

Decision no. 10, dated 28.02.2024

(V-10/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Marjana Semini, Genti Ibrahimimi, members, with court secretary Belma Lleshi, on 28.02.2024, took under examination in plenary session on the basis of submitted documents, the case no. 12 (K) 2023 of the Basic Court Register, pertaining to:

APPLICANT: **KUJTIM KLLOGJERI**, represented with special power of attorney, by lawyer Redi Ramaj.

INTERESTED SUBJECTS:

GENERAL PROSECUTION OFFICE, represented by the prosecutor Arqilea Koça.

OBJECT: **Repeal of decision no. 00-2023-183 of the Criminal College of the High Court, dated 31.01.2023, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 27, 29, 42, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); 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. 00-2023-183 of the Criminal College of the High Court, dated 31.01.2023.
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.