

Decision no. 66, dated 06.12.2023

(V-66/23)

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 Belma Lleshi, on 06.12.2023, took under examination in plenary session on the basis of submitted documents, the case no. 7 (Gj) 2023 of the Basic Court Register, pertaining to:

APPLICANT: GJERGJ VLADI

INTERESTED SUBJECTS:

**PRESIDENT OF THE REPUBLIC,
MINISTRY OF DEFENCE**

OBJECT: Repeal of decisions no. 4483, dated 25.05.2009 of the Judicial District Court of Tirana; no. 00-2022-4518 (447), dated 22.12.2022 of the Administrative College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 4, 15/2, 17, 18, 33/1, 43, 44, 131, point 1, letter “f”, 134, point 1, letter “i” and 135, point 1, of the Constitution of the Republic of Albania (*The Constitution*); article 6 of the European Convention on Human Rights (*ECHR*); articles 27, 28, 29 and 30 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 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. Partial admission of the application.
2. Repeal of decision no. 00-2022-4518 (447), dated 22.12.2022 of the Administrative College of the Supreme Court.
3. Remanding of the case to the Supreme Court for further proceedings.

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