



AP. 174/2002

THE SUPREME COURT OF KOSOVO, in the panel session composed by the International Judge Tudor Pantiru, as Presiding Judge, Professional Judges Lolita Dumlaog and Christof Von Felilitzsch as members of the panel, with the assistance of Saad Kuraja as a court recorder, in the criminal case C. No. 66/2001 against the accused Sava Matic from Orahovac, accused of having committed the criminal act of War Crimes Against Civilian Population pursuant to article 142 of Criminal Code of Yugoslavia, a charge filed in the Indictment of the District Public Prosecutor's Office in Prizren, CC No. 310/99 of 11 September 2000, deciding upon the appeal of the Public Prosecutor CC. Nr 310/99 of 29.04.2002 filed against the Verdict of the District Court Prizren C. No 66/2001 dated 27 March 2002, and the Opinion of the Public Prosecutor of Kosovo PPA No. 174/2002 dated 26 February 2003,

in the session held today, April 14, 2003, based on article 383 of LCP renders this

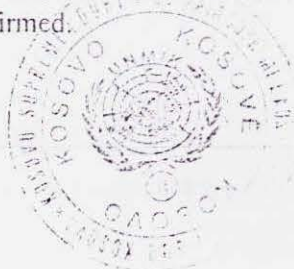
DECISION

The appeal of the District Public Prosecutor in Prizren CC No. 310/99 dated 29 April 2002 filed against the Verdict of the District Court Prizren C. No 66/2001 dated 27 March 2002, is DISMISSED as inadmissible.

REASONING

The District Public Prosecutor of Prizren on the 29 April 2002 filed an appeal CC Nr 310/99 against the Verdict of the District Court of Prizren by which the accused Sava Matic was acquitted of charges of War Crimes Against Civilian Population, as charged with the indictment CC. Nr 310/00 of 11 September 2000. The District Prosecutor proposes that the Supreme Court revoke the challenged Verdict, and returns the case to the court of first instance for a retrial.

The Public Prosecutor of Kosovo, concerning the appeal filed by the District Public Prosecutor of Prizren on 26 February, 2003, presented a written opinion in which he stated that the appeal of the District Public Prosecutor of Prizren shall be rejected and that the Verdict of first instance court shall be confirmed.



In the Panel Session of the Supreme Court, held on 14 April, 2003, the Public Prosecutor of Kosovo clarified his written opinion of 26 February 2003 and stated that by using his right based on article 361 par 2 of Law on Criminal Procedure as read with article 8 of Law on Public Prosecutor's Office (Official Gazette of SAPK Kosovo Nr. 32/76), he withdraws the appeal filed by District Public Prosecutor of Prizren.

Therefore, the Supreme Court, in accordance with article 383 of Law on Criminal Procedure renders a decision as stated in the enacting clause of this decision act.

SUPREME COURT OF KOSOVA IN PRISHTINA

174/02

AP 14/2002, April 14, 2003

Recording Clerck

Presiding judge

Suad Kuraja

Tudor Pantiru

