

Decision no. 81, dated 02.07.2026
(V-81/26)

Constitutional Court of the Republic of Albania composed of: Fiona Papajorgji, President, Marsida Xhaferllari, Sandër Beci, Ilir Toska, Genti Ibrahimimi, Marjana Semini, Asim Vokshi, Sonila Bejtja, members, with court secretary Farisja Idrizaj, on 02.07.2026 took under examination in plenary session on the basis of documents, the case no. 32 (E) 2025 of the Basic Court Register, pertaining to:

APPLICANT: **EVIS BERBERI**, represented with special power of attorney, by the lawyers Elda Zotaj and Gentjan Rumano.

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

SUBJECT MATTER: **Repeal of decisions no. 370 of 30 July 2024 of the Special Court of First Instance for Corruption and Organized Crime; no. 194 (87-2024-282) of 10 October 2024 of the Special Court of Appeal for Corruption and Organized Crime; and no. 00-2025-159 of 30 January 2025 of the Criminal Chamber of the High Court, which extended the security measure of “remand in custody” provided for in Article 238 of the Code of Criminal Procedure, imposed on the national Evis Berberi by decisions no. 21 of 13 March 2025 and no. 27 of 16 March 2024 of the Special Court of First Instance for Corruption and Organized Crime, upheld by decision no. 16 of 25 April 2024 of the Special Court of Appeal for Corruption and**

**Organized Crime, as incompatible with the Constitution
of the Republic of Albania.**

LEGAL BASIS:

Articles 3, 4, 5, 15, 17, 18, 27, 29, 31, 32, 38, 42, 42, 131, point 1, letter “f”, and 134, point 1, letter “i”, of the Constitution of the Republic of Albania (*the Constitution*); Articles 5, 6, 7, 10, 14 and 18 of the European Convention on Human Rights (*ECHR*); Articles 27, 32 and 71/a 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 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution, as well as Articles 71 and 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, unanimously,

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.