



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

**File number:** KSC-BC-2020-05/R

**Before:** The President of the Specialist Chambers  
Judge Ekaterina Trendafilova

**Registrar:** Fidelma Donlon

**Date:** 18 February 2025

**Language:** English

**Classification:** Public

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## Decision Assigning a Single Judge

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**Single Judge:**

Judge Gilbert Bitti

**Specialist Prosecutor's Office:**

Kimberly P. West

**Counsel for Salih Mustafa:**

Julius von Bóné

**Victims' Counsel:**

Anni Pues

**THE PRESIDENT** of the Specialist Chambers (“President”), noting Articles 22(8), 33(2) and 44(6) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rules 3 and 4 of the Rules on Assignment of Specialist Chambers Judges from the Roster of International Judges (“Rules on Assignment”), herewith assigns a Single Judge in furtherance of the “Public Redacted Version of Reparation Order Against Salih Mustafa with 4 Annexes Strictly Confidential and *Ex Parte*” (“Reparation Order” or “Order”).<sup>1</sup>

## I. PROCEDURAL BACKGROUND

1. On 16 December 2022, Trial Panel I rendered the “Trial Judgment”, wherein it, *inter alia*, convicted Mr Salih Mustafa of the war crimes of arbitrary detention, torture and murder and acquitted him of the war crime of cruel treatment.<sup>2</sup>
2. On 6 April 2023, Trial Panel I issued the Reparation Order, wherein it, *inter alia*, invited the President “to designate a judicial authority which will be in charge of monitoring and overseeing the implementation and execution of this Reparation Order”.<sup>3</sup>
3. On 14 December 2023, the Court of Appeals Panel issued the Appeal Judgment, wherein it affirmed Mr Mustafa’s convictions by the Trial Panel’s for arbitrary detention, torture and murder as war crimes.<sup>4</sup>
4. On 17 January 2024, the President assigned Judge Bitti, for a duration of one year,

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<sup>1</sup> KSC-BC-2020-05/F000517/RED, Public Redacted Version of Reparation Order Against Salih Mustafa with 4 Annexes Strictly Confidential and *Ex Parte*, 6 April 2023. A corrected version of the public redacted version of the Reparation Order was filed on 14 April 2023, KSC-BC-2020-05/F00517/RED/COR, paras 252-253.

<sup>2</sup> KSC-BC-2020-05/F00494, Trial Judgment, 16 December 2022 (confidential), para. 831. A public redacted version of the Trial Judgment was filed on 8 June 2023 and corrected versions of the public redacted version of the Trial Judgment were filed, including on 24 January 2023.

<sup>3</sup> See Reparation Order, para. 283(j).

<sup>4</sup> KSC-CA-2023-02/F00038, Appeal Judgment, 14 December 2023, para. 484. A public redacted version was issued on the same day.

as a Single Judge for the purposes to oversee the implementation of the Reparation Order.<sup>5</sup>

## II. ASSIGNMENT

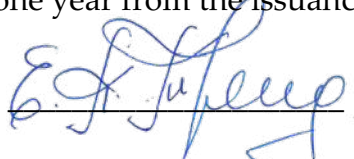
5. The President notes that the Reparation Order remains to be fully implemented and accordingly there is a need for a Single Judge to continue to oversee the Reparation Order. As set out in the previous assignment decision,<sup>6</sup> the Single Judge will be assigned to oversee the implementation of the Reparation Order by the Registrar as specified in paragraphs 255-257, 259, 269, and 283(f) of the Reparation Order, and receive reports from the Registrar on any action taken before the Crime Victim Compensation Program.

6. Having considered the criteria set forth in Rule 4(2) of the Rules on Assignment, including relevant experience and expertise, as well as availability at this time,

### **THE PRESIDENT HEREBY ASSIGNS:**

#### **Judge Gilbert Bitti**

as Single Judge for the purposes set forth in paragraph 5 of this decision,  
for a duration of one year from the issuance of this decision.



**Judge Ekaterina Trendafilova,  
President of the Specialist Chambers**

Dated this Tuesday, 18 February 2025  
At The Hague,  
The Netherlands

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<sup>5</sup> KSC-CA-2023-02/R001/F00001, Decision Assigning a Single Judge, 17 January 2024.

<sup>6</sup> KSC-CA-2023-02/R001/F00001, Decision Assigning a Single Judge, 17 January 2024.