

Decision no. 72, dated 16.06.2026
(V-72/26)

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 16.06.2026 took under examination in plenary session on the basis of documents, the case no. 4 (Z) 2025 of the Basic Court Register, pertaining to:

APPLICANTS: **ZYMER MARTINAJ, DIANA MARTINAJ**, represented with power of attorney, by the lawyers Konstadin Trandafili and Sakip Lata.

INTERESTED ENTITIES:

MINISTRY OF DEFENSE, represented by Secretary General, Aleks Marku.

GENERAL STAFF OF THE ARMED FORCES, AIR FORCE COMMAND, represented by its Commander, Major General Ferdinand Dimo.

“SIGAL UNIQA GROUP AUSTRIA” JSC., in absentia.

SUBJECT MATTER: **Repeal of Articles 540 of 13 October 2014 of the Lezhë District Court; no. 347 of 23 June 2016 of the Shkodër Court of Appeal; no. 00-2024-3457 of 11 September 2024 of the Civil Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**

LEGAL BASIS: **Articles 41, 42, 131, letter “f”, 134, letter “i” and 142 of the Constitution of the Republic of Albania (*the Constitution*); Article 6 § 1 of the European Convention on Human Rights (*ECHR*); Articles 27, points 1 and 2,**

71, point 1, 71/a and 71/b 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 Article 72 of Law No. 8577 of 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, as amended, unanimously,

DECIDED:

1. Admission of the application in part.
2. Repeal of decision no. 00-2024-3457 of 11 September 2024 of the Civil Chamber of the High Court.
3. Remanding of the case to the High Court for further proceedings.

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