

**Decision no. 70, dated 27.12.2023**

**(V-70/23)**

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, members, with court secretaries Enina Ktoni dhe Blerina Basha, on 17.10.2023, 08.11.2023, 14.11.2023 and 07.12.2023, took under examination in plenary session on the basis of submitted documents, the case no. 1 (Dh) 2023 of the Basic Court Register, pertaining to:

**APPLICANT:** **ALBANIAN NATIONAL CHAMBER OF ADVOCACY**, represented with authorisation, by its president Maksim Haxhia and practicing lawyers Edmond Konini and Drilon Cami.  
**ALBANIAN HELSINKI COMMITTEE**, represented with authorisation, by Erida Skëndaj,

**INTERESTED SUBJECT:**

**COUNCIL OF MINISTERS**, represented with authorisation, by practicing lawyers Herald Jonuzaj, Besmir Beja and state advocate Irma Qosja.

**OBJECT:** **Repeal of decisions no. 221 (13-2014-1621), dated 13.03.2014 of Judicial District Court of Elbasan, no. 59/10-2014-1954, dated 27.05.2014 of Appeal Court of Durrës; no. 00-2022-3489, dated 23.11.2022 of the Civil College of the Supreme Court, as incompatible with the Constitution of the Republic of Albania. Remanding of the case to the Supreme Court for further proceedings.**

**LEGAL BASIS:** Articles 18/1, 41, 42, 43, 44, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*The Constitution*); article 6 of the European Convention on Human Rights; 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.