



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Communicated on 3 April 2019

SECOND SECTION

Application no. 9227/19
Besnik KETA
against Albania
lodged on 5 February 2019

SUBJECT MATTER OF THE CASE

The application concerns the applicant's detention following his arrest *in flagrante delicto* for possession of narcotics on 22 December 2018.

On 25 December 2018 the Tirana District Court placed the applicant on house arrest. On 16 January 2019 the Tirana Court of Appeal partly quashed the Tirana District Court's decision of 25 December 2019 and ordered his detention in remand.

The applicant complains under Article 5 § 2 of the Convention that the domestic authorities failed to inform him promptly of the reasons for his arrest and the charges against him. In addition he complains under Article 5 § 4 of the Convention that he was prevented from having the lawfulness of his detention speedily decided by a court due to the alleged non-functioning of the Supreme Court and of the Constitutional Court.

QUESTIONS TO THE PARTIES

1. Was the applicant informed promptly of the reasons for his arrest on 22 December 2018 and of any charge against him as required by Article 5 § 2 of the Convention?
2. Did the applicant have at his disposal an effective procedure by which he could challenge the lawfulness of his detention as required by Article 5 § 4 of the Convention?