

Decision no. 77, dated 02.12.2025

(V-77/25)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Marjana Semini, Genti Ibrahim, members, with court secretary Anjeza Puka, on 02.12.2025 took under examination in plenary session on the basis of submitted documents, the case no. 12 (K) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **KLODIANA CANKJA**, represented with power of attorney, by lawyer Rezart Tërshana.

INTERESTED ENTITIES:

PUBLIC ADMINISTRATION DEPARTMENT, represented by Enkela Dudushi.

SECRETARY GENERAL OF THE COUNCIL OF MINISTERS, PRIME MINISTER'S OFFICE OF THE REPUBLIC OF ALBANIA, represented with authorization, by Herald Jonuzaj.

PUBLIC PROCUREMENT AGENCY, represented by Gjergji Moçka.

STATE ADVOCACY, represented by the state advocate Irma Qosja.

SUBJECT MATTER:

Repeal of Decisions No. 1060 (86-2023-1406), dated 14.12.2023 of the Administrative Court of Appeal; No. 00-2024-4952, dated 11.12.2024 of the Administrative College of the High Court, as incompatible with the Constitution of the Republic of Albania. Remanding of the case to the Administrative Court of Appeal for further proceedings.

LEGAL BASIS: Articles 4, 5, 18, 43, 44, 49, 107, 131, point 1, letter “f”, 134, points 1, letter “i” and 2, 141 and 142 of the Constitution of the Republic of Albania (*the Constitution*); Articles 27, 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”, (*Court’s Organic Law*), as amended.

Constitutional Court, pursuant to Articles 131, point 1, letter “f” and 134, point 1, letter “i”, 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, by majority vote,

DECIDED:

1. Admission of the application in part.
2. Repeal of Decision No. 00-2024-4952, dated 11.12.2024 of the Administrative College of the High Court, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the High Court for further proceedings.

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