

Decision no. 84, dated 22.12.2025

(V-84/25)

Constitutional Court of the Republic of Albania composed of: Marsida Xhaferllari, Head of session, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Asim Vokshi, Marjana Semini, members, with court secretary Anjeza Puka, on 04.12.2025 took under examination in plenary session on the basis of submitted documents, the case no. 9 (K) 2025 of the Basic Court Register, pertaining to:

APPLICANT: KLEMENT SHEHU

INTERESTED ENTITY:

GENERAL PROSECUTION OFFICE, represented with authorization, by prosecutor Arqilea Koça.

SUBJECT MATTER:

Repeal of Decisions No. 1457 (30-2024-4547), dated 12.06.2024 of the Court of Appeal of General Jurisdiction; No. 00-2024-1747, dated 31.10.2024 of the Criminal College of the High Court, as incompatible with the Constitution of the Republic of Albania.

Compensation for unjust deprivation of liberty, the psychological harm caused, as well as lost profit.

LEGAL BASIS: Articles 34, 131, point 1, letter “f” and 134, points 1, letter “i” and 2, of the Constitution of the Republic of Albania (*the Constitution*); Articles 1 and 6 of the European Convention on Human Rights (*ECHR*), as well as Article 4 to its Protocol No. 7; Article 53 of the European Convention on the International Validity of Criminal Judgments; Articles 8, 9 and 10 of the Universal Declaration of Human Rights; 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”, (*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. 00-2024-1747, dated 31.10.2024 of the Criminal 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.