

Decision no. 69, dated 04.06.2026
(V-69/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Genti Ibrahim, Marjana Semini, Asim Vokshi, Ilir Toska, members, with court secretary Anjeza Puka, on 28.04.2026 took under examination in plenary session on the basis of documents, the case no. 5 (R) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **RENISA SELENICA**, represented with special power of attorney, by the lawyer Loren Liço.

INTERESTED ENTITY: **SAMUËL SOARES**, represented with special power of attorney, by lawyer Nexhat Spahiu.

SUBJECT MATTER: **Repeal of decisions no. 5442 of 18 September 2024 of the Tiranë Court of First Instance of General Jurisdiction; no. 00-2024-5194 (851) of 23 December 2024 of the Civil Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**
Remanding of the case to the High Court for further proceedings.

LEGAL BASIS: **Articles 8, 18, 38, 39, 42, 116, 131, point 1, letter “f” and 134, points 1, letter “i”, and 2, of the Constitution of the Republic of Albania (*the Constitution*); Articles 1, 6, 8 and 13 of the European Convention on Human Rights (*ECHR*) and Article 2 of Protocol No. 4 and Article 5 of Protocol No. 7 thereto; Law no. 9443 of 16 November 2005 “On the accession of the Republic of Albania to the**

Convention ‘On Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children’”; Law no. 9446 of 24 November 2005 “On the accession of the Republic of Albania to the Convention ‘On the Civil Aspects of International Child Abduction’”; Articles 27-30, 39, 42 and 71/a et seq. 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.

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 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. Rejection of the application.

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