

Decision no. 71, dated 11.06.2026
(V-71/26)

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 11.06.2026 took under examination in plenary session on the basis of documents, the case no. 22 (E) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **ENKELA KAPEDANI**, represented with special power of attorney, by lawyer Joana Qeleshi.

INTERESTED ENTITY: **SPECIAL PROSECUTION OFFICE AGAINST CORRUPTION AND ORGANIZED CRIME**, represented by the prosecutor, Vladimir Mara.

SUBJECT MATTER: **Repeal of decisions no. 672 of 23 November 2024 of the Special Court of First Instance for Corruption and Organized Crime; no. 253 (87-2024-368) of 13 December 2024 of the Special Court of Appeal for Corruption and Organized Crime; no. 00-2025-376 of 27 February 2025 of the Criminal Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**

Repeal of decisions no. 672 of 23 November 2024 of the Special Court of First Instance for Corruption and Organized Crime; of 25 November 2024 of the Special Prosecution against Corruption and Organized Crime; no. 11/703 of 16 January 2025 of the Special Court of First Instance for Corruption and Organized Crime;

Order no. 53 (87-2025-69) of 6 March 2025 of the Special Court of Appeal for Corruption and Organized Crime; no. 00-2025-1160 of 10 July 2025 of the Criminal Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.

Ordering the lifting of the seizure of the items “mobile phone, iPhone make, model 13 ProMax; iPhone 6 mobile phone; iPhone 13 mobile phone; Acer make tablet; Acer make laptop; Lenovo make laptop” and their return to the applicant.

Or in the alternative,

Remanding of the case to the Special Court of Appeal for Corruption and Organized Crime for retrial.

Repeal of decision no. 00-2025-1160 of 10 July 2025 of the Criminal Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS:

Articles 3, 15, 17, 35, 36, 37, 41, 42, 43, 131, point 1, letter “f”, 134, point 1, 141 and 142 of the Constitution of the Republic of Albania (*the Constitution*); Articles 6, 8 and 13 of the European Convention on Human Rights (*ECHR*); Articles 71, 71/a and 71/b of 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 31/b and 43/b, point 2, as well as Article 72 of Law No. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, as amended, unanimously,

DECIDED:

1. Discontinuation of proceedings.

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