

## THE RIGHT OF OWNERSHIP OF THE RELIGIOUS INSTITUTIONS IN THE ALBANIAN CONSTITUTIONAL LAW

Ownership is one of the oldest, inherent, human rights, which consists of the right of the individual to enjoy and own things freely, within the limitations established by the civil law and the divine right. The right of ownership of religious communities is one of the most important juridical institutions of civil law in general and constitutes the main form of the exercise of human rights on assets, thus transforming into the catalyst of a country's economic development. If the property is not properly regulated, there will be a lack of one of the main pillars of capitalism and market economy. The importance of this right is expressed by the fact that it is regulated and protected in the national, constitutional, and international legal aspects. It should be noted that the right of ownership of religious institutions and religious congregations is related to the right to exercise and to enjoy the property with the purpose of spreading universal and economic values. This is reflected in the statutes of the religious communities of 1923, 1925, 1927 and 1933, as well as in the present constitution of our country.

It is obvious that in the functioning of a global market economy, ownership of property, mainly of immovable property, is the key basis for the development of the society in general and for the functional and active activities of religious communities in particular (such as the agreements between the state and religious communities, in February 2007 on the commodities and property rights of traditional religious communities in the Republic of Albania). The bell on the physical restitution and financial compensation of property has been ringing over the years in the European Commission progress reports and the State Department Reports over the years 1995-2005-2018.

The evolution of the ownership of land for religious purposes has been reflected in the main Albanian legal acts that have changed from one period to the other, characterized by specific features in their application. This paper will highlight the changes in time of the concept of ownership during various Albanian political regimes as well as decade-long transformations and abuses of property, land, farmland and meadow and the Albanian constitutional law failure to cover this right as referred to in Article 9 of the European Convention on Human Rights.

Ownership, the property rights of religious communities and the rights deriving thereof are closely related to the application of the fundamental human rights and as such, must be analyzed in their entirety, so that everyone becomes aware of and recognizes them and the obligations deriving from the right of ownership as recognized by the law.