

BASIC COURT OF MITROVICË/MITROVICA
PM nr. 01/2016
18 April 2016

IN THE NAME OF THE PEOPLE

THE BASIC COURT OF MITROVICË/MITROVICA, in the Juvenile panel composed of EULEX Judge Nuno Manuel Ferreira de Madureira as Presiding Juvenile Judge, Lay Judge Kimete Fejza and Lay Judge Novak Mirkovic as panel members, with EULEX Legal Officer Vera Manuello as the Recording Officer in the Juvenile case against:

A.P. _____, father's name **B.**_____, mother's name **S.**_____, maiden name **S.1.**_____, born on _____ in _____, Kosovo Albanian, residing at _____, _____, _____ Municipality, I.D. number: unknown, single, occupation: unemployed, primary school completed, in detention on remand from 25 June 2015 until 10 August 2015;

A.S. _____, father's name **X.**_____, mother's name **A.**_____, maiden name **B.**_____, born on _____ in _____, _____, Kosovo Albanian, residing at _____, _____, _____th floor, _____, _____ Municipality, I.D. number: unknown, single, occupation: student in High School (1st grade);

V.B. _____, father's name **E.**_____, mother's name **V.**_____, maiden name **F.**_____, born on _____ in _____, Kosovo, Kosovo Albanian, residing at _____, _____, _____ Municipality, I.D. number: unknown, single, occupation: student at High School (1st grade);

M.D. _____, father's name **B.1.**_____, mother's name **S.2.**_____, maiden name **K.**_____, born on _____ in _____, _____, Kosovo, Kosovo Albanian, residing at _____, _____, Kosovo, I.D. number: unknown;

B.S. _____, father's name **M.**_____, mother's name **F.1.**_____, maiden name **K.1.**_____, born on _____ in _____, Kosovo, Kosovo Albanian, residing at _____, _____, Kosovo, I.D. number: unknown; and

E.R. _____, father's name **S.3.**_____, mother's name **A.**_____, maiden name **N.**_____, born on _____ in _____, Kosovo, Kosovo Albanian, residing at "_____" street, _____, _____, Kosovo, I.D. number: unknown;

Charged with:

Count I

A.P. _____, **A.S.** _____, **M.D.** _____, **V.B.** _____ and **E.R.**

_____:

1) Attempted Aggravated Murder contrary to Article 179, Subparagraph (1.10) of the Criminal Code of the Republic of Kosovo (CCRK) as read in conjunction with Articles 28 and 31 of the CCRK;

Count II

V.B. _____, **M.D.** _____ and **A.S.** _____:

2) Threat contrary to Article 185, Paragraphs (1) and (4) of the CCRK as read in conjunction with Article 31 of the CCRK;

V.B. _____:

3) Unauthorized Ownership, Control or Possession of Weapons contrary to Article 374, Paragraph (1) of the CCRK;

Count III

A.P. _____, **A.S.** _____, **M.D.** _____, **V.B.** _____ and **B.S.**

_____:

4) Inciting National, Racial, Religious or Ethnic Hatred, Discord or Intolerance contrary to Article 147, Paragraphs (1) and (3) of the CCRK as read in conjunction with Article 31 of the CCRK;

5) Threat contrary to Article 185, Paragraphs (1) and (4) of the CCRK as read in conjunction with Article 31 of the CCRK;

6) Theft contrary to Article 325, Paragraph (2) of the CCRK as read in conjunction with Article 31 of the CCRK;

V.B. _____ and **A.P.** _____:

7) Unauthorized Ownership, Control or Possession of Weapons contrary to Article 374, Paragraph (1) of the CCRK;

Count IV

A.P. _____:

8) Inciting National, Racial, Religious or Ethnic Hatred, Discord or Intolerance acting contrary to Article 147, Paragraphs (1) and (3), of the CCRK.

Pursuant to Article 73 Paragraph (3) of the Juvenile Justice Code (JJC),

Renders the following:

RULING

I. Measures

1. To Minor A.P. _____ the Court imposes an institutional educational measure and commits him to an educational-correctional institution for the period of **2 (two) years**, pursuant to Articles 20 Paragraph (4) and 28 of the JJC;

2. To Minor A.S. _____ the Court imposes a measure of intensive supervision and places him under intensive supervision by the Guardianship Authority for a period of **10 (ten) months**, pursuant to Articles 20 Paragraph (3) and 25 of the JJC.

It shall be the duty of the Guardianship Authority to:

- Ensure that the Minor is removed from any adverse influence, especially by not hanging out with any of the other minors in this case and not having access to Facebook. The Minor shall provide his Facebook account password to the Guardianship Authority;

- Enroll the Minor in programs with inter-ethnic components.

3. To Minor V.B. _____ the Court imposes a measure of intensive supervision and places him under intensive supervision by the Guardianship Authority for a period of **1 (one) year**, pursuant to Articles 20 Paragraph (3) and 25 of the JJC.

It shall be the duty of the Guardianship Authority to:

- Ensure that the Minor is removed from any adverse influence, especially by not hanging out with any of the other minors in this case and not having access to Facebook. The Minor shall provide his Facebook account password to the Guardianship Authority;

- Enroll the Minor in programs with inter-ethnic components.

4. To Minor M.D. _____ the Court does not impose any measure or punishment;

5. To Minor B.S. _____ the Court does not impose any measure or punishment;

6. To Minor E.R. _____ the Court does not impose any measure or punishment.

II. Confiscation

The pistol Ekol Volga, EVL-_____, with its cartridge, is hereby confiscated pursuant to Article 374, Paragraph 3, of the CCRK.

III. Costs of proceedings

The costs of proceedings shall be paid by Kosovo budget, pursuant to Article 75 Paragraph (1) of the JJC.

IV. Property Claim

The Injured Parties are instructed that they may pursue their property claim in civil litigation pursuant to Article 75 Paragraph (1) of the JJC.

Nuno Madureira
EULEX Presiding Juvenile Judge

Vera Manuello
Recording Officer
EULEX Legal Officer

Legal remedy:

Authorised persons have the right to appeal against this ruling within 8 (eight) days from the day the ruling has been served (Article 77 of the JJC).