

Decision no. 61, dated 20.11.2023

(V-61/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Marsida Xhaferllari, members, with court secretary Belma Lleshi, on 20.11.2023, took under examination in plenary session on the basis of submitted documents, the case no. 9 (M) 2023 of the Basic Court Register, pertaining to:

APPLICANT: **MAJLINDA REXHA**, represented with special power of attorney, by practicing lawyer Irena Dule.

INTERESTED SUBJECTS:

**AFËRDITA TOSKA,
ENKELEDA TOSKA,
ARTJOLA TOSKA,
ORION TOSKA**

OBJECT: **Finding a breach of the right to trial within a reasonable time and acceleration of proceedings.**

Repeal of decision no. 13, dated 06.06.2022 of the Civil College of the Supreme Court.

LEGAL BASIS: **Articles 42, point 2, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*The Constitution*); 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, 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, unanimously,

DECIDED:

1. Admission of the application.
2. Repeal of decision no. 13, dated 06.06.2022 of the Civil College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.
3. Finding a breach of the right to a fair trial within a reasonable time.
4. Obligation of the Supreme Court to review the applicant's case with priority.

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