REPUBLIKA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO
GJYKATA KUSHTETUESE
УСТАВНИ СУД
CONSTITUTIONAL COURT

Prishtina, 3 June 2021
Ref. no.:RK 1798/21

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RESOLUTION ON INADMISSIBILITY

in

Case no. KI181/20

Applicant

Private company „Betoni“

Constitutional review of Decision E. Rev. No.225/20 of the Supreme Court of Kosovo of 27 July 2020

THE CONSTITUTIONAL COURT OF THE REPUBLIC OF KOSOVO

composed of:

Arta Rama-Hajrizi, President
Bajram Ljatifi, Deputy President
Bekim Sejdiu, Judge
Selvete Gërxhaliu-Krasniqi, Judge
Gresa Caka-Nimani, Judge
Safet Hoxha, Judge
Radomir Laban, Judge
Remzije Istrefi-Peci, Judge, and
Nexhmi Rexhepi, Judge

Applicant

1. The Referral was submitted by Private company „Betoni“, (hereinafter: „PC Betoni“), with its registered office in Xërxë, municipality of Rahovec (hereinafter: the Applicant), represented by lawyer Ymer Koro, from Prizren.

Challenged decision

2. The Applicant challenges the constitutionality of Decision [E. Rev. No. 225/2020] of the Supreme Court of the Republic of Kosovo (hereinafter: the Supreme Court) of 27 July 2020, which was served on him on 22 September 2020.

Subject matter

3. The subject matter is the constitutional review of the above-mentioned Decision of the Supreme Court, which allegedly violates the Applicant's fundamental rights and freedoms guaranteed by Articles 21, 22, 23, 24, 27, 28, 31, 46, 49, 53, 54, 55 and 119 of the Constitution of the Republic of Kosovo (hereinafter: the Constitution), guaranteed by Article 6 of the European Convention on Human Rights (hereinafter: the ECHR), guaranteed by Article 10 of the Universal Declaration of Human Rights (hereinafter: UDHR) as well as Articles 182, 183 and 184 of the Law on Contested Procedure (hereinafter: LCP) and 375, 585 and 595 by the Law on Obligational Relationships (hereinafter: LOR).

4. In addition, the Applicant requests the imposition of an interim measure which would suspend the execution of the final judgment C. No. 199/2011 of the Basic Court in Rahovec of 21 June 2012.

Legal basis

5. The Referral is based on paragraph 4 of Article 21 [General Principles] and paragraphs 1 and 7 of Article 113 [Jurisdiction and Authorized Parties] of the Constitution, Articles 22 [Processing Referrals], 27 [Interim Measure] and 47 [Individual Requests] of Law No. 03/L-121 on the Constitutional Court of the Republic of Kosovo (hereinafter: the Law) and Rule 32 [Filing of Referrals and Replies], 39 [Admissibility Criteria] and 56 [Request for Interim Measures] of the Rules of Procedure of the Constitutional Court of the Republic of Kosovo (hereinafter: the Rules of Procedure).

Proceedings before the Court

6. On 27 November 2020, the Applicant submitted the Referral to the Court.

7. On 30 November 2020, the President of the Court appointed Judge Bajram Ljatifi as Judge Rapporteur and the Review Panel composed of Judges: Bekim Sejdiu (Presiding), Selvete Gërxhaliu-Krasniqi and Gresa Caka-Nimani.

8. On 31 December 2020, the Applicant submitted additional documents to the Court.

9. On 6 January 2021, the Applicant submitted additional documents to the Court.

10. On 13 January 2021, the Applicant submitted additional documents to the Court.

11. On 14 January 2021, the Court notified the Applicant about the registration of the Referral and sent a copy of the Referral to the Supreme Court.

12. On 5 May 2021, the Review Panel considered the report of the Judge Rapporteur and unanimously recommended to the Court to declare the Referral inadmissible.

Summary of facts

13. On 1 May 1994, the Applicant entered into an agreement with M.G. on the lease of the immovable property, namely two cadastral parcels for a period of 10 years and for the purpose of performing the activities of the Applicant.

14. On an unspecified date in 2011, the heirs of M.G. filed a statement of claim with the Municipal Court in Rahovec against the Applicant requesting the termination of the lease agreement of the immovable property as well as the payment of the remaining rent.

15. On 21 June 2012, the Basic Court in Rahovec, by Judgment C. No. 199/2011, approved as grounded the statement of claim of the heir of M.G. by terminating the lease agreement of the immovable property of 01 May 1994 and obliging the Applicant to return the disputed parcels to the heirs of M.G., demolishing the buildings that were constructed from these plots, as well as to pay the remaining rent to the heirs of M.G.

16. In the reasoning of its judgment, the Basic Court stated,

> *„It is not disputed that the contract on the use of immovable property was concluded between the litigting parties for 10 years and within this period the obligations were performed by both parties. The contract stipulates the terms of the contract, and these facts have been confirmed by witness statements.*
> *In accordance with the provisions of Article 585 of the Law on Obligational Relationships, paragraph 4 states that „After effecting alterations to the object in course of the lease, the lease-holder shall be liable to restitute it to the state it was in when delivered to him for lease".*
> *On the other hand, paragraph 5 of the same Article stipulates that the lessee may take away additions to the object realized by him, should it be possible to detach them from the object without damaging it, but the lessor may keep them after reimbursing the lease-holder for their value at the time of restitution. The right of the lessor has priority over the right of the lease-holder to take allowances.*
> *By engaging appropriate experts in construction and agriculture, an assessment of the facilities built on the immovable property of the claimants was performed and an assessment of the immovable property was performed by the appropriate experts. However, in the assessment of the value of the buildings by the relevant experts and immovable property by the experts in that area, the claimants-counter-respondents did not*

agree to buy the buildings built on their parcel at the assessment of the construction experts, and the respondent- counter claimant did not agree to pay to claimants-counter respondents for the immovable property the value determined by the appropriate experts.
As relevant facts, for deciding in this legal issue, the court considered the statements of the litigating parties during the proceedings, the contract signed by the court parties, the statements of the abovementioned witnesses, as well as the expertise and opinions of the relevant experts against the respondents, because the litigating parties failed to agree on the purchase of the facility or the purchase of the immovable property".

17. On 29 August 2012, the Applicant filed an appeal with the Court of Appeals against the Judgment (C. No. 199/2011) of the Basic Court in Rahovec of 21 June 2012 on the grounds of violation of the provisions of contested procedure, erroneous and incomplete determination of factual situation and erroneous application of substantive law.

18. On 15 June 2015, the Court of Appeals, by Judgment Ae. No. 4325/2012, rejected, as ungrounded, the Applicant's appeal and upheld in entirety the Judgment (C. No. 199/2011) of the Basic Court in Rahovec.

19. On 28 July 2015, the Applicant filed a request for revision with the Supreme Court against the Judgment of the Court of Appeals through the Basic Court in Gjakova - Department in Rahovec, on the grounds of violation of the provisions of the contested procedure and erroneous application of substantive law.

20. On 20 August 2015, the Basic Court in Gjakova - Department in Rahovec, by Decision C. No. 199/2011, rejected the Applicant's revision as inadmissible because the indicated value of the dispute in this case does not exceed 3000 euro.

21. On an unspecified date, the Applicant filed an appeal with the Court of Appeals against the Decision (C. No. 199/2011) of the Basic Court in Gjakova - Department in Rahovec of 20 August 2015, on the grounds of violation of the provisions of contested procedure, erroneous and incomplete determination of factual situation and erroneous application of substantive law.

22. On 5 December 2019, the Court of Appeals, by Decision Ae. No. 4325/2012 approved the Applicant's appeal as grounded, annulled the Judgment (C. No. 199/2011) of the Basic Court in Gjakova – Department in Rahovec of 20 August 2015 and referred the case to the Supreme Court to decide on the submitted revision of the Applicant.

23. In the reasoning of its decision, the Court of Appeals stated,

„it is true that the claimant-counter-respondent stated in the claim that the value of the dispute is € 100, as well as that he paid the court fee for the value. It is true that the respondent-counter-claimant did not state the value of the dispute in the counter-claim at all. However, Article 33 of the LCP stipulates that when a dispute concerns the existence of a lease relationship, the value of the dispute is calculated at the value of the one-

year lease, unless the lease is agreed for a shorter period. In this particular case, we are talking about a lease of € 250 per month, namely exactly € 3,000 per year, it is clear that the submitted revision meets the requirements of Article 211 paragraph 2 of the LCP. For the abovementioned reasons, the Court of Appeals finds that the Applicant's appeal should be upheld".

24. On 27 July 2020, the Supreme Court rendered Decision E. Rev. No. 225/2020, rejecting the Applicant's revision as inadmissible.

25. In the reasoning of the decision on revision, the Supreme Court stated, *„The case file shows that the claimant filed a claim for handing over the immovable property and the remaining part of the rent, and in the claim in both the first and second instance judgments, the amount of the dispute is 100.00 euro (one hundred euro). The claim was filed with the court on 28 September 2006, and in the name of the court fee for the claim, the claimant paid 7.5 euro (seven euro and fifty cents). [...] Article 211.2 of the LCP stipulates that revision is not allowed in property disputes in which the claim has nothing to do with the monetary claim, delivery of items or fulfillment of some other promise, if the value of the subject of the dispute indicated in the claimant's claim does not exceed 3,000.00 euro (three thousand euro).*

26. On 13 August 2020, at the proposal of the heir of M.G., the Private Enforcement Agent issued Order P. No. 07/18 for the enforcement of the final judgment C. No. 199/2011 of the Basic Court in Rahovec of 21 June 2012.

Applicant's allegation

27. The Applicant alleges that the challenged decision of the Supreme Court violated its fundamental rights and freedoms guaranteed by Articles 21, 22, 23, 24, 27, 28, 31, 46, 49, 53, 54, 55 and 119 of the Constitution, guaranteed by Article 6 of the ECHR, guaranteed by Article 10 of the UDHR as well as Articles 182, 183 and 184 of the LCP and Articles 375, 585 and 595 of the LOR.

28. The Applicant alleges that the challenged decision of the Supreme Court contains essential violations of Article 24 of the Constitution because *„we requested: Super expertise, from experts who are not from Rahovec, or from the surrounding area, but some court expert outside Rahovec, who would be impartial and who would professionally perform the super expertise of the disputed plot.*
The judge approves our request, but appoints an expert from Rahovec, who was partial. We did not accept this expertise.
We requested for experts in the field of agriculture, from the Faculty of Agriculture in Prishtina, the judge did not fulfill our request".

29. The Applicant alleges that Article 31 of the Constitution and Article 6 of the ECHR have been violated because the challenged judgment *„the allegation given in the reasoning of the court of revision that the value of the dispute is 100 euro and that the revision should be rejected as inadmissible is ungrounded, within the meaning of Article 212.2 of the LCP, when the claiming party specified in the submission of 15.02.2011 the value of the*

dispute to 15,000 euro, and this amount was also decided by the first instance court, and it was confirmed by the Court of Appeals of Kosovo. Namely, even if the claimants determined the value of the dispute at 100 euro, the appellant was not guilty of determining the value, so that the revision would be rejected as inadmissible due to the fact that the applicant-appellant determined the value of the counterclaim higher than 3000 euro".

30. As to Articles 21, 22, 23, 27, 46, 49, 53, 55 and 119 of the Constitution, the Applicant states that *„The Supreme Court of Kosovo violated the Constitution of Kosovo by enabling the Prosecutor, through: PRIVATE ENFORCEMENT AGENT: GJOK RADI - GJAKOVA, to start the ENFORCEMENT OF ORDER P. No. = 07/18 of 13 August 2020. Violating the Constitution of Kosovo under these laws as follows: Article 21 [General Principles] items 1, 2 and 3, Article 23 [Human Dignity], Article 24 [Equality Before the Law] items 1, 2 and 3, Article 27. We cite: Every person enjoys the right to have his/her physical and psychological integrity respected, Article 119 [General Principles] items 1, 2 and 4, so that he allowed PRIVATE ENFORCEMENT AGENT TO IMPLEMENT THE EXECUTION ORDER, violating the Laws, the Constitution of Kosovo, as follows: Article 28 [Prohibition of Slavery and Forced Labor".*

31. The Applicant requests the Court to impose an interim measure, which would suspend the execution of Judgment C. No. 199/2011 of the Basic Court in Rahovec of 21 June 2012.

32. The Applicant also requests the Court to declare his Referral admissible, to annul Judgment E. Rev. No. 225/20 of the Supreme Court of 27 July 2020, on the grounds of violation of Article 24 (Equality Before the Law) as well as Article 31 [Right to Fair and Impartial Trial] of the Constitution, in conjunction with paragraph 1 of Article 6 (Right to a fair trial) of the ECHR, and to remand the case for reconsideration.

Admissibility of the Referral

33. The Court first examines whether the Applicant has fulfilled the admissibility requirements established by the Constitution, and further specified by the Law and foreseen by the Rules of Procedure.

34. The Court refers to paragraphs 1 and 7 of Article 113 [Jurisdiction and Authorized Parties] of the Constitution which establish:

> *"1. The Constitutional Court decides only on matters referred to the court in a legal manner by authorized parties.*
>
> *[...]*
>
> *7. Individuals are authorized to refer violations by public authorities of their individual rights and freedoms guaranteed by the Constitution, but only after exhaustion of all legal remedies provided by law".*

35. The Court also refers to paragraph 4 of Article 21 [General Principles] of the Constitution, which establishes: *"Fundamental rights and freedoms set forth in the Constitution are also valid for legal persons to the extent applicable"*.

36. In this regard, the Court initially notes that the Applicant has the right to file a constitutional complaint, referring to alleged violations of its fundamental rights and freedoms, applicable both to individuals and to legal persons (see, case of the Court No. KI41/09, Applicant: *AAB-RIINVEST University LLC*, Resolution on Inadmissibility of 3 February 2010, paragraph 14).

37. In addition, the Court refers to Articles 48 [Accuracy of the Referral] and 49 [Deadlines] of the Law, which establish:

Article 48
[Accuracy of the Referral]

"In his/her referral, the claimant should accurately clarify what rights and freedoms he/she claims to have been violated and what concrete act of public authority is subject to challenge".

Article 49
[Deadlines]

"The referral should be submitted within a period of four (4) months. The deadline shall be counted from the day upon which the claimant has been served with a court decision [...]".

38. With regard to the fulfillment of these criteria, the Court finds that the Applicant submitted the Referral in the capacity of an authorized party; challenges the act of a public authority, namely Decision E. Rev. No. 225/20 of the Supreme Court of 27 July 2020; accurately clarified what rights and freedoms he claims to have been violated; exhausted all available legal remedies based on the law, and submitted the Referral in accordance with the deadline set out in the law.

39. However, in addition to these requirements, the Court should also consider whether the Applicant has met the admissibility requirements established in Rule 39 [Admissibility Criteria] of the Rules of Procedure. Specifically, Rule 39 (2) provides that:

"(2) The Court may consider a referral as inadmissible if the referral is manifestly ill founded because the Applicant has not sufficiently proved and substantiated the claim".

40. In this regard, the Court first recalls that the Applicant alleges that the Supreme Court in the challenged Decision violated his rights guaranteed by Articles 21, 22, 23, 24, 27, 28, 31, 46, 49, 53, 54, 55 and 119 of the Constitution, as well as Article 6 of the ECHR, because (i) he was not granted expert opinions as he requested, (ii) the value of the dispute was not correctly calculated and finally (iii) the court should not have approved the enforcement.

As to the alleged violation of the rights guaranteed by Article 31 of the Constitution and Article 6 of the ECHR

41. The Court notes that the Applicant explicitly mentioned the alleged violations of the rights guaranteed by the Constitution, linking the alleged violations with the determination of facts, namely failure to take into account the lease agreement of the disputed plots as well as erroneous application of the law, without further explaining on constitutional basis how and why these specific articles of the Constitution have been violated.

42. As regards the Applicant's aforementioned allegations, the Court emphasizes that the Applicant built his case on the grounds of legality, namely on the determination of facts. The Court recalls that these allegations relate to the domain of legality and as such do not fall within the jurisdiction of the Court, and therefore, in principle, cannot be considered by the Court (see, case KI56/17, Applicant *Lumturije Murtezaj*, Resolution on Inadmissibility, of 18 December 2017, paragraph 35).

43. In this respect, the Court emphasizes that it is not its duty to deal with the errors of law that have allegedly been committed by the regular courts (legality), unless and in so far as they may have infringed fundamental rights and freedoms protected by the Constitution (constitutionality). If it were otherwise, the Court would be acting as a court of fourth instance, which would result in exceeding the limits imposed on its jurisdiction. In accordance with the case law of the ECtHR and with its already consolidated case law, the Court reiterates that it is the role of regular courts to interpret and apply the pertinent rules of procedural and substantive law and that no abstract assessments can be made as to why a regular court has decided in a certain way rather than in another (see case *Garcia Ruiz v. Spain*, ECtHR, No. 30544/96, of 21 January 1999, para. 28, see also case KI70/11, Applicant *Faik Hima, Magbule Hima and Bestar Hima*, Resolution on Inadmissibility, of 16 December 2011).

44. The Court can only consider whether the evidence has been presented in such a manner that the proceedings in general, viewed in their entirety, have been conducted in such a way that the Applicant had a fair trial (see among others authorities, case *Edwards v. United Kingdom*, App. No 13071/87 Report of the European Commission on Human Rights, adopted on 10 July 1991).

45. Based on the case file, the Court notes that the reasoning given in the decision of the Supreme Court is clear, and after considering all the proceedings, the Court also found that the proceedings before the Court of Appeals and the Basic Court were not unfair or arbitrary (see case *Shub v. Lithuania*, no. 17064/06, ECtHR Decision of 30 June 2009).

46. In the circumstances of the present case, in order to further elaborate the general principles of constitutional adjudication, the Court notes that the Supreme Court rejected the Applicant's request "*as inadmissible*" in procedural terms and without considering the merits of the request. When interpreting the provisions of the Law on Contested Procedure, the Supreme Court, as it assessed that the most correct way to interpret them, emphasized

that the request for revision must be declared inadmissible because the value of the dispute is below € 3,000. Therefore, the Supreme Court rejected the Applicant's request on procedural grounds of admissibility.

47. More specifically, the Supreme Court stated the following in its decision: *" The Supreme Court considered the revision in terms of Article 33 of the LCP, which provides: If the dispute is related to a daily-pay or lease or use of residence or working space, the value of the dispute is calculated based on the annual amount of the daily-pay or lease except when the daily-pay or lease relation is for a shorter contracted period". In the present case, the amount of the dispute has to do with the value of rent calculated in a one-year period, in the monthly amount of 250.00 euro (two hundred and fifty euro), namely € 3,000.00 (three thousand euro) as an annual amount, it is clear that the condition from Article 211.2 of the LCP which stipulates that revision is allowed only if the value of the dispute exceeds the amount of € 3,000 (three thousand euro), has not been met, therefore it must be higher than € 3,000.00 (three thousand euro)".*

48. In this regard, the Court considers that the Applicant did not prove that the proceedings before the Supreme Court or other regular courts were unfair or arbitrary, or that his fundamental rights and freedoms protected by the Constitution were violated, as a result of erroneous interpretation of the procedural law. The Court reiterates that the interpretation of law is a duty of the regular courts and that it is the issue of legality (See, case KI63/16, Applicant *Astrit Pira*, Resolution on Inadmissibility of 8 August 2016, paragraph 44, and also see case KII50/15; KII61/15; KII62/15; KII4/16; KII9/16; KI60/16 and KI64/16, Applicants *Arben Gjukaj, Rysni Roxha, Driton Pruthi, Milazim Lushtaku, Esat Tahiri, Azem Duraku and Sami Lushtaku*, Resolution on Inadmissibility of 15 November 2016, paragraph 62).

49. The case law of this Court indicates that there were other cases when a decision of the Supreme Court was challenged- such as the present case - by which were rejected as inadmissible the requests for revision, and in which the value of the dispute was below € 3,000. In such cases, the Court, as in the present case, focused only on that whether the Applicants have benefited from fair and impartial trial, not entering the issues of legality and aspects of the interpretation of procedural and substantive law, as such prerogatives are the competence of the regular courts. Therefore, the Court declared such cases inadmissible as manifestly ill-founded (See the cases of the Constitutional Court, KI66/18 Applicant *Sahit Mucolli*, Resolution of 6 December 2018, KI110/16 Applicant *Nebojsa Đokić*, Resolution of 24 March 2017, KI24/16 Applicant *Avdi Haziri*, Resolution of 4 November 2016, KI112/14 Applicant *Srboljub Krstić*, Resolution of 19 January 2015, KI84/13 Applicant *Gani, Ahmet and Nazmije Sopaj*, Resolution of 18 November 2013).

50. In line with its consolidated case law, the Court further notes that the Applicant's dissatisfaction with the outcome of the proceedings before the regular courts, namely with the decisions of the Supreme Court, the Court of Appeals and the Basic Court, cannot of itself raise an arguable claim of violation of the right to fair and impartial trial. (See, *mutatis mutandis, case Mezotur - Tiszazugi Tarsulat v. Hungary*, ECtHR, Judgment of 26 July 2005,

paragraph 21; and see also, case KI56/17, Applicant *Lumturije Murtezaj*, Resolution on Inadmissibility of 18 December 2017, paragraph 42).

51. Therefore, the Court considers that the Applicant has not substantiated the allegations that the relevant proceedings were in any way unfair or arbitrary, and that the challenged decision violated the rights and freedoms guaranteed by the Constitution and the ECHR.

52. In conclusion, in accordance with Rule 39 (2) of the Rules of Procedure, the Referral is manifestly ill-founded on constitutional basis and, therefore, inadmissible.

Regarding the alleged violation of the rights guaranteed by Articles 21, 22, 23, 24, 27, 28, 46, 49, 53, 54, 55 and 119 of the Constitution and Article 10 of the UDHR

53. In addition, the Court notes that the Applicant alleges that the challenged Judgment of the Supreme Court violated its rights guaranteed by Articles 21, 22, 23, 24, 27, 28, 46, 49, 53, 54, 55 and 119 of the Constitution and Article 10 of the UDHR. In the present case, the Applicant only mentions the relevant Articles, but does not elaborate further on how and why these relevant Articles of the Constitution were violated. The Applicant basically connected the violation of these articles with the alleged violations of Article 31, of the Constitution, Article 6 of the ECHR, and these allegations of the Applicant have already been assessed by the Court as manifestly ill-founded on constitutional basis (see case of the Court KI135/20, Applicant *Hava Behxheti*, Resolution on Inadmissibility of 31 December 2020, paragraph 54)

54. The Court recalls that it has consistently emphasized that the mere reference to the articles of the Constitution and the ECHR and their mention is not sufficient to build a reasoned allegation of a constitutional violation. When alleging such violations of the Constitution, the Applicants should provide substantiated allegations and convincing arguments (see case of the Court KI175/20, Applicant: *Privatization Agency of Kosovo*, Resolution on Inadmissibility of 27 April 2021, paragraph 81, see case of the Court KI166/20, cited above, paragraph 51). Therefore, in relation to these allegations, the Court, in accordance with its case-law, declares the Applicant's Referral as manifestly ill-founded and therefore inadmissible.

55. Therefore, the Court finds that the Applicant's allegations of violation of Articles 21, 22, 23, 24, 27, 28, 46, 49, 53, 54, 55 and 119 of the Constitution and Article 10 of the UDHR, should be declared inadmissible as manifestly ill-founded, because these allegations qualify as allegations falling into the category of (iii) "*unsubstantiated or unsupported*" allegations, because the Applicant did not prove and sufficiently substantiate its allegations of violation of its rights, but merely cited one or more provisions of the Convention or the Constitution, without explaining how they have been violated. Therefore, the latter are manifestly ill-founded on constitutional basis, as established in paragraph 2 of Rule 39 of the Rules of Procedure.

Request for interim measure

56. The Court recalls that the Applicant also requests the Court to impose an interim measure, which would suspend the execution of final Judgment C. No. 199/2011, of the Basic Court in Rahovec of 21 June 2012.

57. However, the Court has just concluded that the Applicant's Referral must be declared inadmissible on constitutional basis.

58. Therefore, in accordance with Article 27.1 of the Law and Rule 57 (4) (a) of the Rules of Procedure, the Applicant's request for interim measure is to be rejected, as the latter cannot be the subject of review, because the Referral is declared inadmissible.

FOR THESE REASONS

The Constitutional Court of Kosovo, in accordance with Article 113.7 of the Constitution, Articles 20 and 27.1 of the Law, and Rules 39 (2) and 57 (1) of the Rules of Procedure, on 5 May 2021, unanimously:

DECIDES

I. TO DECLARE the Referral inadmissible;

II. TO REJECT the request for interim measure;

III. TO NOTIFY this Decision to the parties;

IV. TO PUBLISH this Decision in the Official Gazette in accordance with Article 20.4 of the Law;

V. This Decision is effective immediately.

Judge Rapporteur **President of the Constitutional Court**

Bajram Ljatifi

Arta Rama-Hajrizi

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