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KASOWITZ REACTS TO ALBANIAN SUPREME COURT KEEPING TIRANA MAYOR ERION VELIAJ DETAINED AFTER CONSTITUTIONAL COURT VACATED PRIOR SUPREME COURT RULING

Kasowitz Reacts to Albanian Supreme Court Keeping Tirana Mayor Erion Veliaj Detained After Constitutional Court Vacated Prior Supreme Court Ruling

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Mayor Has Spent More Than 19 Months in Pretrial Detention; International Counsel Says Decision Tests Whether Constitutional Review Has Practical Force

Albania's Supreme Court ruled September 15 that Tirana Mayor Erion Veliaj will remain in detention, leaving in force a March 13, 2025 decision of the Special Appeals Court. The ruling follows a decision by Albania's Constitutional Court vacating the Supreme Court's prior ruling on Mayor Veliaj's detention and remanding the matter for renewed review.

The Constitutional Court found that the prior Supreme Court decision did not provide the constitutionally required review of significant issues concerning Mayor Veliaj's continued detention, including its proportionality and the constitutional consequences of preventing Tirana's democratically elected mayor from exercising the mandate entrusted to him by the city's voters. The Constitutional Court returned the case to the Supreme Court for further consideration.

Mayor Veliaj has been detained since February 10, 2025 — more than 19 months — and remains Tirana's elected mayor. In a separate ruling last year, the Constitutional Court invalidated an attempt to remove him from office based on his involuntary absence while detained.

Daniel J. Fetterman, a partner at Kasowitz LLP and lead international counsel to Mayor Veliaj, said:

"Yesterday's decision by Albania's Supreme Court is Kafkaesque and presents a stark question: does Albania's constitutional review have any meaning if constitutional deficiencies identified by the Constitutional Court - the highest court in the land - aren't corrected by its lower courts?"

"Albania's Constitutional Court vacated the Supreme Court's prior decision and sent this case back because the constitutionally required meaningful review of the proportionality of Mayor Veliaj's

detention, less restrictive measures, and the consequences of preventing the elected Mayor of Tirana from carrying out his mandate given to him by the citizens of Tirana had not occurred.”

“Mayor Veliaj has now spent more than 19 months in pretrial detention without any trial or conviction. Constitutional rights cannot exist only on paper, and constitutional review cannot become an exercise without practical consequence. The rule of law depends not simply on constitutional courts issuing decisions, but on those decisions being given meaningful effect.”

“Additionally, separate opinions by members of the Constitutional Court have raised significant questions about the evidentiary basis for Mayor Veliaj’s charges, detention and treatment during the proceedings.”

“Albania’s institutions still have the opportunity to demonstrate that constitutional safeguards are enforceable, not aspirational. We will continue to pursue every lawful avenue available to Mayor Veliaj and insist on a process consistent with those principles.”

The Supreme Court’s September 15 public notice states that the Court left in force the March 13, 2025 decision of the Special Appeals Court. The notice does not yet contain the Court’s complete written reasoning and states that the reasoned decision will be communicated to the parties in accordance with the Court’s procedures.

Plarent Ndreca, Mayor Veliaj’s Albanian counsel, said:

“The question now is straightforward: what value do constitutional safeguards have if constitutional judgments do not have practical effect?”

“We will carefully review the Supreme Court’s full reasoning when it is issued and pursue every remedy available under Albania’s Constitution, domestic law and applicable international instruments. Mayor Veliaj remains presumed innocent, yet after more than 19 months he remains detained and unable to exercise the mandate entrusted to him by the citizens of Tirana. Constitutional judgments, fundamental rights and democratic mandates must have meaning in practice, not merely in principle.”

About Kasowitz LLP

Kasowitz LLP is a litigation firm with extensive experience in complex domestic and international disputes and highly sensitive white collar defense and investigations. Its White Collar Defense and Investigations lawyers have handled matters arising in jurisdictions around the world, and the firm and its lawyers have been recognized by publications including *Chambers USA* and *The Legal 500*.

Daniel J. Fetterman, Chair of Kasowitz’s White Collar Defense and Investigations Group and a former federal prosecutor in the Southern District of New York, represents corporations, public officials, executives and individuals in significant white-collar, cross-border and high-profile matters. He serves as lead international counsel to Mayor Veliaj.

This material is distributed by Kasowitz LLP on behalf of Erion and Arber Veliaj. Additional information is available at the Department of Justice, Washington, DC.

CONTACTS



Daniel J. Fetterman

▀ PARTNER / NEW YORK

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