

Decision no. 71, dated 15.10.2024

(V-71/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Genti Ibrahimimi, Marjana Semini, Ilir Toska, members, with court secretary Belma Lleshi, on 15.10.2024, took under examination in plenary session on the basis of submitted documents, the case no. 9 (Sh) 2024 of the Basic Court Register, pertaining to:

APPLICANT: **PREND SUTA**, represented with power of attorney, by lawyer Preng Frroku.

INTERESTED SUBJECTS:

SOCIAL INSURANCE INSTITUTE, represented by General Director Astrit Hado.

REGIONAL DIRECTORATE OF SOCIAL INSURANCE SHKODËR, represented by the director Violeta Staka.

STATE ADVOCACY, in absentia.

OBJECT: **Repeal of decisions no. 182 (359) of Shkodër Administrative Court of First Instance, dated 06.07.2020; decision no. 379 (86-2023-549) of the Administrative Court of Appeal, dated 11.05.2023; decision no. 00-2023-5403 of the Administrative College of the High Court, dated 04.12.2023, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: Articles 33, 43, 44, 52, 131, point 1, letter “f” and 142 of the Constitution of the Republic of Albania (*the Constitution*); Article 6 of the European Convention on Human Rights (*ECHR*); Articles 31 et seq. 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, pursuant to 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, unanimously,

DECIDED:

1. Admission of the application in part.
2. Repeal of decision no. 00-2023-5403 of the Administrative College of the High Court, dated 04.12.2023, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the High Court for further proceedings.

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