

Decision no. 72, dated 17.10.2024

(V-72/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Marsida Xhaferllari, members, with court secretary Belma Lleshi, on 17.10.2024, took under examination in plenary session on the basis of submitted documents, the case no. 2 (D) 2024 of the Basic Court Register, pertaining to:

APPLICANT: DASHAMIR ALSULA

INTERESTED SUBJECTS:

STATE ADVOCACY, represented by the state advocate Irma Qosja.

OBJECT: Repeal of decisions no. 00-2023-5594, dated 22.12.2023; decision no. 00-2023-2236 of the Administrative College of the High Court, dated 24.04.2023, with regard to the part that imposed a fine, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 4, 17, point 2, 18, point 1, 33, point 1, 41, points 1 and 2, 42, 131, points 1, letter “f”, 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 7 of the European Convention on Human Rights; Article 27 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 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.
2. Repeal of decision no. 00-2023-2236 of the High Court, dated 24.04.2023, with regard to the part that imposed a fine on the applicant, as well as decision no. 00-2023-5594 of the High Court, dated 22.12.2023, as incompatible with the Constitution.

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