

Decision no. 43, dated 04.06.2024

(V-43/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Ilir Toska, Genti Ibrahim, Marjana Semini, Sandër Beci, members, with court secretary Belma Lleshi, on 04.06.2024, took under examination in plenary session on the basis of submitted documents, the case no. 15 (B) 2023 of the Basic Court Register, pertaining to:

APPLICANT: BARDHYL IBRA

INTERESTED SUBJECTS:

MINISTRY OF JUSTICE, represented with authorisation, by Xhelal Kasaj, Erion Ndreca and Ornela Marku.

MINISTRY OF FINANCE

OBJECT: Repeal of decision no. 00-2023-3346 of the Civil College of the High Court, dated 26.07.2023.

Finding of the violation of the right to a fair trial within a reasonable time and acceleration of the court`s proceedings.

LEGAL BASIS: Articles 42, points 1 and 2 and 43 of the Constitution of the Republic of Albania (*the Constitution*); Articles 6, point 1 and 8 of the European Convention on Human Rights (*ECHR*); Article 48 of law no. 49, dated 03.05.2012, "On administrative courts and adjudication of administrative disputes", (*law no. 49/2012*), amended; Articles 396/6, 399/2, 399/4, 399/5 and 399/7 of the Civil Procedure Code; 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 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.