

Decision no. 83, dated 05.12.2024

(V-83/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, members, with court secretary Belma Lleshi, on 05.12.2024 took under examination in plenary session on the basis of submitted documents, the case no. 4 (J) 2024 of the Basic Court Register, pertaining to:

APPLICANT: **JAMARBËR MALLTEZI**, represented by power of attorney, by lawyer Klodian Skënderaj.

INTERESTED SUBJECTS:

SPECIAL PROSECUTION OFFICE AGAINST CORRUPTION AND ORGANIZED CRIME, represented by prosecutors Arben Kraja dhe Enkeleda Millonai.

OBJECT: **Repeal of Special Court of First Instance against Corruption and Organized Crime decisions no. 112, dated 20.10.2023 and decision no. 116, dated 23.10.2023; decision no. 56 (87-2023-1576) of the Court of Appeal against Corruption and Organized Crime, dated 21.11.2023; decision no. 00-2024-384 of the Criminal College of the High Court, dated 05.03.2024, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 17, 22, 27, 28, 29, 36, 42, 43, 131, point 1, letter “f” and 134, points 1, letter “i” and 2, of the Constitution of the Republic of Albania (*the Constitution*); Articles 5/1, 5/2, 5/3, 5/4, 7, 8, 10, 18 of the European Convention on Human Rights (*ECHR*); Articles 27 and 71/a 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 and 73, point 4, 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.