

**Decision no. 68, dated 08.10.2024**

**(V-68/24)**

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, members, with court secretary Belma Lleshi, on 08.10.2024, took under examination in plenary session on the basis of submitted documents, the case no. 9 (Sh) 2024 of the Basic Court Register, pertaining to:

**APPLICANT:** “**A&A INTERNATIONAL**”, **LTD. COMPANY**, represented by the administrator Andon Hila and represented with power of attorney, by lawyer Vangjel Kosta.

**INTERESTED SUBJECTS:**

**CUSTOMS BRANCH OF KAPSHTICË**, represented by director Dritan Cekani.

**“HUAWEI TECHNOLOGIES ALBANIA”**, **LTD. COMPANY**, in absentia.

**OBJECT:** **Repeal of decisions no. 1176 of Korçë District Court, dated 20.05.2013; decision no. 2216 of the Administrative Court of Appeal, dated 11.07.2019; decision no. 00-2023-4359 of the Administrative College of the High Court, dated 02.11.2023, as incompatible with the Constitution of the Republic of Albania. Remanding of the case to Tirana Administrative Court of First Instance for further proceedings.**

**LEGAL BASIS:** **Articles 42, 131, point 1, letter “f” and 134, points 1, letter “i” and 2 of the Constitution of the Republic of Albania (*the Constitution*); Article 6 and 13 of the European Convention on Human Rights and Article 1 of its Protocol no. 1; Articles 71 and**

**71/a 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, 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, unanimously,

**DECIDED:**

1. Admission of the application.
2. Repeal of decisions no. 00-2023-4359 of the Administrative College of the High Court, dated 02.11.2023, no. 2216 of Tirana Administrative Court of Appeal, dated 11.07.2019 and no. 1176 of Korçë District Court, dated 20.05.2013, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to Tirana Administrative Court of First Instance for further proceedings.

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