

Decision nr.32, dated 21.06.2010

(V – 32/10)

The Constitutional Court of the Republic of Albania, consisting of: Vladimir Kristo, President, Fehmi Abdiu, Kujtim Puto, Xhezair Zaganjori, Petrit Pllloçi, Vitore Tusha, Sokol Berberi, Admir Thanza, Sokol Sadushi, members, with secretary Blerina Çinari, on 15.12.2009, took under examination in open door judicial session, the case with act no.31/19, pertaining to:

APPELLANT:

PARTY OF POPULAR ASSOCIATION OF ALBANIAN RETIRED PEOPLE (PPAARP), represented by the leadership Selami Jenishehri.

INTERESTED SUBJECTS:

ASSEMBLY OF THE REPUBLIC OF ALBANIA, represented by Mr. Lulzim Leçaj, with authorization.

COUNCIL OF MINISTERS, represented by Mrs. Marsida Xhaferllari, with authorization.

THE OBJECT:

The repeal as incompatible with the Constitution of the Republic of Albania of articles 68 and 71 of law no.10019, dated 29.12.2008 “The Electoral Code of the Republic of Albania.”

LEGAL BASE:

Articles 1/3, 3, 131/a and 134/1/f of the Constitution of the Republic of Albania; articles 49, 50 and 51 of law no.8577, dated 10.2.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania.”

Constitutional Court of the Republic of Albania, in reliance on article 131, letter “a” of the Constitution, as well as articles 49, 50, 51, 72 and 76 of the Law no.8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania,” by a majority of votes,

DECIDED:

1. The repeal as incompatible with the Constitution of the Republic of Albania of the sentence found in article 68 of the law no.10019, dated 29.12.2008 “The electoral Code of the Republic of Albania,” which states as follows: “Lists of candidates for the Assembly submitted by political parties that do not have any seats in the Assembly must be supported by no fewer than 10 000 voters.”

2. The repeal as incompatible with the Constitution of the Republic of Albania of the sentence found in article 71 of the Electoral Code, which states as follows: “Voters individually deposit their signatures in support of a candidate proposed by a group of voters or for the parties and coalitions provided in article 68 and 69 of this Code at the CEC or before a notary.”

3. This decision is conclusive, final and comes into force on the date of publication in the Official Gazette.