

Decision no. 49, dated 20.06.2024

(V-49/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Elsa Toska, members, with court secretary Belma Lleshi, on 20.06.2024, took under examination in plenary session on the basis of submitted documents, the case no. 34 (Sh) 2023 of the Basic Court Register, pertaining to:

APPLICANT: SHABAN KAPLLANAJ

INTERESTED SUBJECTS:

GENERAL PROSECUTION OFFICE, represented with authorisation, by the prosecutor Arqilea Koça.

OBJECT: Repeal of decisions no. Act 1195 of Tirana District Court, dated 15.12.2017; no. 183 of Tirana Court of Appeal, dated 01.02.2018; no. 00-2023-1151 of the Criminal College of the High Court, dated 03.07.2023, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 21, 42, 131, point 1, letter “f”, 134, points 1, letter “i” and 2, as well as 142 of the Constitution of the Republic of Albania (*the Constitution*); 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.