

METHOD OF ORGANIZATION AND OPERATION OF THE CONSTITUTIONAL COURT IN ALBANIA

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Abstract

Albania's Constitutional Court is the highest judicial body that ensures respect for the Constitution and makes its final interpretation. The Constitution of the Republic of Albania guarantees in its Article 7 of the separation of powers, putting him in the underlying functioning of democracy. In a democratic republic parliamentary executive and cooperate closely in order to enact and enforce appropriate laws to company performance. While the power of the third trial he was charged with the duty to protect citizens from illegal encroachment of their rights even by the local public. The task of ensuring respect for the Constitution and the activity of public power is imposed Constitutional Court. Constitutional justice means the institutions charged with the protection of the legal order of a state. For this reason, the Constitutional Court's powers to control the legislative process is regarded as the culmination of the rule of law. The tendency to put the constitutional control of the legislature, always respecting its sovereignty lawmaker , has become a distinctive feature in almost all democratic regimes in the world today. Therefore the role of the institution of the Constitutional Court is getting increased especially in countries emerging from totalitarian systems. Constitutional Court should not be understood as a body that stands above the others or distracts them. But it plays a balancing role to protect and control system of mutual separation of powers as a fundamental principle of the rule of law. This type of control exercised constitutional by the Constitutional Court is the best form found to date to ensure the functioning on the basis of legitimacy of state institutions, what constitutes the main element of the rule of law. Seen in this light, the Albanian Constitutional Court has brought innovation in governance.

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