

Decision no. 9 dated 28.03.2022

(V-9/22)

The Constitutional Court of the Republic of Albania consisting of: Vitore Tusha, President, Marsida Xhaferllari, Elsa Toska, Altin Binaj, Përparim Kalo, Sonila Bejtja, Fiona Papajorgji, members, and Enina Kotoni, secretary, on 10 March, 2022, examined in open plenary session the case no.3 (N) 2021 Act pertaining to:

APPLICANT: **A GROUP OF NO LESS THAN A FOURTH OF THE MEMBERS OF THE ASSEMBLY OF ALBANIA (36 Members of Parliament)**, represented upon authorization by Gazment Bardhi, Arbi Agalliu and Marash Logu.

INTERESTED SUBJECTS:

ASSEMBLY OF THE REPUBLIC OF ALBANIA, represented upon authorization by Erind Mërkuri.

COUNCIL OF MINISTERS, represented upon authorization by Embro Ahmetaj.

OBJECT: **Settlement of the jurisdictional dispute between no less than a quarter of the deputies and the Assembly of the Republic of Albania.**

Declaring the decision no.80/2021 of the Assembly of Albania "On the disapproval of the draft decision "On the establishment of the Assembly's Inquiry Commission for the control of the legality of actions and inactions of state institutions and public officials in the cases that resulted in the arbitration decision "Becchetti and others against Albania""", as incompatible with the Constitution of the Republic of Albania.

LEGAL BASIS: Articles 7, 77, 78, 131, point 1, letter “ç” and 134, point 1, letter “c”, of Constitution of the Republic of Albania; article 25 of the Rules

of Procedure of the Assembly of the Republic of Albania; articles 54, 55 and 56 of Law no. 8577 dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended; Law no. 8891, dated 02.05.2002 “On the organization and functioning of investigative commissions of the Assembly”, amended.

The Constitutional Court of the Republic of Albania, relying on article 77, point 2, of the Constitution, as well as articles 72, 73, point 4, of Law no. 8577 dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended,

DECIDED:

1.The rejection of the application.

This decision is conclusive, final and enters into force on the day of publication in the Official Gazette.