



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2021-08

**Before:** Single Judge  
Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Date:** 20 January 2021

**Language:** English

**Classification:** Public

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**Public Redacted Version of Order of Deferral for [REDACTED]**

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**Specialist Prosecutor**

Jack Smith

**To be served on**

[REDACTED]

[REDACTED]

**I, Judge Nicolas Guillou, Single Judge of the Kosovo Specialist Chambers** assigned by the President of the Specialist Chambers pursuant to Article 33(2) of Law No. 05/L-53 on Specialist Chambers and Specialist Prosecutor's Office ("Law");

**BEING SEISED** of the Specialist Prosecutor's urgent request for order for deferral of [REDACTED];

**FINDS** pursuant to Articles 6(2) and 15(2) of the Law that the Specialist Chambers ("SC") has subject-matter jurisdiction over offences allegedly committed in relation to evidence relevant for any crimes within the SC jurisdiction and within the scope of ongoing SC proceedings;

**RECALLS** that pursuant to Articles 10 and 54 of the Law and Rule 203 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"):

- (a) the Specialist Chambers has primacy over all other courts in Kosovo within its jurisdiction;
- (b) the Specialist Chambers may order the deferral and transfer of any court proceedings in Kosovo dealing with matters under its subject-matter jurisdiction;
- (c) any court or prosecutor in Kosovo in receipt of an SC order for deferral shall transfer to the Specialist Prosecutor any and all files pertaining to the requested case without delay; and
- (d) an SC order for deferral is final and binding.

**FOR THESE REASONS, pursuant to Articles 10 and 54 of the Law and Rule 203 of the Rules**

**ORDERS** the [REDACTED] to:

- (a) **DEFER and TRANSFER**, without delay, [REDACTED] to the Specialist Chambers;
- (b) **SUSPEND**, without delay, any proceedings in [REDACTED], including the [REDACTED]; and
- (c) **TRANSFER**, without delay, any and all files pertaining to [REDACTED], including any results of the investigations and all court records, to the Specialist Prosecutor.

**ORDERS** the [REDACTED] and [REDACTED] to refrain from disclosing the existence of the present order or its content except to those whose involvement is strictly necessary for transferring and suspending [REDACTED] as well as for transferring any and all files pertaining to the case.



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**Judge Nicolas Guillou**

**Single Judge**

Dated this Wednesday, 20 January 2021

At The Hague, the Netherlands.