisions no. 30, dated 10 March 2022 and no. (not given), dated 18 March 2022 of Appeal Court of Shkodra; no. 00-2022-787, dated 05 July 2022 and no. 00-2022-901, of the Penal College of the Supreme Court, dated 14 July 2022, as incompatible with the Constitution of the Republic of Albania. Remanding of the case to the Appeal Court of Shkodra for further proceedings, by another bench.

LEGAL BASIS: Articles 42, 131, point 1, letter “f”, and 134, point 1, letter “i” of the Constitution of the Republic of Albania; article 6 of the European Convention on Human Rights (ECHR); articles 27-30, 39, 42 et seq. of 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.