

**Decision no. 15, dated 17.02.2026**

**(V-15/26)**

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Asim Vokshi, Sonila Bejtja, members, with court secretary Anjeza Puka, on 20.01.2026 took under examination in public plenary session, the case no. 3 (U) 2025 of the Basic Court Register, pertaining to:

**APPLICANT:** **UNION OF JUDGES OF ALBANIA**, represented with authorization, by Genti Dokollari and Sokol Pina.

**INTERESTED ENTITIES:**

**ASSEMBLY OF THE REPUBLIC OF ALBANIA**, represented with authorization, by Mimoza Arbi and Ervina Domi.

**COUNCIL OF MINISTERS**, represented with authorization, by Herald Jonuzaj, Vangelt Duni, Enkela Dudushi, Gentian Opre and the state advocate Irma Qosja.

**HIGH JUDICIAL COUNCIL**, represented with authorization, by Maela Alicanaj.

**NATIONAL ASSOCIATION OF JUDGES OF THE REPUBLIC OF ALBANIA**, represented with authorization, by its President Engert Pëllumbi and Erion Bani.

**SUBJECT MATTER:** **Repeal of Articles 1 and 2, point 2, of Law No. 33/2023 of 25 May 2023 “On an amendment to Law No. 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania, as amended”, as incompatible with the Constitution of the Republic of Albania.**

**LEGAL BASIS:** Articles 4, 7, 15, 17, 18, 116, 124, 125, 131, point 1, letter “a”, 134, point 1, letter “h”, 138 and 145 of the Constitution of the Republic of Albania (*the Constitution*); 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 “a” and 134, point 1, letter “h” of the Constitution, as well as Articles 49, point 3, letter “d”, 51, 51/a and 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 the first sentence of letter “a” of Article 1, as well as of Article 2, point 2 of Law No. 33/2023, dated 25 May 2023 “On an amendment to Law No. 96/2016 on the Status of Judges and Prosecutors in the Republic of Albania, as amended”, as incompatible with the Constitution of the Republic of Albania.
3. Obligation of the Assembly to enact the necessary legal amendments in accordance with the reasoning of this decision, by 31 July 2026.
4. The effects of the above-mentioned repeal shall enter into force on the date the legal amendments enter into force, and in any event, no later than 31 July 2026.

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