**Opening Speech**

**Holta Zaçaj**

**President of the Constitutional Court of the Republic of Albania**

**Your Excellency President of the Republic,**

**Honorable Speaker of the Assembly of Albania**

**Excellencies Ambassadors,**

**Dear, colleagues, friends and guests,**

I am privileged to be able to speak to you today, on this important jubilee of our Constitution not only as President of the Constitutional Court, but also as an Albanian citizen.

The Constitution represents an important part of the history of our people who willingly and faithfully, being pride and aware, carved in it the aspirations and values ​​that represented its dream for the future, for the establishment of rule of law and democracy, as well as its vision to join the European family.

Today, by honoring the Constitution, this masterpiece of our state formation, we also honor, with respect and humbleness, the fathers of our Constitution, the distinguished personalities in the field of law, who with their commitment and dedication defined the democracy as the unequivocal destination of the historical journey of our country.

The Constitution of the Republic of Albania has been for 25 years now our common shelter that guarantees the rule of law and our human rights.

Constitution represents the ultimate reference and the measuring unit for verifying the way how powers are exercised, how fundamental human rights and freedoms are protected and respected. It is the main subject of our daily political and social discourse.

It is thus, a factual and tangible reality, that when in need to find the clarity of law, we all return to the text of the Constitution, its purpose and spirit.

The Constitutional Court, entrusted with the responsibility of being the guardian and interpreter of the constitutional norm, is called upon to say the last word whenever necessary. This is a mission and role that the constitutional justices carry with great pride and responsibility.

It is the Constitutional Court’s interpretation, that turns the constitutional norm into a reality, it gives life and spirit to it. In interpreting the Constitution, the Court is mindful of our national values ​​as part of universal ones, considering the intention of its drafters as well as the new social dynamics.

During the three decades of its existence, the Constitutional Court has greatly influenced the development of democracy and constitutional justice, being aware of the impact of its decisions on the social, economic and political life of the country. In this framework, the decisions of the Court constitute in effect events of special importance. They are bound to reflect the sensibilities and expectations of the citizens, and are guided and oriented by the only compass, the Constitution.

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Given our political reality and institutional culture, concerns about the quality of democracy, rule of law and human rights often dictate the need to return to the Constitution and Constitutional Court.

The court is aware not only of its responsibility to fulfill this sacred mission, but as well as of the price that this responsibility often brings with it. The resolution of disputes, based on the rules and competencies defined by the Constitution, carries with it the risk of having unsatisfied parties.

Despite this, all subjects must accept its verdict. **The implementation of the Constitutional Court’s decisions is in fact the one and only correct and necessary behavior to enforce the Constitution.**

**Criticism against the Court and its judges is an indicator of the freedom of expression, for which we all have fought for, but to the extent that it does not turn into an attack or a mean of pressure on them.**

**Let's not forget, judiciary can play its constitutional role only by being independent.**

**Politicization of judiciary and the judicialization of politics are and have always been phenomena that represent ongoing challenges not only for the developing democracies but also for the consolidated ones.**

Constitutional reform of 2016, also known as the justice system reform, aimed to detach the politics and its influence on the selection of higher judges, making a significant effort to depoliticize the judiciary.

On the other hand, the judicialization of politics due to the constitutional reference in the policy-making processes is found to be a growing trend. **Important political actions have diverted the political discourse from the parliament, the body elected by the people to the constitutional judicial debate.**

Constitutional Court is already involved in determining cases of great political and social importance, such as electoral and territorial reforms, conflicts of powers and competences, constitutionality of various legal initiatives.

**The judicialization of politics shows on one hand, the need and irreplaceable role of the Court in the final interpretation of the Constitution, and on the other hand, it shows also the danger of transforming the Court into a part of the policy-making process.**

The Constitutional Court is fully aware and responsible that although it does not make politics, it influences the political life of the country. The Court has tried to avoid judicial activism in its decisions, in respect of the principle of separation of powers, contributing through confirming interpretation to the preservation and maintaining of legal norms within the legal order whenever possible.

On the other side, **the Court has shown courage and professionalism in exercising its function by repealing the unconstitutional norms,** **whenever they are not in accordance with the Constitution, being aware that it has only the rubber as the pencil belongs to the Parliament.**

Dear friends and guests,

Recalling once again the fundamental values ​​of our Constitution, as a lesson from the past, for the present and the future, I think we could share together the gratitude and admiration for the Constitution, our sacred law, with the faith and hope that it will be the guide and compass of our project towards the European future.

Thank you!