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TITULLI	Constitutional Court reviews Parliament and government, legal experts do not rule out snap elections
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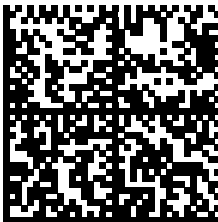
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ZINXHIRI I PROVËS

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E MËPARSHMJA	—
RRËNJA MERKLE	5f16ab6556ceb0058bf60cb7198a73729e9daa0d09a0a505b3785d533f275135
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Constitutional Court reviews Parliament and government, legal experts do not rule out snap elections



On Sunday, September 13, Parliament was constituted and the Kurti 4 government was voted in, receiving 62 votes in favor, 8 against and no abstentions. However, within two days, both the process of constituting Parliament and that of forming the government were referred to the Constitutional Court for review.

On Monday, the Democratic Party of Kosovo (PDK) addressed the Constitutional Court with a request to assess the constitutionality of the decisions and procedures that led to the constitution of the 11th Legislature.

The request was submitted by PDK Parliamentary Group chairman Arian Tahiri, MP Përparim Gruda and lawyer Faton Fetahu.

According to Tahiri, the party is seeking a final position from the Constitutional Court regarding the violations that, in the PDK's assessment, accompanied the process of constituting Parliament.

"The Constitution and the constitutional order cannot depend on anyone's political calculations," Tahiri declared.

The PDK has challenged the September 9 decision on the election of the Speaker of Parliament, the September 11 procedural decision on the method of electing deputy speakers, and the September 13 finding on the constitution of the 11th Legislature.

The party has asked the Court to review these decisions and determine the legal consequences if constitutional violations are found.

One day later, Arian Tahiri and Përparim Gruda also submitted a second request for a constitutional review to the Constitutional Court of the Republic of Kosovo.

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This time, the subject of the challenge is Decision No. 11-V-007, dated September 13, 2026, on the election of the Government of the Republic of Kosovo.

Vullnet Bukaqku of KDI commented to "Bota sot" on the request concerning the constitution of Parliament. He said that only the Constitutional Court can determine the possible consequences of failing to comply with the constitutional deadline.

According to him, it must first be clarified what legal and constitutional consequences arise from exceeding the deadline for electing the bodies and constituting Parliament.

"First, it must be determined what consequences result from failing to comply with the constitutional deadline for electing the bodies and constituting the Assembly of Kosovo. The consequences must be determined by the Constitutional Court, both in legal and constitutional terms and in political terms, if it assesses that such consequences can be imposed," Bukaqku told "Bota sot".

He did not rule out the possibility that the Constitutional Court could conclude that Parliament was not properly constituted because one of the deputy speakers was not elected.

"If the Constitutional Court finds that Parliament has not been constituted because the second deputy speaker was not elected, or if it finds that on an earlier occasion Parliament was considered constituted without the deputy speaker belonging to another parliamentary party being elected, then the Court may determine that the process must start from zero and that the constituting of the Assembly of Kosovo must be repeated," he said.

In such a scenario, MPs could be forced to repeat the entire procedure, including the election of deputy speakers representing all parliamentary groups.

Bukaqku notes that the Constitution does not explicitly determine what happens to Parliament's decision-making if the 30-day deadline for its constitution is exceeded.

"The Constitution of Kosovo does not explicitly stipulate that, if Parliament is not constituted within 30 days, its mandate becomes illegal or illegitimate. Therefore, this remains a matter of hypothetical interpretation, because such a consequence is not explicitly defined either in the Constitution or in the Rules of Procedure of the Assembly of Kosovo," Bukaqku said.

Addressing the request for an interim measure, the legal expert warned that such a decision could affect the continuation of Parliament's work and the functioning of the Government of Kosovo.

He stressed that if Parliament continues its activities and adopts decisions, while the Constitutional Court later finds that its constitution was unconstitutional, consequences could arise for all actions taken during that period.

"An interim measure is requested to prevent or avoid the irreparable consequences and damage that could be caused if Parliament continues its activities. Parliament could meet this week, elect the President, adopt laws, and undertake processes or procedures related to the appointment of senior officials, while it could later be determined that these actions were contrary to the Constitution," he said.

According to him, such a finding could trigger a chain of legal consequences.

"There is a series of consequences which, if it is found that Parliament was not constituted constitutionally, could have a chain effect and lead to the assessment that the actions and decisions taken by Parliament were also unconstitutional," Bukaqku declared.

For this reason, he considers the interim measure a mechanism that could halt the adoption of decisions that would later have to be reviewed or annulled.

"I believe that such a measure is necessary in order to prevent Parliament from producing any decisions that might subsequently have to be annulled as a result of a finding that Parliament was not properly constituted," he stressed.

Bukaqku also spoke about the challenge to the decision on the election of the government, saying that this issue too would become particularly important from a constitutional perspective.

"Any decision-making or any action that takes place, whether in Parliament or in the government, may later be challenged before the Constitutional Court by authorized parties as long as there is no interim measure. Therefore, it seems to me that the issue of the government will henceforth also move toward constitutional interpretation," Bukaqku concluded.

Legal expert Blerim Burjani also said that the key decision now lies in the hands of the Constitutional Court. According to him, the court must assess whether the procedures followed were carried out within the deadlines and in accordance with the requirements of the Constitution.

"The PDK is challenging both the constitution of Parliament and that of the government. It is also challenging the fact that Parliament was not elected and constituted within a legitimate timeframe, or within the constitutional deadlines. So now it is up to the Court to determine what happens next and whether the constitution of the institutions resulting from the June 7 elections will be rejected," Burjani told "Bota sot".

Burjani said that clashes between the parties had deepened and that a key issue would be the decision on the interim measure requested by the PDK.

"It is now clear that there is a major clash between the parties, but what remains to be seen is whether the Constitutional Court will accept the interim measure. If that happens, Parliament's further work will be halted, and this would also have consequences for the functioning of the institutions," he said.

He said that political and institutional developments could bring the possibility of snap elections back into discussion.

"It is already becoming clear that snap elections will be necessary as the current political circumstances change. I think that for now we are facing unpredictable things that could happen," Burjani declared.

Burjani added that the next step should be the creation of institutions capable of functioning sustainably.

"Kosovo needs valid, credible and efficient institutions in action. Now it remains to be seen how the decisions of the Constitutional Court will unfold and what consequences they will have for the political and institutional situation," Burjani concluded to "Bota sot".

Shtuar më 18.09.2026 12:28

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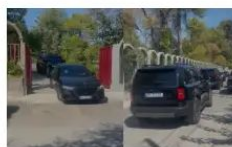
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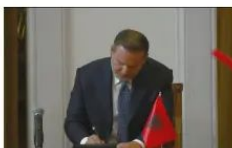
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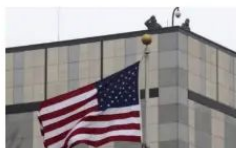
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