

Decision no. 29, dated 16.04.2024

(V-29/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimi, Marjana Semini, members, with court secretary Belma Lleshi, on 16.04.2024, took under examination in plenary session on the basis of submitted documents, the case no. 26 (E) 2023 of the Basic Court Register, pertaining to:

APPLICANT: **ELDA DINAJ**, represented with power of attorney, by lawyer Ermir Beta.

INTERESTED SUBJECTS:

SPECIAL PROSECUTION OFFICE AGAINST CORRUPTION AND ORGANISED CRIME, represented by the prosecutors Altin Dumani and Enkeleda Millonai.

OBJECT: **Repeal of decisions no. 137 of the Special Court of First Instance against Corruption and Organized Crime, dated 23.03.2023; order no. 62 of the Special Court of Appeal against Corruption and Organized Crime, dated 26.04.2023; decision no. 00-2023-1310 of Criminal College of the High Court, dated 27.07.2023, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 11, 17, 41, 42 and 43 of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 of the European Convention on Human Rights (*ECHR*), as well as Article 1 of its Additional Protocol; Articles 32 et seq. 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, points 1, letter "i" and 2, 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.