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Citations:

Bluebook 20th ed.

English text of the original Fundamental Statute of 1939 327 (1939) Preamble

ALWD 6th ed.

Chicago 7th ed.

, "," Fundamental Statute of the Kingdom of Albania : 327-328

OSCOLA 4th ed.

, " 327

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given by the Duce and fascist Italy towards the development and progress of Albania, decides to associate more intimately the life and destiny of Albania with those of Italy by establishing with her ties of an even closer solidarity. Agreements inspired with a view to this solidarity will be successively concluded between Albania and Italy.

4. The National Constituent Assembly, interpreting the unanimous will, aiming at the national revival of the Albanian people and as a solemn pledge for the realisation thereof, decides to offer, in the form of a personal union, the crown of Albania to His Majesty Victor Emmanuel III, King of Italy and Emperor of Ethiopia, in favour of His Majesty and his Royal heirs.

**FUNDAMENTAL STATUTE of the Kingdom of Albania.—  
June 4, 1939<sup>(1)</sup>**

*Text of the Statute signed by His Majesty the King-Emperor and handed to His Excellency Shevket Verlaçi, Prime Minister and Head of the Albanian Delegation in Rome, on June 3, 1939 (year XVII)*

(Translation)

VICTOR EMMANUEL III

By the grace of God and the will of the nation, King of Italy and Albania, Emperor of Ethiopia

IN accepting the offer of the Crown of Albania, decided by the Constituent Assembly, gathered at Tirana on April 12, 1939 (year XVII)<sup>(2)</sup>, we have undertaken the high duty of interesting ourselves in our Albanian sons and leading this noble people, revived under the emblem of the lictor towards its higher destinies.

Taking into consideration that, to attain these objectives, it is absolutely necessary to fix the structure of the state in harmony with the highest national interests, we have decided to bestow on our beloved Albanian people a fundamental

<sup>(1)</sup> Original text in *Official Gazette*, June 10, 1939.

<sup>(2)</sup> Page 326.

statute as token of our love and paternal care. Being inspired by these feelings we have decreed and decree—

## FUNDAMENTAL STATUTE OF THE ALBANIAN KINGDOM

### Chapter I.—*General Provisions*

Art. 1. The Albanian state is ruled by a monarchical constitutional government.

The throne is hereditary, according to the Salic law, in the dynasty of His Majesty Victor Emmanuel III, King of Italy and Albania, Emperor of Ethiopia.

2. The Albanian flag is red with a double-headed black eagle in the middle and the emblem of the lictorial fasces.

3. The official language of the state is Albanian.

4. All religions are respected. The free exercise of worship and its outward practice is guaranteed in conformity with the laws.

5. The legislative power is exercised by the King in collaboration with the superior fascist corporative council.

6. The executive power appertains to the King.

7. Justice emanates from the King and is administered in his name by the judges whom he appoints.

8. The interpretation of the laws, in manner binding on all, appertains exclusively to the legislative power.

9. The organisation of municipal [or “communal” as in Italian version] and provincial institutions is determined by law.

### Chapter II.—*The King*

10. The person of the King is immune and inviolable.

11. The King is of age when he has completed his 18th year.

During the minority of the King, or in case the King, being of age, cannot reign owing to physical incapacity, the powers of the King shall be exercised by a Regent. The Regency shall appertain to the Regent of the Italian Kingdom.

12. The King may nominate a Lieutenant-General.

The Lieutenant-General shall exercise all the powers of the King, with the exception of those which the King reserves expressly to himself.

13. The King is the supreme head of the state ; he commands the armed forces ; declares war ; concludes peace ; makes international treaties, notifying the superior fascist

corporative council as soon as the interest and security of the state permit.

14. The King appoints to all offices of state.

15. The King makes the necessary decrees and regulations for the application of the laws and for controlling the organisation and functioning of the state administrations.

When reasons of strict and absolute necessity require it, the King may apply dispositions which have the force of law. In this case the Royal decree shall be presented to the superior fascist corporative council to be converted into law.

16. The initiation (proposal) of laws appertains to the King and to the superior fascist corporative council. But the initiation of laws which have a constitutional character or which increase expenditure appertains only to the King.

17. The King gives binding effect to and promulgates the laws.

18. The King may grant pardon and amend punishments.

19. The King may create orders of chivalry and determine their statutes.

20. The King may grant titles of nobility.

21. Nobody may accept decorations, titles or pensions from a foreign state without the consent of the King.

### Chapter III.—*The Government of the King*

22. The King nominates and dismisses the ministers secretaries of state. They are responsible for all the acts and transactions of their ministries.

23. The King, when he considers it necessary, may call a meeting of and preside over the council of ministers.

24. The ministers secretaries of state have always free access to the superior fascist corporative council and at their request must be heard.

25. The laws and acts of the government have no validity except when they bear the signature of a minister.

### Chapter IV.—*Superior Corporative Fascist Council*

26. The superior fascist council consists of the members of the central council of the Albanian fascist party and of the effective members of the central council of corporative economy.

The composition of the central council of the Albanian fascist party and that of the central council of national [*sic* corporative] economy cannot be changed except by law.

27. The councillors must have the following qualifications:—

- (a) Have attained the age of 25 years.
- (b) Enjoy civil and political rights.
- (c) Possess the other qualifications required by law.

28. The competency to ascertain whether the conditions of admissibility of councillors exist appertains to a commission composed of the president and vice-presidents of the superior corporative fascist council.

29. The councillors before being admitted to the exercise of their functions take the oath that they will be loyal to the King, that they will loyally respect the statute and the laws of the state, and that they will exercise their functions with the sole object of the inseparable welfare of the King and the country.

30. The councillors are entitled to annual emoluments which are determined by law.

31. The councillors vacate their office when they vacate the functions which they exercise in the councils which together form the superior fascist corporative council.

32. The superior fascist corporative council is convoked by the King. It further appertains to the King to fix the sessions and to prorogue them.

33. The president and vice-president of the superior fascist corporative council are nominated by the King. The president of the superior fascist corporative council makes nominations to the other offices provided for in the regulations of the superior council.

34. No subject may be put on the agenda of the superior fascist corporative council without the authorisation of the King.

35. The sessions of the superior fascist corporative council are held publicly. But when the ministers request it the council may decide [*sic*: in the Italian "deliberate"] in secret.

36. Voting always takes place in an open manner.

37. Bills (projects of law) approved by the superior fascist corporative council are presented to the King for his sanction.

The King may refuse his sanction. He may also call for a second discussion of bills.

38. The superior fascist council determines by an internal regulation of its own the manner according to which it shall exercise its own attributions.

39. The superior fascist corporative council has the right to impeach the ministers of the King for offences committed in the exercise of their functions and to bring them before the high court of justice.

#### Chapter V.—*Judicial Order*

40. The organisation and competence of the tribunals are determined by law.

41. The judges are independent in the exercise of their functions. They are irremovable subject to the law on judicial organisation.

42. Nobody may be withdrawn from the jurisdiction of his natural judges. Consequently extraordinary tribunals may not be created except in cases provided for by law.

43. To judge ministers accused by the superior fascist corporative council the high court of justice is created.

The court is composed of nine members nominated by the King. The rules regarding the organisation of the high court of justice and the exercise of its attributions are determined by law.

44. The hearings of the courts in civil and penal matters are held publicly and in conformity with the law [*sic*: the Italian wording is slightly different, but the effect is the same].

#### Chapter VI.—*The Rights and Duties of Citizens*

45. All citizens are equal before the law. They enjoy civil and political rights and are admitted in civil and military offices, except for the exemptions [*sic*] determined by law.

46. All citizens without exception contribute in proportion to their means to the burden of state expenditure.

47. No one shall be subject to any payment except as provided for by law.

48. Military service is obligatory for all in conformity with the law on recruiting the army.

49. Personal liberty is guaranteed. Nobody may be arrested and sent before a court except in cases provided by the law and in the form it orders.

50. The place of residence is inviolable. No residence may be forcibly entered except in conformity with the law and in the manner provided for by the law.

51. The press is free, subject to a law prohibiting its abuse.

52. All property without exception is inviolable. Nevertheless, when the public interest, legally verified, requires it, property may be ceded fully or partially on payment of equitable compensation in conformity with the law.

Chapter VII.—*Final Provisions*

53. All laws conflicting with this statute are abrogated.

54. This statute shall enter into force on the 4th June, 1939 (Year—XVII.).

Given in Rome on June 3, 1939.

**ECONOMIC, CUSTOMS AND EXCHANGE CONVENTION  
between Albania and Italy.—Tirana, April 20, 1939<sup>(1)</sup>**

(Translation)

THE Italian and Albanian Governments, with the aim of fostering a closer association between the two countries, in accordance with the wishes expressed by the Italian parliament and the Albanian constituent assembly, have agreed to draw their relations still closer in the fields of economics, customs and exchange.

With this aim the two governments, while maintaining the sovereign rights of their respective states, have agreed as follows:—

ART. 1. The kingdom of Italy and the kingdom of Albania will form a customs union. Consequently the territories of the two states, for the purpose of the application of the customs tariff and other customs laws, will be considered as one single territory. Apart from the exceptions provided for by this convention, full and complete trading liberty will exist between the kingdom of Italy and the kingdom of Albania, so that Italian goods shipped to Albania and Albanian goods shipped to Italy will be considered by both parties as domestic goods shipped from one port of the state to another.

2. The two states forming the Italo-Albanian customs union will apply:—(a) the customs duties which may at any time be applicable under the general customs tariff of the kingdom of Italy, or those established by customs treaties or conventions concluded by them with third states; (b) the Italian customs law, the relative regulation and the classification for

<sup>(1)</sup> Italian text in *Gazzetta Ufficiale*, August 1, 1939.