

File number: KSC-BC-2020-04/IA006

**Before:** The President of the Specialist Chambers

Judge Ekaterina Trendafilova

**Registrar:** Fidelma Donlon

**Date:** 26 January 2023

**Language:** English

Classification: Public

# **Decision Assigning a Court of Appeals Panel**

## Judges of the Court of Appeals Panel:

Judge Michèle Picard

Judge Emilio Gatti

Judge Nina Jørgensen

Acting Specialist Prosecutor: Counsel for Pjetër Shala:

Alex Whiting Jean-Louis Gilissen

**Counsel for Victims:** 

Simon Laws

THE PRESIDENT of the Specialist Chambers ("President"), noting Articles 33(1)(c) and 45(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, Rules 77, 169 and 170(2) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers and Rules 3 and 4 of the Rules on the Assignment of Specialist Chambers Judges from the Roster of International Judges ("Rules on Assignment"), herewith assigns a Court of Appeals Panel following Trial Panel I's "Decision on Request for Leave to Appeal the Decision Concerning Prior Statements Given by Pjetër Shala" ("Decision Granting Leave to Appeal").

#### I. PROCEDURAL BACKGROUND

- 1. On 6 December 2022, the Trial Panel rendered the "Decision concerning prior statements given by Pjetër Shala" ("Impugned Decision").<sup>2</sup>
- 2. On 13 December 2022, Mr Pjetër Shala requested leave to appeal the Impugned Decision.<sup>3</sup>
- 3. On 24 January 2023, the Trial Panel issued the Decision Granting Leave to Appeal, wherein he granted Mr Shala's request for leave to appeal, in part.<sup>4</sup>

#### II. ASSIGNMENT

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

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<sup>&</sup>lt;sup>1</sup> F00401, Decision on Request for Leave to Appeal the Decision Concerning Prior Statements Given by Pjetër Shala, 24 January 2023.

<sup>2</sup> F00364, Decision concerning prior statements given by Pjetër Shala, 6 December 2022 (confidential). A corrected version was filed on 8 December 2022, F00364/COR.

<sup>3</sup> F00369, Defence, Request for Leave to Appeal the Decision Concerning Prior Statements Given by Pjetër Shala, 13 December 2022.

<sup>&</sup>lt;sup>4</sup> Decision Granting Leave to Appeal, para. 73(a).

### THE PRESIDENT HEREBY ASSIGNS:

Judge Michèle Picard Judge Emilio Gatti Judge Nina Jørgensen

to the Court of Appeals Panel to decide on the appeal pursuant to the Decision Granting Leave to Appeal

Judge Ekaterina Trendafilova,

**President of the Specialist Chambers** 

Dated this Thursday, 26 January 2023 At The Hague, The Netherlands