

Decision no. 74, dated 16.06.2026
(V-74/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Asim Vokshi, members, with court secretary Farisja Idrizaj, on 16.06.2026 took under examination in plenary session on the basis of documents, the case no. 18 (D) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **DRITAN ZAGANI**, represented with power of attorney, by the lawyer Dorian Matlija.

INTERESTED ENTITY: **GENERAL PROSECUTION OFFICE**, represented with authorization, by the prosecutor Isa Jata.

SUBJECT MATTER: **Repeal of decisions no. 62-2018-6117 (467), of 19 November 2018 of the Fier District Court; no. 142 of 4 June 2021 of the Vlorë Court of Appeal; no. 00-2025-277 of 18 February 2025 of the Criminal Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**
Finding of a violation of Article 18 of the European Convention on Human Rights.
Reimbursement of the costs of representation before the Constitutional Court.

LEGAL BASIS: **Articles 17, 18, 42, 131, point 1, letter “f”, and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6, 7, 10, 13 and 18 of the European Convention on Human Rights (*ECHR*);**

**Articles 47 and 49 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. 00-2025-277 of 18 February 2025 of the Criminal Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the High Court for further proceedings.
4. The applicant’s representation expenses at the amount of ALL 75,000 shall be charged to the Ministry of Finance.

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

