

Decision no. 65, dated 02.10.2024

(V-65/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Sonila Bejtja, members, with court secretary Belma Lleshi, on 01.10.2024, took under examination in plenary session on the basis of submitted documents, the case no. 12 (A) 2024 of the Basic Court Register, pertaining to:

APPLICANT: AGRED TAJAJ

INTERESTED SUBJECTS:

INSTITUTIONAL ELECTION COMMISSION,

APPEAL COMMISSION,

FACULTY OF FOREIGN LANGUAGES, represented with authorisation, by Gentian Tafilaj.

FACULTY OF NATURAL SCIENCES, represented with authorisation, by Gentian Tafilaj.

EDERJON IBRO, represented by lawyer Marjela Peri.

XHULJANO GUÇE

OBJECT: Repeal of decision no. 00-2023-4341 of the Administrative College of the High Court, dated 26.10.2023, 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 case no. 31157-01402-86-2021, registered in the Administrative Court of Appeal on 28.04.2021.

Obligation of the Administrative Court of Appeal to accelerate the court's proceedings of the case.

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; 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 Articles 71 and 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 in part.
2. Repeal of decision no. 00-2023-4341, of the Administrative College of the High Court, dated 26.10.2023.
3. Finding of the violation of the right to a fair trial within a reasonable time of the administrative case no. 31157-01402-86-2021, registered in the Administrative Court of Appeal on 28.04.2021.

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