

Decision no. 24, dated 27.04.2023

(V-24/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Elsa Toska, members, with court secretary Belma Lleshi, on 27.04.2023, took under examination in plenary session on the basis of submitted documents, the case no. 6 (K) 2022 of the Basic Court Register, pertaining to:

APPLICANT: KLAUDIO BURIMI

INTERESTED SUBJECT:

GENERAL PROSECUTION OFFICE

OBJECT: Repeal of decision no. 00-2022-928 (150), of Criminal College of the Supreme Court, dated 31 May 2022, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 42, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania; articles 6 and 4 of Protocol no. 7 of the European Convention on Human Rights (ECHR); articles 27, 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", (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. Admission of the application.
2. Repeal of decision no. 00-2022- 928 (150), of the Supreme Court, dated 31.05.2022, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the Supreme Court for further proceedings.

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