

Decision no. 20, dated 05.04.2023

(V-20/23)

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 Enina Kotoni, on 16.03.2023, took under examination in plenary session on the basis of submitted documents, the case no. 6 (D) 2022 of the Basic Court Register, pertaining to:

APPLICANT: **DASHMIRA ZARO, in absentia.**

INTERESTED SUBJECTS:

COUNCIL OF MINISTERS, represented with authorisation, by state advocate Irma Qosja.

HIGH JUDICIAL COUNCIL, represented with authorisation, by Qemal Zaimi.

OBJECT: **Finding the continuation of the violation of the right to a fair legal process due to the absence of trial by the Administrative Court of Appeal within 6 months as provided for in decision no. 2, of the Constitutional Court, dated 17 February 2022.**
Finding the absence of an effective legal remedy for compensation after the entry into force of decision no. 2, of the Constitutional Court, dated 17 February 2022.

LEGAL BASIS: **Articles 42, 131, point 1, letter “f”, and 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania; article 6 of the European Convention on Human Rights; 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.