

Decision no. 35, dated 15.06.2023

(V-35/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Fiona Papajorgji, members, with court secretary Enina Ktoni, on 11.04.2023, 26.04.2023, 02.05.2023 and 29.05.2023, took under examination in plenary session on the basis of submitted documents, the case no. 6 (Nj) 2022, pertaining to:

APPLICANT: **A GROUP OF NOT LESS THAN A FIFTH OF THE MEMBERS OF THE ASSEMBLY OF ALBANIA**, represented with authorisation, by Dhurata Çupi, Gazmend Bardhi and Marash Logu.

INTERESTED SUBJECT:

COUNCIL OF MINISTERS, represented with authorisation, by Elira Kokona and State Advocate Irma Qosja.

OBJECT: **Repeal of decision of the Council of Ministers no. 589, dated 07 September 2022 "On the rules and procedures for the confiscated illegal buildings to be used for public interest, as a mean of profit ", as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 4, 7, 18, 81, 116 and 118 of the Constitution of the Republic of Albania; articles 27, 49, 50 and 51 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 "c" and 134, point 1, letter "c", 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. Rejection of the application.

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