

Decision no. 26, dated 09.03.2026
(V-26/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Genti Ibrahimimi, Marjana Semini, Asim Vokshi, Ilir Toska, members, with court secretary Farisja Idrizaj, on 24.02.2026 took under examination in plenary session on the basis of submitted documents, the case no. 9 (E) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **EDMOND HYSENAJ**, represented with general power of attorney, by the lawyer Ariton Kasaj.

INTERESTED ENTITIES:

GENERAL PROSECUTION OFFICE, represented by the prosecutor Isa Jata.

HAMLET HYSENAJ, in absentia.

SUBJECT MATTER: **Repeal of Decision no. 00-2024-1923 (290), dated 21 November 2024 of the Civil Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 17, 41, 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, point 2, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 1 of Protocol No. 1 to the European Convention on Human Rights; 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.
2. Repeal of Decision no. 00-2024-1923 (290), dated 21 November 2024 of the Criminal Chamber 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.
4. The applicant’s representation expenses at the amount of ALL 30,000 (thirty thousand) shall be charged to the Ministry of Finance.

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