

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES

COMMITTEE
OF MINISTERS
COMITÉ
DES MINISTRES



Contact: Clare Ovey
Tel: 03 88 41 36 45

Date: 21/08/2017

DH-DD(2017)870

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1294th meeting (September 2017) (DH)

Communication from the applicant (29/03/2017) in the case of SHARRA (Manushaqe Puto group) v. Albania (Application No. 25038/08).

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1294^e réunion (septembre 2017) (DH)

Communication du requérant (29/03/2017) dans l'affaire SHARRA (groupe Manushaqe Puto) c. Albanie (Requête n° 25038/08) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

DH-DD(2017)870 : Rule 9.1 communication from the applicant in Sharra v. Albania.

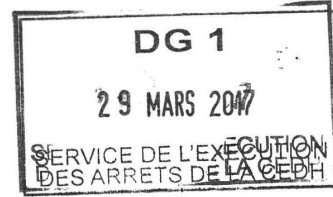
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Tartari Law Office

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Tirana ALBANIA



Tirana, on 17th of March 2017

To: Council of Europe
Department for the execution of ECHR Judgements
F 57075 Strasbourg CEDEX

By the decision no.1080 dated 23.12.2015, the Council of Ministers decided:

The execution of the decision of European Court for Human Rights, dated 10.11.2015, for the case “ Sharra & others against Republic of Albania”, for the claims no.2503/08, 6437/09, 64399/09, 347/10, 1376/10, 4036/10, 12889/10, 20240/10, 29442/10, 29617/11, and 2032/12)

On the article 2 of this decision, The Council of Ministers, was expressed as follows:

2. Execution upon the decision of European Court for Human Rights, of the commission of restitution and compensation of real estate's to former owners decisions , for the applications no.33154/11, (Vrioni) and no.347 (Maci).

8. Are ordered the Ministry of Justice, the Agency of restitution and compensation of real estates and Ministry of Finances to apply this decision.

Based on this decision, the Agency of Elaboration of the real estate's examined the case for the proposal of the value for the real estates to be compensated and at the end of the evaluation for the physical body, named Maci, proposed the compensation amount of 515.955.000 leke and for the other physical body named Vrioni, the amount of 131.824,50 leke.

Upon the letter no. Prot. 569, dated 19.02.2016 of the Agency of Elaboration of Real estates, the Minister of Justice Mr. Ylli Manjani, by the letter prot no. 1437/3, dated 25.03.2016, asked to the Minister of Finances Mr. Arben Ahmetaj, to find the fastest solution of this case.

DH-DD(2017)870 : Rule 9.1 communication from the applicant in Sharra v. Albania.

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On 08.09.2016, we were directed to the Ministry of Finances, but they answered negatively because of the lack of funds.

On 26.01.2017, looking that we haven't take answers for the solution of this case, were directed with a letter to the Council of Ministers, who with his answer no. 508, prot, of 03.02.2017, said that they give for verification and follow up to the Ministry of Justice, and Agency of Real Estate Treating and Ministry of Finances.

In the mean while, by the letter A-74/1 prot, no. 22.02.2017, the Ministry of Justice answered that was not agreed between two institutions, the Agency of Real Estate treating and Ministry of Finances, so the execution of the respective decision of the European Court for Human rights, is impossible.

But, this is an open violation of human rights, of non applying the decision of a supreme court, as European Court of Human Rights, si we as your kind intervention for the solution of this problem.

Thanking in advance,

Respectfully

Av. Agim Tartari

