

Decision no. 44, dated 26.09.2023

(V-44/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Marjana Semini, Ilir Toska, members, with court secretary Belma Lleshi, on 26.09.2023, took under examination in plenary session on the basis of submitted documents, the case no. 4 (D) 2023 of the Basic Court Register, pertaining to:

APPLICANT: DASHMIRA ZARO

INTERESTED SUBJECTS:

**MINISTRY OF JUSTICE,
MINISTRY OF FINANCE AND ECONOMY**

**OBJECT: Finding a breach of the right to a fair trial as a result of non-judgement by the Court of Appeal of General Jurisdiction of Tirana of case no. 21234-02321-30-2022, registration date 17 November 2022.
Finding the absence of an effective legal measure on accelerating the proceedings.**

LEGAL BASIS: Articles 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania; article 6, point 1, of the European Convention on Human Rights (ECHR); 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, points 1, letter “i” and 2, of the Constitution, as well as articles 71, 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. Finding a breach of the right to a fair trial due to the ineffectiveness of the compensation measure.

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