

PRESS RELEASE

On December 6, 2023, 30 members of the Parliament of the Republic of Albania submitted to the Constitutional Court an application to review the constitutionality of the Protocol signed between the Council of Ministers of the Republic of Albania and the Government of the Republic of Italy "On strengthening the cooperation in the field of migration".

The application in question has been submitted before the ratification of this Protocol, based on Article 131 (1) (b) of the Constitution.

The members of Parliament have claimed that negotiation and signing procedure has not been respected, since the Protocol of cooperation falls under the category of agreements that require authorization by the President of the Republic, in accordance with Article 121 (1) (a) and (b) of the Constitution, as it concerns issues of territoriality and fundamental rights.

Furthermore, the applicants have submitted three consecutive requests for the suspension of ratification parliamentary procedures on the grounds that examination and voting of the draft law is scheduled by Parliament on the plenary session of December 14, 2023.

On December 11, 2023, the chamber of three judges of the Constitutional Court, after the preliminary examination of the case, has decided to refer it for review to the Meeting of Judges.

The Meeting of Judges, summoned on December 13, 2023, voted that the application met the preliminary criteria of admissibility and decided to transfer the case in chamber plenary hearing.

Based on Article 52 (3)¹, of Law no. 8577, dated 10.02.2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania", amended, examination of the case in a court hearing automatically suspends the ratification by the Parliament of the Protocol of cooperation, until the final decision of this Court.

Based on the same legal provision Article 52 (3), which requires the conclusion of the case review within 3 months from submission of the application, the Meeting of Judges decided that the hearing session will take place on January 18, 2024, at 10:00 am.

¹ Article 52 (3) of Law no. 8577/2000 has provided that: "*The ratification procedures of the agreement are suspended if the case is to be examined in the plenary session. The review shall be concluded within three months from the date of submission of the application*".