

In: KSC-BC-2020-05
The Specialist Prosecutor v. Mr. Salih Mustafa

Before: President of the Kosovo Specialist Chambers.
Ekatarina Trendafilova

Registrar: Dr Fidelma Donlon

Filing Participant: Defence

Date: 21 December 2025

Language: English

Classification: Public/Redacted

Public Redacted Version of
Mustafa's urgent request for the temporary release
with confidential and *ex-parte* ANNEX 1

Specialist Prosecutor's Office
Mr. Kimberly West

Specialist Counsel
for Salih Mustafa
Mr. Julius von Bóné

I. INTRODUCTION

1. On 16 December 2022, the Trial Panel delivered the Trial Judgment, convicting Mustafa of the war crimes of arbitrary detention to 10 years (Count 1), for torture to 22 years (Count 3) and for murder (Count 4) to 25 years, and imposed a single sentence of 26 years of imprisonment, with credit for time served.¹
2. Mustafa's conviction was finally decided on 10 September 2024 the Appeals Panel rendered a Decision on New Determination of Salih Mustafa's Sentence whereby it imposed a sentence of eight years of imprisonment with respect to Count 1; a sentence of 13 years of imprisonment with respect to Count 3; a sentence of 15 years of imprisonment with respect to Count 4; and a single sentence of 15 years of imprisonment on Mustafa, with credit for the time served.²

II. SITUATION OF MUSTAFA'S FATHER

3. The situation of his father has become extremely severe over the past period, to the extent that the risk that he might not survive the illness.
4. The situation of the health condition of Mustafa's father are extremely severe and critical. [REDACTED]. A doctor's report together with an official translation of it are found with the Annex 1 to the present document.
5. The [REDACTED]of the Mustafa's father and is monitoring the situation.
6. All the prospects of the Mustafa's father to survive at this point are very grim.

¹ Trial Judgment, paras 828-831, KSC-BC-2020-05/F00494, 16 December 2022

² KSC-CA-2023-02/F00045 / Decision on New Determination of Salih Mustafa's Sentence 10/09/2024.

III. REQUEST FOR TEMPORARILY RELEASE

7. Mustafa requests to be temporarily released in order to visit his father [REDACTED].
[REDACTED].
8. It is important to act quickly in order that – should the father succumb-Mustafa has an opportunity to be at the bedside of his father, while still alive.
9. On compassionate grounds the Defence requests the temporarily release of Mustafa, and [REDACTED].

For these reasons

10. Mustafa requests to be released temporarily, [REDACTED], for a visit to his father [REDACTED].
11. The present document is filed as confidential and *ex-parte*. A public redacted version will be made available in due course.

Word count: 474

21 December 2025

At The Hague, the Netherlands



Julius von Bóné

Specialist Defence Counsel