

Decision no. 64, dated 30.11.2023

(V-64/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Sandër Beci, Marsida Xhaferllari, members, with court secretary Belma Lleshi, on 30.11.2023, took under examination in plenary session on the basis of submitted documents, the case no. 2 (D) 2023 of the Basic Court Register, pertaining to:

APPLICANT: DURIM GRABOVA

INTERESTED SUBJECTS:

GENERAL DIRECTORATE OF METROLOGY, represented by general director Petrit Rama.

STATE ADVOCACY, represented with authorisation, by state advocate Irma Qosja.

OBJECT: Finding a breach of the right to a fair trial due to non-execution of decision no. 232 of Tirana Administrative Court of First Instance, dated 01.02.2021.

Finding a breach of the right not to be discriminated, due to the status as a politically ex-prosecuted person by the communist regime.

LEGAL BASIS: Articles 18, point 2, 42, point 1, 44, 131, point 1, letter “f”, 132, point 1 and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*The Constitution*); articles 6, point 1 and 14 of the European Convention on Human Rights, as well as article 1 of its Protocol no. 12 (*ECHR*); articles 27, 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 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, by majority of votes,

DECIDED:

1. Partial admission of the application.
2. Finding a breach of the reasonable time requirement due to non-execution of a court decision within a reasonable time.

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