

Decision no. 79, dated 12.11.2024

(V-79/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sandër Beci, Ilir Toska, Marjana Semini, Genti Ibrahimimi, Sonila Bejtja, members, with court secretary Belma Lleshi, on 29.10.2024 and 12.11.2024 took under examination in plenary session on the basis of submitted documents, the case no. 6 (Sh) 2024 of the Basic Court Register, pertaining to:

APPLICANT: “MARINA BAY SARANDA” LTD. COMPANY, represented with power of attorney, by lawyer Dorian Çeliku.

INTERESTED SUBJECTS:

SPECIAL PROSECUTION OFFICE AGAINST CORRUPTION AND ORGANISED CRIME, represented by prosecutors Manjola Kajana and Dorina Bejko.

STATE ADVOCACY, in absentia.

OBJECT: Repeal of decisions no. 91 of Special Court of First Instance against Corruption and Organized Crime, dated 24.02.2023; decision no. 09 of Special Court of Appeal against Corruption and Organized Crime, dated 03.04.2023; decision no. 00-2023-1001 of the Criminal College of the High Court, dated 15.06.2023, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 5, 11, 15, 16, 17, 30, 41, 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142 of the Constitution of the Republic of Albania (*the Constitution*); Article 1 of Protocol no. 1 of the European Convention on Human Rights (*ECHR*); Articles 27, 50 and 71 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, points 1, letter “i” and 2, of the Constitution, as well as Articles 72, 73, point 4 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,

DECIDED:

1. Rejection of the application.

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