

Decision no. 60, dated 19.09.2024

(V-60/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Ilir Toska, Genti Ibrahimimi, Sandër Beci, Marjana Semini, members, with court secretary Belma Lleshi, on 19.09.2024, took under examination in plenary session on the basis of submitted documents, the case no. 1 (H) 2024 of the Basic Court Register, pertaining to:

APPLICANT: **HAKI KOSTA**, represented with special power of attorney by lawyer Marash Logu.

INTERESTED SUBJECTS:

**REGIONAL DIRECTORATE OF SOCIAL INSURANCE
TIRANË**

OBJECT: **Repeal of decision no. 6 of the Administrative College of the High Court, dated 25.05.2023, 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 of the administrative case no. 31147-02191-86-2018, registered in the Administrative Court of Appeal on 04.06.2018.

Obligation of the Administrative Court of Appeal to adjudicate the case within a deadline, as soon as possible.

LEGAL BASIS: **Articles 42, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Article 6 of the European Convention on Human Rights (*ECHR*); Articles 399/1 et seq. of the Civil Procedure Code; Articles 3 and 48, point 2, of law no. 49, dated 03.05.2012 “On**

the organization and functioning of the Administrative Courts and administrative disputes”, amended (*law no. 49/2012*); Articles 71 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, 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, unanimously,

DECIDED:

1. Admission of the application.
2. Repeal of decision no. 6 of the Administrative College of the High Court, dated 25.05.2023.
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 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.