

Decision no. 22, dated 04.04.2024

(V-22/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Fiona Papajorgji, members, with court secretary Belma Lleshi, on 04.04.2024, took under examination in plenary session on the basis of submitted documents, the case no. 38 (A) 2023 of the Basic Court Register, pertaining to:

APPLICANT: AHMET JANGULLI

INTERESTED SUBJECTS:

GENERAL PROSECUTION OFFICE, represented by the prosecutor Arqilea Koça.

OBJECT: Repeal of criminal decisions of Dibër District Court, no. 115, with regard to "punitive damages against the lawyer", dated 09.07.2021; no. 638 of Tirana Court of Appeal, dated 05.07.2022; no. 00-2023-649 of the Criminal College of the High Court, dated 18.04.2023, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 4, 7, 17, 42, 116, 131, point 1, letter "f" and 134, point 1, letter "i", of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 13 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, 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.