

Decision no. 79, dated 30.06.2026
(V-79/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sonila Bejtja, Sandër Beci, Ilir Toska, Marjana Semini, Asim Vokshi, Genti Ibrahimi, members, with court secretary Anjeza Puka, on 30.06.2026 took under examination in plenary session on the basis of submitted documents, the case no. 14 (I) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **ILIRIAN CANI**, represented with special power of attorney, by the lawyer Elgert Rusi.

INTERESTED ENTITIES:

PROPERTY TREATMENT AGENCY, represented by the State Advocate Irma Qosja.

STATE ADVOCACY OFFICE, represented by the State Advocate Irma Qosja.

ARBEN CANI, ALBANA THEODHORI (CANI), ENERITA VOZGA (CANI), NADIRE BACELLI, EMIN SHIJAKU, MERITA TOSKA, ISMAIL MURTHI, FATLINDA STRUGA, in absentia.

SUBJECT MATTER: **Repeal of Decisions no. 27 of 13 February 2019 of the Administrative Court of Appeal; no. 00-2025-2165 of 5 June 2025 of the Administrative Chamber of the High Court, as incompatible with the Constitution of the Republic of Albania.**
Remanding of the case to the High Court for retrial by a differently composed bench.

LEGAL BASIS: Articles 4, 17, 18, 41, 42, 122, 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 13 of the European Convention on Human Rights (*ECHR*), as well as Article 1 of Protocol No. 1 thereto; Law No. 8577, dated 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, dated 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. Repeal of decision no. 00-2025-2165 of 5 June 2025 of the Administrative 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.

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