

Decision no. 28, dated 18.05.2023

(V-28/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Ilir Toska, Genti Ibrahim, Marjana Semini, Sandër Beci, members, with court secretary Belma Lleshi, on 18.05.2023, took under examination in plenary session on the basis of submitted documents, the case no. 27 (A) 2022 of the Basic Court Register, pertaining to:

APPLICANT: ALEKS LICI, LEFTERIA LICI

INTERESTED SUBJECTS:

**TELEMAH RAJDHO,
REGIONAL COUNCIL OF GJIROKASTRA**

OBJECT: Repeal of decision no. 00-2022-2166 (79), of the Civil College of the Supreme Court, dated 07 March 2022, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 3, 4, 5, 7, 15, 17, 33, 42, 43, 116, 122, 31, point 1, letter “f”, 134, point 1, letter “i”, 135, 142, and 145 of the Constitution of the Republic of Albania; articles 1, 6 and 13 of the European Convention on Human Rights (ECHR); articles 49, point 3, letter “e”, 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 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. 00-2022-2166 (79), of the Civil College of the Supreme Court, dated 07.03.2022, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the Criminal 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.