

Decision no. 11, dated 28.02.2024

(V-11/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Genti Ibrahim, Marjana Semini, Ilir Toska, members, with court secretary Belma Lleshi, on 27.02.2024, took under examination in plenary session on the basis of submitted documents, the case no. 8 (L) 2023 of the Basic Court Register, pertaining to:

APPLICANT: LEDINA MANDIJA

INTERESTED SUBJECTS:

STATE ADVOCACY, represented with authorisation, by the state advocates Drita Shkurti and Irma Qosja.

OBJECT: Repeal of decision no. 32/1 of the Criminal College of the High Court, dated 31.01.2023, as incompatible with the Constitution of the Republic of Albania.

Finding of the violation of the right to a fair trial within a reasonable time in the Administrative Court of Appeal, with reference to the court`s decision no. 5182, dated 07.12.2017, thus exceeding the reasonable time of proceedings as provided by the law.

Finding of the violation of the right to a fair trial within a reasonable time in the High Court of the administrative case registered by no. 31003-00565-00-2018.

LEGAL BASIS: Articles 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Article 6 of the European Convention on Human

Rights (ECHR); Article 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 and 72 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. Rejection of the application.

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