

**Decision no. 36, dated 19.03.2026**  
**(V-36/26)**

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sandër Beci, Genti Ibrahimi, Marjana Semini, Asim Vokshi, Sonila Bejtja, members, with court secretary Farisja Idrizaj, on 04.12.2025, 22.12.2025 and 11.03.2026 took under examination in plenary session on the basis of submitted documents, the case no. 13 (A) 2025 of the Basic Court Register, pertaining to:

**APPLICANTS:**                      **ANTONELA DERZA, FEDERIK DERZA, VIOLETA RRESHPJA, GJOVALIN RRESHPJA**, represented with power of attorney, by lawyer Gerti Ymeri.

**INTERESTED ENTITIES:**

**GENERAL PROSECUTION OFFICE**, represented with authorization, by prosecutor Alfred Progonati.

**GJERGJ SHTOGAJ, AGE SHTOGAJ**, represented with power of attorney, by lawyer Gëzim Pjetraj.

**ALEKSANDËR KOCAJ**

**SUBJECT MATTER:**              **Repeal of Decisions no. 529 (2595), dated 25 May 2018 of the Shkodër District Court; no. 1482 (4042), dated 29 July 2019 of the Shkodër District Court; no. 282, dated 16 October 2019 of the Shkodër Court of Appeal; no. 00-2024-1437, dated 12 September 2024 of the Criminal Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**  
**Stay of any enforcement or administrative action regarding the confiscated property, pending a final decision by the Constitutional Court.**

**Finding of a violation of the right to a fair trial, the right to property, and the right to an effective remedy of the nationals Frederik Derza, Violeta Rreshpja and Gjovalin Rreshpja.**

**Determining the competent judicial body to examine the claims of citizens Frederik Derza, Violeta Rreshpja, and Gjovalin Rreshpja concerning the violation of the right to a fair trial, the right to property, and the right to an effective remedy.**

**LEGAL BASIS:**

**Articles 15, 17, 31, 33, 41, 42, 43, 124, 131, points 1, letter “f” and 2, and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 13 of the European Convention on Human Rights and Article 1 to its Protocol no. 1; Article 5 of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime; Articles 27, 71, 71/a, 72 and 76 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 71 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. Rejection of the application.

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