

**Decision no. 77, dated 05.11.2024**

**(V-77/24)**

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Fiona Papajorgji, members, with court secretary Belma Lleshi, on 05.11.2024, took under examination in plenary session on the basis of submitted documents, the case no. 8 (S) 2024 of the Basic Court Register, pertaining to:

**APPLICANT: SOSE BUÇPAPAJ**

**INTERESTED SUBJECTS:**

**GENERAL DIRECTORATE OF NATIONAL FOOD AUTHORITY**, represented by the general director, Edmond Rrushi.

**OBJECT: Repeal of decisions no. 1209/3 of the Disciplinary Commission of the General Directorate of National Food Authority, dated 19.11.2014; decision no. 1491 of Tirana Administrative Court of First Instance, dated 23.03.2015; decision no. 1213 (1197) of the Administrative Court of Appeal, dated 23.03.2017; decision no. 00-2024-33 of the Administrative College of the High Court, dated 11.01.2024, as incompatible with the Constitution of the Republic of Albania.**

**Remanding of the case to Tirana Administrative Court of First Instance for retrial.**

**LEGAL BASIS: Articles 23, 33, 42, 43, 48, 118, point 3, 131, point 1, letter “f”, 134, points 1, letter “i” and 2, 137, 140, point 2, letter “a” and 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Articles 1, 6, 13, 14 and 18 of the European**

**Convention on Human Rights (ECHR); Articles 27, 71, 71/a and 71/b 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, by majority vote,

**DECIDED:**

1. Admission of the application.
2. Repeal of decision no. 00-2024-33 of the Administrative College of the High Court, dated 11.01.2024, 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.