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Date: 18/03/2026

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Meeting: 1563<sup>rd</sup> meeting (June 2026) (DH)

Item reference: Action Report (10/03/2026)

Communication from Albania concerning the case of Frroku v. Albania (Application No. 30658/18) [Meli and Swinkels Family Brewers N.V. group]

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Réunion : 1563<sup>e</sup> réunion (juin 2026) (DH)

Référence du point : Bilan d'action (10/03/2026)

Communication de l'Albanie concernant l'affaire Frroku c. Albanie (requête n° 30658/18) [Meli et Swinkels Family Brewers N.V. groupe] (**anglais uniquement**)

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DGI

10 MARS 2026

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH



**REPUBLIC OF ALBANIA  
STATE ADVOCATURE  
OFFICE OF GENERAL STATE ADVOCATE**

No. 2116 Prot.

Tirana, on 10 03.2026

**Ref:** On the execution of the judgment of the European Court of Human Rights in the application no. 30658/18 "Frroku v. Albania" judgment of 04/02/2025

**To:** **Ms. DIMITRINA LILOVSKA**  
**Head of Division**  
**Department for the Execution of Judgments of the ECHR**  
**DGI - Directorate General of Human Rights and Rule of Law**

**Council of Europe- Strasbourg**  
**67075 Cedex**  
**France**

Dear Mrs. Lilovska,

In the framework of cooperation between the Albanian Government and the Department for the Execution of Judgments of the European Court of Human Rights, please find attached the Action Report on the individual and general measures implemented by the Albanian Government for the execution of the ECtHR judgment in the application no. 30658/18 "Frroku v. Albania" judgment of 04/02/2025.

Yours sincerely,

**ODISE MOÇKA**  
**STATE ADVOCATE GENERAL**



**ACTION REPORT**

*Execution of the judgment of the European Court of Human Rights  
Application No. 30658/18  
Frroku v. Albania, Judgment of 04/02/2025, final on 04/02/2025*

**A. Case description**

The case concerns a constitutional complaint lodged by the applicant Mr Frroku on 10 July 2017, which was dismissed with prejudice by the Constitutional Court on 24 April 2018 for failure to secure the five-judge majority required by Section 73(4) of the Constitutional Court Act.

The constitutional complaint originated in the context of the criminal proceedings against the applicant in which he was found guilty and was sentenced *in absentia* to life imprisonment for homicide and illegal possession of firearms. On 8 June 2017 the Supreme Court dismissed de plano the applicant's appeal on points of law on the grounds that it did not contain any admissible arguments. The applicant then lodged a constitutional complaint which was dismissed by the Constitutional Court. The decision contained no reasoning and consisted merely of the results of the voting (four votes against two in favour of dismissing the constitutional complaint) and the fact that the court could not reach a majority of five on any of the issues raised in the appeal. A breakdown showing the individual vote of each judge was provided in a footnote. Under Section 73(4), the dismissal was final.

In the judgment of 04/02/2025 *Frroku v. Albania*, the European Court concluded that this lack of adequate reasoning failed to satisfy the requirements of a fair trial and found that there has accordingly been a violation of Article 6 § 1 of the Convention. The European Court noted that the present case does not differ in this respect from that of *Meli and Swinkles Family Brewers N.V.* where it found that the fact that the applicants had not been provided with the relevant grounds for the dismissal of their claims amounted to a violation of Article 6 § 1 of the Convention. In that case the decision of the Constitutional Court concerning the applicants' complaint was also limited to noting the result of the voting and its outcome, but no reasons as to the merits of the case were provided. The European Court considered that the applicants in that case were thus left without any adequate reasoning concerning the grounds on which the Constitutional Court had reached its conclusions.

**B. Individual measures**

**1. Payment of the just satisfaction**

The European Court held that the finding of a violation constitutes sufficient satisfaction in the present case. With regard to costs and expenses for the proceedings before the Constitutional Court and the Court, the applicant had not substantiated his claim with any relevant supporting documents. Consequently, the European Court rejected the claim on that account.

## **2. Other individual measures**

The Albanian Constitutional Court has informed the Albanian State Advocate's Office on 12 November 2025 that Mr Frroku has applied on 8 April 2025 requesting the reopening of the proceedings before the Constitutional Court, and the case was referred for examination in a plenary session. On 17 February 2026 the Constitutional Court examined the case and through a reasoned decision on the merits dismissed the applicant's complaints and upheld the previous decision of life imprisonment.

Considering that the applicant has successfully obtained the reopening of the proceedings before the Constitutional Court and the case was examined on the merits, the Government considers that no further individual measures are necessary to remedy the violation found by the Court in the judgment *Frroku v. Albania*.

## **C. General measures**

### **1. Publication and Dissemination**

The judgment *Frroku v. Albania* has been translated and published in the Official Gazette no.102 dated 28/02/2025<sup>1</sup>.

The State's Advocate Office has prepared a summary of the main findings of the Court in the judgment *Frroku v. Albania* and has disseminated the translated judgment and the summary of the findings to the Supreme Court, the Constitutional Court, and School of Magistrates. The Constitutional Court and Supreme Court have published respectively the judgment of the European Court and a summary of the main findings on their website.

### **2. Clarification of the Constitutional's Court practice**

The Government would like to recall that the present Action Report focuses on the individual measures as this is the only remaining issue in this case.

In addition, the Government would like to note that this case is a repetitive case of *Meli and Swinkles Family Brewers N.V.* where The European Court noted in its judgment the recent evolution in the practice of the Constitutional Court (as of 2023), in particular as regards providing at least a summary reasoning of the majority and minority positions in cases with a similar outcome to those of the current applicants (§ 75 of the judgment).

The general measures required in response to the shortcomings found by the Court in the *Frroku* judgment continues to be examined by the Committee of Ministers within the framework of the *Meli and Swinkles Family Brewers N.V.* group in relation to the failure by the Constitutional Court to give adequate reasons for dismissing the constitutional complaints.

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<sup>1</sup> Link to the Official Gazette publication (in Albanian) *Qendra e Botimeve Zyrtare*, volume 41,

## **D. CONCLUSION**

Having regard to the above considerations, the Government is of the opinion that no further individual measures are necessary to be undertaken by the Albanian authorities to remedy the violation of article 6 of the Convention in the present case.

Therefore, the Government request to the Committee of Ministers to close its supervision in respect of the case *Frroku v. Albania*, application no. 30658/18.