

Decision no. 19, dated 21.03.2024

(V-19/24)

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 Ibrahim, members, with court secretary Blerina Basha, on 19.03.2024, took under examination in plenary session on the basis of submitted documents, the case no. 2 (Dh) 2023 of the Basic Court Register, pertaining to:

APPLICANT: **DHIONISIOS ALFRED BELERI**, represented with special power of attorney, by lawyer Klodiana Gjyzari.

INTERESTED SUBJECTS:

SPECIAL PROSECUTION OFFICE AGAINST CORRUPTION AND ORGANISED CRIME, represented with authorization, by the prosecutors Adnan Xholi and Dorina Bejko.

OBJECT: **Repeal of decisions no. 46 of the Tirana Special Court against Corruption and Organized Crime, dated 22.05.2023; no. 19 of Special Court of Appeal against Corruption and Organized Crime, dated 01.06.2023; no. 00-2023-1313 (224) of Criminal College of the High Court, dated 25.07.2023, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 1, 17, 18, 20, 22, 27, 28, 30, 42, 43, 131, point 1, letter “f” and 134, point 1, letter “i” of the Constitution of the Republic of Albania (*the Constitution*); Articles 5 and 6 of the European Convention on Human Rights (*ECHR*), as well as Article 3 of its Additional Protocol no. 3; 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 "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, 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.