



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

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

Before: **Trial Panel I**
Judge Mappie Veldt-Foglia, Presiding Judge
Judge Roland Dekkers
Judge Gilbert Bitti, Judge Rapporteur
Judge Vladimir Mikula, Reserve Judge

Registrar: Fidelma Donlon

Date: 23 March 2023

Language: English

Classification: Public

Scheduling order for the pronouncement of the Reparation Order

To be notified to:

Victims' Counsel

Anni Pues

Registry

Fidelma Donlon

Counsel for the Accused

Julius von Bóné

Acting Specialist Prosecutor

Alex Whiting

TRIAL PANEL I (Panel) hereby renders this scheduling order for the pronouncement of the Reparation Order.

I. PROCEDURAL BACKGROUND

1. On 16 December 2022, the Panel issued the Trial Judgment in the present case.¹ In the Trial Judgment, the Panel indicated that it would subsequently issue a Reparation Order pursuant to Articles 22(8) and 44(6) of the Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office (Law).²

II. APPLICABLE LAW

2. The Panel notes Articles 22(3), (7) and (8), 43(2) and 44(6) of the Law and Rules 159(2) and 164(2) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (Rules).

III. ANALYSIS

3. The Panel recalls that pursuant to Article 43(2) of the Law, the trial judgment shall be announced by the Panel in public.

4. Moreover, the Panel recalls that according to Rule 159(2) of the Rules, the trial judgment, or a summary thereof, shall be pronounced in public in the name of the

¹ KSC-BC-2020-05, F00494, Trial Panel I, *Trial Judgment*, 16 December 2022, confidential. A public redacted version was filed on 19 January 2023, [F00494/RED](#), and a corrected version was filed on 24 January 2023, [F00494/RED/COR](#).

² [Trial Judgment](#), paras 762, 831.

people of Kosovo, and in the presence of the Accused, unless exceptional circumstances justify his or her absence.

5. Furthermore, the Panel notes that, in accordance with Rule 164(2) of the Rules, Rule 159(2) of the Rules shall equally apply to the pronouncement of the sentencing judgment.

6. As a Reparation Order is foreseen in Article 44 of the Law, which title is "Punishments", as imposed in addition to imprisonment, the Panel considers that the above-mentioned dispositions in the Law and the Rules shall also equally apply to the pronouncement of a Reparation Order pursuant to Articles 22(8) and 44(6) of the Law.

7. In light of the foregoing, the Panel has decided, for organisational reasons and considering the circumstances of the case, that it is appropriate, pursuant to Rule 159(2) of the Rules, to deliver the Reparation Order in the present case on **Thursday, 6 April 2023, at 12:00 hours**, in public session and in the presence of Mr Salih Mustafa.

IV. DISPOSITION

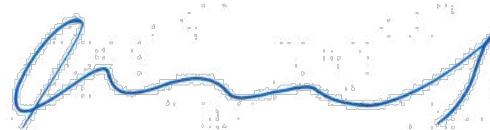
8. For the above-mentioned reasons, the Panel hereby:
- a. **SCHEDULES** the delivery of the Reparation Order in the present case on **Thursday, 6 April 2023, at 12:00 hours**, in public session; and
 - b. **ORDERS** Mr Salih Mustafa to be physically present in the courtroom at the seat of the Kosovo Specialist Chambers.



Judge Mappie Veldt-Foglia
Presiding Judge



Judge Gilbert Bitti



Judge Roland Dekkers

Dated this Thursday, 23 March 2023
At The Hague, the Netherlands.