



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

File number: KSC-BC-2020-05/CR001

Before: The President of the Specialist Chambers
Judge Ekaterina Trendafilova

Registrar: Fidelma Donlon

Date: 22 December 2025

Language: English

Classification: Confidential

Decision Assigning a Single Judge

Single Judge:

Judge Bitti

Counsel for Salih Mustafa:

Julius von Boné

Specialist Prosecutor:

Kimberly P. West

THE PRESIDENT of the Specialist Chambers (“President”), noting Article 33(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office, 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 to decide on the “Mustafa’s urgent request for the temporary release with confidential and *ex-parte* Annex 1” (“Request”).¹

I. PROCEDURAL BACKGROUND

1. On 16 December 2022, Trial Panel I rendered the “Trial Judgment”, wherein it convicted Mr Salih Mustafa (“Mr Mustafa”) of arbitrary detention, torture and murder as war crimes and acquitted him of the war crime of cruel treatment.² The Trial Panel sentenced Mr Mustafa to 26 years of imprisonment.³

2. On 14 December 2023, the Court of Appeals Panel issued the “Appeal Judgment”, wherein it affirmed Mr Mustafa’s convictions, but granted Mr Mustafa’s appeal, in part, against his sentence and reduced his sentence to 22 years of imprisonment, with credit for time served.⁴

3. The Court of Appeal further reduced Mr Mustafa’s sentence to 15 years of imprisonment,⁵ following a decision of the Supreme Court Chamber that annulled the 22-year sentence of the Appeal Judgment and returned it to the Court of Appeal for a

¹ CR001/F00001, Mustafa’s urgent request for the temporary release with confidential and *ex-parte* Annex 1, 22 December 2025 (confidential).

² KSC-BC-2020-05/F00494, Trial Judgment, 16 December 2022 (confidential), para. 831. A corrected version was filed on 24 January 2023 and a public redacted version on 8 June 2023.

³ Trial Judgment, para. 831.

⁴ KSC-CA-2023-02/F00038/RED, Appeal Judgment, 14 December 2023, para. 484.

⁵ KSC-CA-2023-02/F00045, Decision on New Determination of Salih Mustafa’s Sentence, 10 September 2024, para. 28.

new determination of his sentence.⁶

4. Since further remedies were unsuccessful, Mr Mustafa's sentence to 15 years of imprisonment for the crimes he was convicted for is final.

I. CLASSIFICATION

5. The Request is classified as confidential. The present decision will therefore bear the same classification in accordance with Rule 82(4) of the Rules, until it is reclassified in due course consistent with Rule 3(4) of the Rules on Assignment.

III. ASSIGNMENT

6. The President notes that given the finality of Mr Mustafa's conviction, no panel is any longer ceased with his case.⁷ Accordingly, the President shall assign a Single Judge in accordance with Article 33(2) of the Law.

7. 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,

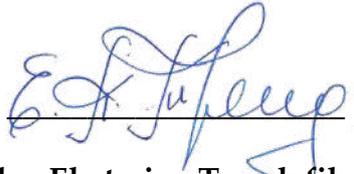
⁶ KSC-SC-2024-02/F000018, Decision on Salih Mustafa's Request for Protection of Legality, 29 July 2024, para. 112.

⁷ The assignment of a Single Judge overseeing the reparation order is limited to that specific purpose, see KSC-CA-2023-02/R001/F00001, Decision Assigning a Single Judge, 17 January 2024; KSC-BC-2020-05/R001/F00024, Decision Assigning a Single Judge, 18 February 2025.

THE PRESIDENT HEREBY ASSIGNS:

Judge Bitti

as Single Judge to adjudicate the Request.

A handwritten signature in blue ink, appearing to read 'E. Trendafilova', written over a horizontal line.

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

Dated this Monday, 22 December 2025
At The Hague,
The Netherlands