

SUPREME COURT OF KOSOVO

Bulletin of the Case Law

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Preface

“Justice must not simply be done, but must also be seen to be done.”

Kosovo is at a historical turning point, and is undergoing fundamental changes in its political, economic, legal, and social system. During this crucial period of time the challenges facing those who work within the justice sector will be great, but the opportunity to contribute meaningfully to Kosovo’s transformation into an open democracy, fully governed by the rule of law, will be even greater. Of course, creating such an open and forward-looking society will require a justice sector that is transparent, and that is run by professionals who have earned the trust and support of all Kosovars. The publication of this first edition of the *Supreme Court Bulletin*, as well as the publication of the quarterly editions, are a significant step forward in this regard, because they will for the first time make available to all Kosovars the rulings of Kosovo’s highest court. In so doing, the *Bulletin* will substantially contribute to the development of principled and consistent case law, because it will enable judges and lawyers to frame their legal arguments with a clear understanding of how the same factual and legal situations have been addressed previously.

I am grateful to my fellow judges who have had to resolve the often difficult legal matters that are the subject of the rulings set forth herein, and I also want to recognize the hard work of Kosovo’s prosecutors and private attorneys who, in zealously and honorably representing their respective clients’ interests during this time of great transition in the justice sector, have significantly contributed to the development of Kosovo’s case law. I, moreover, wish to extend the gratitude of the entire Supreme Court to the United States Department of Justice who, through the United States Office in Prishtina and in coordination with the Kosovo Law Centre, have provided the crucial financial and logistical support that made this ambitious and important undertaking possible. As we look to Kosovo’s legal and political future, it is my hope that lawyers will increasingly come to rely on the *Bulletin* as the central means of developing and framing their legal arguments, and that we will be able to take pride together as Kosovo’s case law matures and develops, and as the guarantees of due process and equal treatment before the law become the expected norm in Kosovo’s courts.

Rexhep Haxhimusa
President of the Supreme Court of Kosovo

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