

Pursuant to instruction of the Pre-Trial Judge KSC-BC-2020-05/CRSPD8 of 16 November 2020, reclassified as Public.



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2020-05

Before: Pre-Trial Panel
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filed by: Dr Fidelma Donlon

Date: 24 September 2020

Language: English

Classification: Strictly Confidential and *Ex Parte*

Notification of Arrest Pursuant to Rule 55(4)

Specialist Prosecutor's Office

Jack Smith

1. Pursuant to Rule 55(4) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ('Rules')¹, when a person is arrested in Kosovo pursuant to an arrest warrant issued by the Specialist Chambers, the competent authorities shall promptly notify the Registrar, who shall immediately inform the President, the Panel, and the Parties. The Registrar hereby informs of the arrest of Mr Salih Mustafa ('Mr Mustafa') in Kosovo by the Specialist Prosecutor's Office ('SPO').
2. On 12 June 2020, the Pre-Trial Judge issued a strictly confidential and *ex parte* decision² confirming charges against Mr Mustafa for war crimes committed under Articles 14(1)(c) and 16(1)(a) and (c) of the Law on Specialist Chambers and Specialist Prosecutor's Office.³
3. On 12 June 2020, the Pre-Trial Judge also issued a strictly confidential and *ex parte* decision granting the SPO's request for an arrest warrant and transfer order ('Decision on Arrest and Transfer').⁴ In the Decision on Arrest and Transfer, the Pre-Trial Judge directed the SPO to serve and execute the arrest warrant in Kosovo.⁵
4. At approximately 8:45 on 24 September 2020, the SPO informed the Registrar that Mr Mustafa was arrested by the SPO in Kosovo on 24 September 2020.
5. The Registrar will submit a report on the arrest and transfer of Mr Mustafa to the Pre-Trial Judge before the initial appearance, in accordance with the Decision on Arrest and Transfer.⁶

¹ Rules of Procedure and Evidence Before the Specialist Chambers, KSC-BD-03/Rev3/2020, as amended on 29 and 30 April 2020.

² Decision on the Confirmation of the Indictment Against Salih Mustafa, KSC-BC-2020-05/F00008, 12 June 2020, strictly confidential and *ex parte*.

³ Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015.

⁴ Decision on Request for Arrest Warrant and Transfer Order, KSC-BC-2020-05/F00009, 12 June 2020, strictly confidential and *ex parte*.

⁵ KSC-BC-2020-05/F00009, para. 29(c).

⁶ KSC-BC-2020-05/F00009, para. 28.

6. This notification is submitted as strictly confidential and *ex parte* consistent with the current classification of the Decision on Arrest and Transfer.

Word count: 329



Dr Fidelma Donlon

Registrar

Thursday, 24 September 2020

At The Hague, the Netherlands