

Decision no. 16, dated 17.02.2026
(V-16/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sonila Bejtja, Ilir Toska, Genti Ibrahim, Marjana Semini, Asim Vokshi, Sandër Beci, members, with court secretary Farisja Idrizaj, on 17.02.2026 took under examination in plenary session on the basis of submitted documents, the case no. 21 (A) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **ARBEN FRROKU**, represented with power of attorney, by lawyer Tonin Prendi.

INTERESTED ENTITY:
GENERAL PROSECUTION OFFICE

SUBJECT MATTER: **Reopening of proceedings and repeal of Decision no. 73, dated 29.06.2015 of the Tirana Court of Appeal for Serious Crimes; Decision no. 00-2017-443, dated 08.06.2017 of the Criminal College of the High Court, as incompatible with the Constitution of the Republic of Albania.**
Remanding of the case to the competent court for retrial, ordering its retrial by a differently composed bench.

LEGAL BASIS: **Articles 4, 15, 18, 30, 33, 42, point 2, 43, 122, point 2, 124, 131, point 1, letter “f”, 132, 134, points 1 and 2, 142, point 1 and 145, point 2, of the Constitution of the Republic of Albania (*the Constitution*); Article 6 of the European Convention on Human Rights (*ECHR*); Articles 4, 15, point 2, 48 and 128 et seq. of the Code of Criminal Procedure (*CCP*); Articles 38, 71, 71/a, 71/c and 76, point**

6, of Law No. 8577, dated 10.02.2000 “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 71/c, 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 for reopening of the proceedings before the Constitutional Court.
2. Repeal of Decision no. 14, dated 24.04.2018 of the Constitutional Court.
3. Rejection of the applicant’s individual constitutional complaint.

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