



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

Prishtina, 9 August 2021
Ref. No:RK 1825/21

This translation is unofficial and serves for informational purposes only.

RESOLUTION ON INADMISSIBILITY

in

Case No. KI59/21

Applicant

Partia Demokratike e Kosovës, Branch in Gjakova

**Constitutional review of Judgment Rev.no416/2020, of the Supreme
Court, of 5 November 2020**

THE CONSTITUTIONAL COURT OF THE REPUBLIC OF KOSOVO

composed of:

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

Applicant

1. The Referral was submitted by Partia Demokratike e Kosovës, Branch in Gjakova (hereinafter: the Applicant) represented by Ylli Bokshi, lawyer from Gjakova.

Challenged decision

2. The Applicant challenges the constitutionality of the Judgment [Rev.no.416/2020], of 5 November 2020 of the Supreme Court of the Republic of Kosovo (hereinafter: the Supreme Court) in conjunction with Judgment [Ac.no.1067/2016] of the Court of Appeals of 16 July 2020.
3. The Applicant received the challenged Judgment on 27 November 2020.

Subject matter

4. The subject matter the Referral is the constitutional review of the challenged Judgment, which as alleged by the Applicant has violated its fundamental rights and freedoms guaranteed by Article 31 [Right to Fair and Impartial Trial] of the Constitution of the Republic of Kosovo (hereinafter: the Constitution) in conjunction with Article 6 (Right to a fair trial) of the European Convention on Human Rights (hereinafter: ECHR).

Legal basis

5. The Referral is based on paragraph 4 of Article 21 [General Principles] and paragraph 1 and 7 of Article 113 [Jurisdiction and Authorized Parties] of the Constitution, Articles 22 [Processing Referrals] 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) 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 20 March 2021, the Applicant submitted the Referral by mail service to the Constitutional Court of the Republic of Kosovo (hereinafter: the Court), which was received by the latter on 23 March 2021.
7. On 29 March 2021, the President of the Court appointed Judge Bajram Ljatifi as Judge Rapporteur and the Review Panel composed of Judges: Bekim Sejdiu (Presiding), Gresa Caka-Nimani and Safet Hoxha.
8. On 15 April 2021, the Court (i) notified the Applicant on the registration of the Referral; and (ii) requested him to submit the Referral Form, as well as to submit to the Court the acknowledgment of receipt proving when the Applicant received the challenged decision. On the same day, a copy of the Referral was sent to the Supreme Court.
9. On 27 April 2021, the Court received from the Applicant the Referral Form and the Applicant informed the Court that he did not possess the required acknowledgment of receipt.
10. On 17 May 2021, based on paragraph 5 of Article 114 [Composition and Mandate of the Constitutional Court] of the Constitution and Rule 12 (Election of President and Deputy President) of the Rules of Procedure, Judge Gresa Caka-

Nimani was elected President of the Constitutional Court. Based on paragraph 4 of Rule 12 of the Rules of Procedure and the Court Decision KK-SP 71-2/21, it was decided that Judge Gresa Caka-Nimani, shall take over the duty of the President of the Court after the end of the mandate of the current President of the Court, Arta Rama-Hajrizi, on 25 June 2021.

11. On 18 May 2021, the Court notified the Basic Court in Gjakova on the registration of the referral and requested it to submit to the Court the acknowledgment of receipt proving when the Applicant has received the challenged decision.
12. On 25 May 2021, pursuant to item 1.1 of paragraph 1 of Article 9 (Prior termination of the mandate) of the Law and Rule 7 (Resignation of Judges) of the Rules of Procedure, Judge Bekim Sejdiu submitted his resignation from the position of judge at the Constitutional Court.
13. On 27 May 2021, the President of the Court Arta Rama-Hajrizi, by Decision KSH59/21, appointed Judge Nexhmi Rexhepi as member of the Review Panel instead of Judge Bekim Sejdiu.
14. On 31 May 2021, the Basic Court in Gjakova submitted to the Court the requested acknowledgment of receipt.
15. On 31 May 2021, the President of the Court Arta Rama-Hajrizi, with Decision no. KK160/21 determined that Judge Gresa Caka-Nimani be appointed Presiding of the Review Panels in cases where she was appointed as member of the Panel, including the current case.
16. On 26 June 2021, based on paragraph 4 of Rule 12 of the Rules of Procedure and the Decision of the Court KK-SP 71-2/21, Judge Gresa Caka-Nimani took over the duty of the President of the Court, whilst pursuant to item 1.1 of paragraph 1 of Article 8 (Termination of mandate) of the Law, President Arta Rama-Hajrizi concluded the mandate of the President and Judge of the Constitutional Court.
17. On 22 July 2021, the Review Panel considered the report of the Judge Rapporteur, and unanimously made a recommendation to the Court on the inadmissibility of the Referral.

Summary of facts

18. Based on the case file, it results that the Applicant and the Privatization Agency of Kosovo-Regional Office in Peja (hereinafter: PAK), on 30 May 2012, had concluded a Lease Contract [no. 324/3], based on which were agreed that the Applicant shall use the offices located on the left side of the building of the SOE "Deva", in Gjakova, and for which it must pay the amount of 500 euros per month.
19. As a result of non-payment of rent, on an unspecified date the PAK had filed a claim with the Basic Court in Gjakova (hereinafter: the Basic Court) against the Applicant for payment of rent for the above-mentioned facility, for the period

from 1 June 2012 until 1 November 2015, in the total amount of 20.500,00 euros.

20. On 18 November 2015, the PAK, by a submission addressed to the Basic Court, requested the expansion of the statement of claim, requesting the Applicant to pay the relevant legal interest and the amount of 500 Euros until the handover of the building.
21. On 30 November 2015, the Applicant submitted a submission to the Basic Court, by which it challenged the passive legitimacy of the PAK regarding this issue and also contested the expansion of the statement of claim.
22. On 5 January 2016, the Basic Court, by Judgment [C.no.122/13] partially approved the statement of claim of the PAK, and thus obliged the Applicant as follows: i) on behalf of the unpaid rent from 1 June 2012 to 1 November 2015, based on the contract on rent to pay to the PAK the amount of 20.500,00 euros with the relevant legal interest paid by commercial banks in Kosovo for funds deposited for a period of over one year, and which begins to run from 18 November 2015; ii) to pay the procedural expenses; iii) the rest of the statement of claim and which is related to the payment of the amount of 500 euros for the period until the handover of the building, rejected it in its entirety as ungrounded.
23. Among other things, the Basic Court in addressing the allegations of the Applicant, in the reasoning of the above-mentioned Judgment stated *“regarding the allegations of the authorized respondent, that the claimant has no legitimacy, do not stand since as of 2008 the PAK manages socially owned enterprises and that the respondent with its request addressed the claimant for the lease of the building which resulted in the signing of the contract on rent which contract for the parties is law [...]”*.
24. On an unspecified date the Applicant filed an appeal with the Court of Appeals against the aforementioned Judgment of the Basic Court alleging substantial violation of the provisions of the contested procedure, erroneous determination of the factual situation and erroneous application of the substantive law.
25. On 16 July 2020, the Court of Appeals by Judgment [Ac.no.1067/2016] rejected the Applicant’s appeal as ungrounded, and upheld the above-mentioned Judgment of the Basic Court. The Court of Appeals in the reasoning of its Judgment considered that the Judgment of the Basic Court was fair, and does not involve essential violations of the provisions of the contested procedure and that the factual situation was correctly determined. Further with regard to the Applicant’s allegation that the Applicant is not a legal entity and that the PAK lacks passive legitimacy, the Court of Appeals rejected them as ungrounded.
26. On an unspecified date the Applicant filed a revision with the Supreme Court, against the aforementioned Judgment of the Court of Appeals alleging, substantial violation of the provisions of the contested procedure, and erroneous application of the substantive law.

27. On 5 November 2020, the Supreme Court by Judgment [Rev.416/2020] rejected the Applicant's revision as ungrounded, while it amended the Judgment [C.no.122/13] of the Basic Court, only in respect of interest, obliging the Applicant to pay the amount of 19,440.00 Euros with the relevant legal interest starting from 8 April 2016, until the final payment.

Applicant's allegations

28. The Applicant alleges that by the challenged Judgment [Rev.no.416/2020] of the Supreme Court, of 5 November 2020, its fundamental rights and freedoms guaranteed by Articles 31 [Right to Fair and Impartial Trial] in conjunction with Article 6 (Right to a fair trial) of the ECHR, have been violated.
29. The Applicant initially alleges that the Judgment [Ac.no.1067/2016] of 16 July 2020, is not sufficiently substantiated, claiming that through the latter, the Applicant's allegation regarding lack of active and passive legitimacy for the PAK to be a party in the proceedings was not substantiated, as well as the fact that the PAK was not represented before the regular courts in the manner provided by the Law on the Privatization Agency of Kosovo.
30. The Applicant with regard to the challenged Judgment of the Supreme Court, further alleges that it was erroneously determined the fact that the Applicant is a legal entity and that the PAK was not fairly represented before the regular courts. In relation to this, the Applicant alleges *"the Supreme Court of Kosovo has erroneously found when it concluded that the first instance court has correctly assessed that Partia Demokratike e Kosovës, respectively the Branch in Gjakova, has legitimacy in the proceedings referring to Article 23 par 1 of the statute of PDK"*.
31. The Applicant further alleges *"I consider that the principle of legality has been seriously violated at a high level, and based on the analysis of court decisions challenged with this Referral to the Constitutional Court, it is concluded that the regular courts have erroneously or arbitrarily and unilaterally applied relevant legal provisions with which they have seriously violated the constitutional guarantees"*.
32. In support of the allegations of lack of reasoning of regular court decisions, the Applicant has been referred to a large number of cases of the European Court of Human Rights (hereinafter: the ECtHR) respectively the cases (*Talpis v. Italy, Judgment of 18 September 2017, paragraph 77 and references cited therein, Hadjianastassiou v. Greece, Judgment of 16 December 1992; Van de Hurk v. Netherland, Judgment of 19 April 1994; Hiro Balani v. Spain, Judgment of 9 December 1994; Higgins and others v. France, Judgment of 19 February 1998; Garcia Ruiz v. Spain, Judgment of 21 January 1999; Hirvisaari v. Finland, 27 September 2001; Suominen v. Finland, Judgment of 1 July 2003; Buzescu v. Romania, Judgment of 24 May 2005 Pronina v. Ukraine, Judgment of 18 July 2006; and Tatishvili v. Russia, Judgment of 22 February 2007*) as well as Court cases (*KI72/12, Veton Berisha and Ilfete Haziri, Judgment of 17 December 2012; KI22/16, Naser Husaj, Judgment of 9 June 2017; KI97/16, Applicant "IKK Classic", Judgment of 9 January 2018;*

and KI143/16, Muharrem Blaku and others, Resolution on Inadmissibility of 13 June 2018.

33. Finally, the Applicant requests the Court to declare the challenged decision null and void, respectively, the Judgment [Rev.no.416/2020] of the Supreme Court, of 5 November 2020.

Assessment of the admissibility of Referral

34. The Court first examines whether the Referral has met the admissibility criteria set out in the Constitution, provided by law and further specified in the Rules of Procedure.

35. In this respect, 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.”

36. The Court also refers to paragraph 4 of Article 21 [General Principles] of the Constitution, which provides:

“4. Fundamental rights and freedoms set forth in the Constitution are also valid for legal persons to the extent applicable.”

37. In this regard, the Court notes that the Applicant has the right to file a constitutional complaint, referring to the alleged violations of its fundamental rights and freedoms, which apply to both individuals and legal entities as far as they are applicable (see, among others, the case of the Court KI118/18, with Applicant, *Eco Construction L.L.C.*, Resolution on Inadmissibility, of 10 October 2019, paragraph 29 and the references used therein).

38. The Court also examines whether the Applicant has met the admissibility requirements as set out in the Law. In this regard, the Court refers to Articles 47 (Individual Requests), 48 (Accuracy of the Referral) and 49 (Deadlines) of the Law, which stipulate:

Article 47 (Individual Requests)

“1. Every individual is entitled to request from the Constitutional Court legal protection when he considers that his/her individual rights and freedoms guaranteed by the Constitution are violated by a public authority.

2. The individual may submit the referral in question only after he/she has exhausted all the legal remedies provided by the law.”

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...”

39. With regard to the fulfillment of these requirements, the Court finds that the Applicant is an authorized party, which challenges an act of a public authority, namely the Judgment [Rev.no.416/2020] of the Supreme Court, of 5 November 2020, after having exhausted all legal remedies provided by law. The Applicant has also clarified the fundamental rights and freedoms that it alleges to have been violated in accordance with the requirements of Article 48 of the Law and has submitted the Referral in accordance with the deadlines set out in Article 49 of the Law.
40. In addition, the Court examines whether the Applicant has met the admissibility criteria set out in Rule 39 (Admissibility Criteria) of the Rules of Procedure. Paragraph (2) of Rule 39 of the Rules of Procedure sets out the criteria according to which the Court may examine the Referral, including the criterion that the Referral is not manifestly ill-founded. Rule 39 (2) provides in particular the following:
- “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.”*
41. The Court first notes that the above-mentioned rule, based on the case law of the ECtHR and the Court, enables the latter to declare referrals inadmissible on grounds relating to the merits of a case. More precisely, based on this rule, the Court may declare a referral inadmissible on the basis of and after the assessment of its merits, respectively if the same considers that the content of the referral is clearly ill-founded on constitutional grounds, as defined in paragraph (2) of Rule 39 of the Rules of Procedure.
42. Based on the case law of the ECtHR but also of the Court, a Referral may be declared inadmissible as *“manifestly ill-founded”* in its entirety or only with respect to any specific allegation that a Referral may contain. In this regard, it is more accurate to refer to the same as *“manifestly ill-founded allegations”*. The latter, based on the case law of the ECtHR, can be categorized into four distinct groups: (i) allegations that qualify as allegations of *“fourth instance”*; (ii) allegations categorized as having *“an apparent or evident lack of violation”*; (iii) *“unsubstantiated or unreasonable”* allegations; and finally, (iv) *“confusing and vague”* allegations.

43. In the context of the assessment of the admissibility of the Referral, respectively, in assessing whether the same is manifestly ill-founded on constitutional grounds, the Court will first recall the substance of the case contained in this Referral and the respective allegations of the Applicant, in the assessment of which the Court will apply the standards of case law of the ECtHR, in accordance with which, pursuant to Article 53 [Interpretation of Human Rights Provisions] of the Constitution, it is obliged to interpret the fundamental rights and freedoms guaranteed by the Constitution.
44. The Court recalls that the circumstances of the present case relate to a concluded contract for rent between the Applicant and the PAK as the administrator of the socially-owned enterprises. As a result of non-payment of contractual obligations, respectively for the payment of debt for rent for the period from 1 June 2012 to 1 November 2015, in the total amount of 20.500,00 euros, the PAK had filed a claim in the Basic Court, and in the meantime had requested to supplement the statement of claim by requesting the applicant to pay the interest as well as the amount of 500 euros per month until the final payment of the debt. The Basic Court had partially approved the statement of claim of the PAK and obliged the Applicant to pay to the PAK on behalf of the unpaid rent from 1 June 2012 to 1 November 2015, on the basis of the lease contract the amount of 20.500,00 euros with the relevant legal interest paid by commercial banks in Kosovo for funds deposited for a period of over one year, which starts to flow from 18 November 2015, while it rejected the remainder part as ungrounded. After the Applicant's appeal filed to the Court of Appeals, where, among other things, the Applicant challenged the passive and active legitimacy of the PAK in this case, the Court of Appeals rejected it as ungrounded. The Applicant filed a revision with the Supreme Court, and the latter rejected the revision against the Judgment of the Court of Appeals, while amended the Judgment of the Basic Court only as to the date from which the interest should be paid.
45. The Court recalls that these findings of the Court of Appeals and the Supreme Court are challenged by the Applicant before the Court, alleging in essence the violation of Article 31 of the Constitution and Article 6 of the ECHR due to the lack of reasoning of the court decisions, specifically Judgment [Rev.no.416/2020] of 5 November 2020 of the Supreme Court in conjunction with Judgment [Ac.no.1067/2016] of the Court of Appeals, of 16 July 2020.
46. Initially, the Court recalls that the allegations raised by the Applicant at the Court were also raised before the regular courts and relate mainly to the lack of reasoning of court decisions, namely: i) the lack of reasoning that the regular courts have maintained on the Applicant's allegation regarding the lack of passive and active legitimacy of the PAK to be a party in the proceeding; ii) the allegation that the fact that the Applicant is a legal entity has been erroneously determined; and iii) that the PAK has been unfairly represented before the regular Courts, respectively not in the manner provided by the Law on the Privatization Agency of Kosovo.
47. In relation to these allegations, the Court refers to the case law of the ECtHR, which has held that, although the authorities enjoy considerable freedom in choosing the appropriate means to ensure that their judicial systems comply

with the requirements of Article 6 (1) of the ECHR, their courts must “*show with sufficient clarity the reasons on which they based their decision*” (see *Hadjianastassiou v. Greece*, application no. [12945/87](#), Judgment of ECtHR, of 16 December 1992, paragraph 33; see also the case of the Court KI97/16, Applicant “*IKK Classic*”, Judgment of 9 January 2018, paragraph 45, see the case KI143/16, Applicant *Muharrem Blaku and others*, Resolution on Inadmissibility of 17 May 2018, paragraph 54).

48. In accordance with the case law of the ECtHR, this Court has also, in a number of cases, stated that although the courts are not obliged to address all the allegations submitted by the Applicants, the courts have an obligation to address the main allegations of cases before them (see, *mutatis mutandis*, the above-mentioned case of the Court KI97/16, Applicant *IKK Classic*, Judgment of 9 February 2016, paragraph 53). In this respect, the right to make a judicial decision in accordance with the law includes the obligation for the courts to give reasons for their decisions, both at the procedural and the substantive level (see, *mutatis mutandis*, the above-mentioned case of the Court KI97/16, Applicant *IKK Classic*, Judgment of 9 February 2016, paragraph 54).
49. In the Applicant’s case, the Court initially notes that the Supreme Court had rejected as ungrounded the revision filed by the Applicant against Judgment [Ac.no.1067/2016] of the Court of Appeals, of 16 July 2020. First, with respect to the Applicant’s specific allegations that the Supreme Court did not address his allegations stated in the revision, the Court refers to the relevant part of the Judgment of the Supreme Court which reasoned:

“The statements in the revision that the judgments of the lower instance were taken with substantial violations of the provisions of the contested procedure, as it is emphasized that the decisive evidence for confirming the ownership of the disputed premises was not provided, and that the legitimacy of the claimant, the Supreme Court of Kosovo have assessed them as ungrounded. It has been uncontestably determined that the claimant is the owner of the premises and with no evidence the respondent had disputed this. The allegations mentioned in the revision that were the subject of review even before the second instance court which fairly assessed that the respondent, Partia Demokratike e Kosovës has the legitimacy of the party in the procedure, the Supreme Court approves for the fact that according to the official website where the statute of the respondent was published is defined in Article 7, which refers to the legal statute that “the PDK is a legal entity with rights and obligations arising from the Laws of the Republic of Kosovo and is registered in the official register of political organizations”. Whereas in Article 23. 1., is defined that PDK Branches are the highest form of organization at the local level.

The allegations that the claimant was unlawfully represented are rejected by the Supreme Court as ungrounded. According to Law no.03/1-067 on the Privatization Agency of Kosovo [...] applicable in the respective case, has the authority to administer, including the authority to sell, transfer and/or liquidate- Enterprises and Assets as defined under the present law. In the procedure, the claimant except Elmaze Nushi on behalf of the Management

Board of the Bank was represented by Ilmi Miftaraj with power of attorney given by the PAK.”

50. In addition, the Court also refers to the Judgment [Ac.no.106/2016] of the Court of Appeals, of 16 July 2020, by which regarding the claim of the Applicant that it is not a legal person and that PAK lacks passive legitimacy, the Court of Appeals rejected as ungrounded and upheld the Judgment [C.no.122/13] of the Basic Court. The Court also recalls the reasoning of the Judgment [C.no.122/13] of the Basic Court, of 5 January 2016, which states that “*regarding the allegations of the authorized respondent, that the claimant has no legitimacy, do not stand since as of 2008 the PAK manages socially owned enterprises and that the respondent with its request addressed the claimant for the lease of the building which resulted in the signing of the contract on rent which contract for the parties is law [...]*”.
51. In light of the above, the Court concludes that the Judgment [Rev.416/2020] of the Supreme Court, of 5 November 2020, is clear and addresses the substantive allegations raised by the Applicant in the revision. There is no substantive argument which the Supreme Court has left aside as unreasonable, as the Applicant alleges.
52. Consequently, the Supreme Court came to this conclusion after considering the reasoning given by the Basic Court and the Court of Appeals.
53. Therefore, the Court considers that the conclusions of the Supreme Court were reached after a detailed examination of all the arguments submitted by the Applicant. Consequently, the Court considers that the reasoning given by the Supreme Court meets all the necessary standards of the ECtHR and the Court for a reasoned court decision.
54. The Court, in the Applicant’s case, notes that the Applicant’s allegations raised in the Court, mainly raise issues of legality and as such do not fall within the realm of constitutionality. Therefore, in the light of the above, the Court also finds that the proceedings in the regular courts were not unfair or arbitrary (see the ECtHR Judgment, *Pekinel v. Turkey*, of 18 March 2008, No. 9939/02, paragraph 55, see also, in this respect, among others, the case of the Court KI22/19, cited above, paragraph 43)
55. In this regard, the Court notes that it is not its duty to deal with errors of law allegedly committed by the regular courts (legality), except and to the extent that such errors may have violated fundamental rights and freedoms protected by the Constitution (constitutionality). It alone cannot assess the law that has made a regular court approve a decision instead of another decision. If it were otherwise, the Court would act as a “fourth instance” court, which would result in exceeding the limits set in its jurisdiction. Indeed, it is the role of the regular courts to interpret and apply the relevant rules of procedural and substantive law (see case, *García Ruiz v. Spain*, ECtHR, no. 30544/96, Judgment of 21 January 1999, paragraph 28 and see also the Case KI70/11, Applicant *Faik Hima, Magbule Hima and Bestar Hima*, Resolution on Inadmissibility, of 16 December 2011).

56. The Court finally recalls that the Applicant's dissatisfaction with the outcome of the proceedings by the regular courts cannot in itself raise substantiated allegations of violation of constitutional rights (see the case of the ECtHR *Mezotur-Tiszazugi Tarsulat v. Hungary*, Judgment of 26 July 2005, paragraph 21).
57. Therefore and consequently, the Court finds that the Referral is manifestly ill-founded on constitutional grounds and that the same is declared inadmissible, pursuant to paragraph 7 of Article 113 of the Constitution, Article 47 of the Law and Rule 39 (2) of the Rules of Procedure.

FOR THESE REASONS

The Constitutional Court in accordance with Article 113.7 of the Constitution, Article 47 of the Law and Rules 39 (2) and 59 (2) of the Rules of Procedure, on 22 July 2021, unanimously

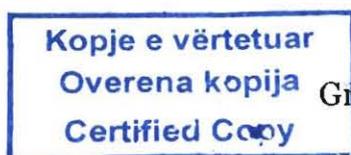
DECIDES

- I. TO DECLARE the Referral inadmissible;
- II. TO NOTIFY this Decision to the Parties;
- III. TO PUBLISH this Decision in the Official Gazette, in accordance with Article 20.4 of the Law;
- IV. This Decision is effective immediately.

Judge Rapporteur

President of the Constitutional Court

Bajram Ljatifi



Gresa Caka-Nimani

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