

Decision no. 34, dated 24.04.2024

(V-34/24)

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 Enina Kotoni, on 15.06.2023, 11.07.2023, 04.10.2023, 13.11.2023, 30.11.2023 and 21.03.2024 took under examination in public plenary session on the basis of submitted documents, the case no. 8 (Nj) 2022 of the Basic Court Register, pertaining to:

APPLICANT: **NOT LESS THAN A FIFTH OF THE MEMBERS OF THE PARLIAMENT OF ALBANIA**, represented with authorisation, by MP Ina Zhupa and lawyers Rudina Jasini, Agron Alibali, Franci Nuri, Ivi Kaso and Ledio Nuraj.

INTERESTED SUBJECTS:

PRESIDENT OF THE REPUBLIC OF ALBANIA, in absentia.

ASSEMBLY OF THE REPUBLIC OF ALBANIA, represented with authorisation, by Mimoza Arbi and Erind Mërkuri.

COUNCIL OF MINISTERS, represented with authorisation, by Herald Jonuzaj, Irma Qosja, Entela Çipa and Sonila Kora.

STATE SUPREME AUDIT, represented with authorisation, by Koço Sokoli and Qeram Cibaku.

BUTRINT MANAGEMENT FOUNDATION, represented with authorization, by lawyers Artan Hajdari, Eris Hysi, Fatma Muça and Ekflodia Leskaj.

PEOPLE`S ADVOCATE/OMBUDSMAN, represented with authorisation, by Alket Jaupi and Enio Haxhimihali.

OBJECT: Repeal of law no. 50/2022, dated 23.05.2023 "On the ratification of the agreement on the administration of the subzones of cultural heritage and cultural landscape, part of Butrint National Park, entered between the Ministry of Culture and the Butrint Management Foundation", as incompatible with the Constitution of the Republic of Albania.

Stay of execution of law no. 50/2022, dated 23.05.2022 "On the ratification of the agreement on the administration of the subzones of cultural heritage and cultural landscape, part of Butrint National Park, entered between the Ministry of Culture and the Butrint Management Foundation", until the final decision of the Constitutional Court enters into force.

LEGAL BASIS: Articles 3, 4, point 1, 5, 6, 7, 11, 13, 15, 18, point 1, 59, point 1, letter "g", 116, point 1, 117, 118, 122, 124, 131, point 1, letter "a", 134, point 1, letter "c", 162 and 163 of the Constitution of the Republic of Albania (*The Constitution*); Convention concerning the Protection of the World Cultural and Natural Heritage (*Paris Convention*), approved by UNESCO; European Charter of Local Self-Government; 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, point 1, letter "c" 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.