

Decision no. 57, dated 17.09.2024

(V-57/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Fiona Papajorgji, Elsa Toska, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Marsida Xhaferllari, members, with court secretary Belma Lleshi, on 17.09.2024, took under examination in plenary session on the basis of submitted documents, the case no. 1 (Y) 2024 of the Basic Court Register, pertaining to:

APPLICANT: **YLLI DYLGJERI**, represented with special power of attorney, by lawyer Etleva Haka.

INTERESTED SUBJECTS:

CONCESSION TREATMENT AGENCY, in absentia.

DEPARTMENT OF PUBLIC ADMINISTRATION, represented by director Enkela Dudushi.

OBJECT: **Repeal of decision no. 00-2023-3812, of the Administrative College of the High Court, dated 12.10.2023, as incompatible with the Constitution of the Republic of Albania.**

Finding of the violation of the right to a fair trial within a reasonable time and acceleration of the court`s proceedings of the administrative case no. 31154-02568-86-2019, registered in the Administrative Court of Appeal on 28.06.2019.

Obligation of the Administrative Court of Appeal to adjudicate the case within the one-month period from the Constitutional Court`s final decision.

LEGAL BASIS: **Articles 18, point 1, 41, 42, 43, 44, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, of the Constitution of the Republic of**

Albania (*the Constitution*); Article 6, point 1, of the European Convention on Human Rights; Articles 27, points 1 and 2, 71, point 1, 71/a and 71/b 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, point 1, letter "i", of the Constitution, as well as Article 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. Admission of the application.
2. Repeal of decision no. 00-2023-3812 of the Administrative College of the High Court, dated 12.10.2023.
3. Finding of the violation of the right to a fair trial within a reasonable time.
4. Obligation of the Administrative Court of Appeal to adjudicate the applicant`s case within 6 (six) months from the entry into force of this decision.

This decision is final and enters into force on the day of its publication in the Official Gazette.