

Decision no. 62, dated 01.06.2026
(V-62/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahimi, Marjana Semini, Asim Vokshi, Marsida Xhaferllari, members, with court secretary Anjeza Puka, on 05.05.2026 took under examination in plenary session on the basis of documents, the case no. 11 (J) 2025 of the Basic Court Register, pertaining to:

APPLICANTS: **A GROUP OF THIRTY-EIGHT MEMBERS OF PARLIAMENT (no fewer than one-quarter of the MPs),** represented with authorization, by the MP Gazment Bardhi and the lawyer Marash Logu.

INTERESTED ENTITY: **ASSEMBLY OF THE REPUBLIC OF ALBANIA,** represented with authorization, by the lawyer Gazmend Bici.

SUBJECT MATTER: **Resolution of the conflict of competences between no fewer than one-quarter of the Members of Parliament and the Assembly of the Republic of Albania, by establishing the obligation of the Assembly to set up an inquiry parliamentary committee.**

(i) **“On the verification of the lawfulness of the actions of Albanian officials in relation to the former FBI special agent *Charles McGonigal*”;**

(ii) **“On the review of the lawfulness of the activity of central and local government authorities, as well as the verification of the use of state administration resources for electoral purposes in the elections of 11 May 2025”.**

Declaration of Decision no. 77/2025 of the Assembly of the Republic of Albania “On the non-approval of the draft decision ‘On the establishment of an inquiry committee for the verification of the lawfulness of the actions of Albanian officials in relation to the former FBI special agent *Charles McGonigal*’”, as incompatible with the Constitution of the Republic of Albania.

Declaration of Decision no. 78/2025 of the Assembly of the Republic of Albania “On the non-approval of the draft decision ‘On the establishment of an inquiry committee for the review of the lawfulness of the activity of central and local government authorities, as well as the verification of the use of state administration resources for electoral purposes in the elections of 11 May 2025’”, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS:

Articles 7, 77, 78 and 131, point 1, letter “ç”, of the Constitution of the Republic of Albania (*the Constitution*); Articles 54, 55 and 56 of Law no. 8577 of 10 February 2000 “On the Organization and Functioning of the Constitutional Court of the Republic of Albania”, (*Court’s Organic Law*), as amended; Law no. 8891 of 2 May 2002 “On the organization and functioning of inquiry parliamentary committees”, as amended; Article 25 of the Rules of Procedure of the Assembly of the Republic of Albania (*Rules of Procedure of the Assembly*).

Constitutional Court, pursuant to Articles 77 and 131, point 1, letter “ç”, of the Constitution, as well as Articles 54, 55 and 56 of Law no. 8577 of 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. Resolution of the conflict of competences between one-quarter of the Members of Parliament and the Assembly of the Republic of Albania, by establishing the obligation of the Assembly to set up an inquiry committee “On the review of the lawfulness of the activity of central and local government authorities, as well as the verification of the use of state administration resources for electoral purposes in the elections of 11 May 2025”.
3. Repeal of Decision no. 78/2025 of the Assembly of the Republic of Albania “On the non-approval of the draft decision ‘On the establishment of an inquiry committee for the review of the lawfulness of the activity of central and local government authorities, as well as the verification of the use of state administration resources for electoral purposes in the elections of 11 May 2025’”, as incompatible with the Constitution of the Republic of Albania.
4. Rejection of the remaining claims.

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