

Decision no. 18, dated 19.03.2024

(V-18/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Sonila Bejtja, members, with court secretary Belma Lleshi, on 13.03.2024, took under examination in plenary session on the basis of submitted documents, the case no. 24 (Sh) 2023 of the Basic Court Register, pertaining to:

APPLICANT: “KOSTURR KROMI” LTD. COMPANY, represented with power of attorney, by lawyer Antoneta Sevdari.

INTERESTED SUBJECTS:

GENERAL PROSECUTION OFFICE, represented by the prosecutor Arqilea Koça.

OBJECT: **Repeal of decisions no. 1529 act of the Tirana District Court; no. 740 of General Jurisdiction Court of Appeal, dated 23.08.2022; no. 00-2023-413 of the Criminal College of High Court, dated 07.03.2023, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 17, 27, points 1 and 2, 41, 42, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Article 6 of the European Convention on Human Rights (*ECHR*) and Article 1 of its Protocol no. 1; 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 “a” and 134, points 1, letter “i” and 2, of the Constitution, as well as Articles 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, 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.