

Decision no. 55, dated 10.10.2025

(V-55/25)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, members, with court secretary Belma Lleshi, on 19.06.2025, 16.09.2025 and 09.10.2025 took under examination in plenary session on the basis of submitted documents, the case no. 2 (K) 2024 of the Basic Court Register, pertaining to:

APPLICANT: **KASTRIOT ISMAILAJ**, represented with general power of attorney, by lawyer Arben Braçe.

INTERESTED ENTITY: **GENERAL PROSECUTION OFFICE**, represented with authorization, by the prosecutor Isa Jata.

SUBJECT MATTER: **Repeal of Decisions No. 2818, dated 25.10.2017, of the Tirana District Court; No. 1231, dated 08.05.2018, of the Tirana Court of Appeal; No. 00-2024-1012, dated 30.05.2024, of the Criminal College of the High Court, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 17, 31, letters “d” and “ç”, 32, point 2, 33, point 1, 34, 42, 122, 131, point 1, letter “f”, 134, points 1, letter “i” and 2, as well as 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6, paragraphs 2, 3 and 7 of the European Convention on Human Rights (*ECHR*); United Nations Convention against Transnational Organized Crime; Council of Europe Convention on Laundering, Search, Seizure and**

Confiscation of the Proceeds from Crime and on the Financing of Terrorism; Articles 27, 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”, (*Court’s Organic Law*), as amended.

Constitutional Court, pursuant to Articles 131, point 1, letter “f” and 134, points 1, letter “i” and 2, 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”, as amended, unanimously,

DECIDED:

1. Rejection of the application.

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