

**Decision no. 13, dated 07.03.2024**

**(V-13/24)**

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Genti Ibrahimimi, Marjana Semini, Ilir Toska, members, with court secretary Belma Lleshi, on 07.03.2024, took under examination in plenary session on the basis of submitted documents, the case no. 3 (V) 2023 of the Basic Court Register, pertaining to:

**APPLICANT:** **VIKTOR YMERAJ**, represented with special power of attorney, by lawyer Ardian Visha.

**INTERESTED SUBJECTS:**

**GENERAL PROSECUTION OFFICE**, represented with authorisation, by the prosecutor Arqilea Koça.

**OBJECT:** **Repeal of decision no. 00-2023-739(45) of the Criminal College of the High Court, dated 08.02.2023, as incompatible with the Constitution of the Republic of Albania.**  
**Application of Article 51 of the Criminal Code to reduce by one half the sentence given by decision no. 319 of the Fier District Court.**

**LEGAL BASIS:** **Articles 18, 29, 131, point 1, letter “f” and 134, point 1, letter “i” and 2, of the Constitution of the Republic of Albania (*the Constitution*); Article 7 of the European Convention on Human Rights (*ECHR*); 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, unanimously,

**DECIDED:**

1. Rejection of the application.

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