

Decision no. 42 dated 27.12.2022

(V-42/22)

The Constitutional Court of the Republic of Albania consisting of: Vitore Tusha, President, Marsida Xhaferllari, Elsa Toska, Altin Binaj, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Fiona Papajorgji, members, and Enina Kotoni, secretary, on 08.11.2022 and 27.12.2022, respectively in public plenary session and plenary session based on documentation, examined the case no. 2 (Nj) 2022 of Court Basic Register, pertaining to:

APPLICANT: **A GROUP OF DEPUTIES OF THE ALBANIAN PARLIAMENT (NOT LESS THAN A FOURTH OF THE DEPUTIES)**, represented with an authorisation by Marash Logu.

INTERESTED SUBJECTS:

PARLIAMENT OF THE REPUBLIC OF ALBANIA, represented with an authorisation by Erind Mërkuri.

COUNCIL OF MINISTERS, represented with an authorisation by Elira Kokona and State Advocate Irma Qosja.

OBJECT: **Resolution of the conflict of competence between at least a quarter of the deputies and the Parliament of the Republic of Albania. Declaring, as incompatible with the Constitution of the Republic of Albania, the decision no. 80/2021 of the Parliament of the Republic of Albania « On the disapproval of the draft-decision regarding “The establishment of the Inquiry Committee of the Parliament to control the legitimacy of the actions and inactions of the state institutions and public officials in the matters that have brought as a result the arbitration decision related to the case “Becchetti and others vs Albania” ».**

LEGAL BASIS: Articles 7, 77, 78, 131, point 1, letter “ç” and 134, point 1, letter “c”, of Constitution of Republic of Albania; article 25 of the Rules of

Procedure of Parliament; articles 54, 55 and 56 of Law no. 8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended; law no. 8891, dated 02.05.2002 “On the organization and functioning of the inquiry committees of the Parliament”, amended.

The Constitutional Court of the Republic of Albania, relying on articles 77, 131, point 1, letter “ç” of the Constitution, as well as articles 54, 55 and 56 of Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended, by a majority vote,

DECIDED:

1. To reject the application.

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