

Decision no. 58 dated, 13.11.2023

(V-58/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Sonila Bejtja, members, with court secretary Belma Lleshi, on 13.11.2023, took under examination in plenary session on the basis of submitted documents, the case no. 6 (M) 2023 of the Basic Court Register, pertaining to:

APPLICANT: **MIMOZA BRUZIA**, represented with power of attorney, by practising lawyer Aqif Peza.

INTERESTED SUBJECT:

GENERAL PROSECUTION OFFICE, represented with authorisation, by prosecutor Arqilea Koça.

OBJECT: **Repeal of decisions no. 1730, dated 20 May 2015 of District Court of Tirana; no. 1522, dated 24 November 2016 of Appeal Court of Tirana; no. 00-2022-1513, dated 22 November 2022 of the Criminal College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 30, 31, 32, 42, 131, point 1, letter “f”, 134, point 1, letter “i”, 142, point 1 and 146 of the Constitution of the Republic of Albania (*The Constitution*); articles 1, 5 and 6 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, by majority of votes,

DECIDED:

1. Rejection of the application.

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