



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: **KSC-CA-2023-02**
Specialist Prosecutor v. Salih Mustafa

Before: **A Panel of the Court of Appeals Chamber**
Judge Michèle Picard
Judge Kai Ambos
Judge Nina Jørgensen

Registrar: Fidelma Donlon

Date: 14 December 2023

Original language: English

Classification: **Public**

Public Redacted Version of Annex 1 to the Appeal Judgment
Defined Terms and Cited Materials in the Appeal Judgment

Specialist Prosecutor's Office:

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Counsel for Victims:

Anni Pues

I. DEFINED TERMS

Appeal Hearing	Hearing held by the Appeals Panel on 26 and 27 October 2023
BIA	BIA Guerrilla Unit, a unit within the Llap Operational Zone of the Kosovo Liberation Army
Brigade 153	A brigade within the Llap Operational Zone of the Kosovo Liberation Army
CCIU	Central Criminal Investigation Unit
CCSFRY	Criminal Code of the Socialist Federal Republic of Yugoslavia, 1 July 1977
Common Article 3	Article 3 common to the Geneva Conventions of 12 August 1949
Council of Europe Report	Council of Europe, Parliamentary Assembly, Inhuman treatment of people and illicit trafficking in human organs in Kosovo, Doc. 12462, 7 January 2011
ECCC	Extraordinary Chambers in the Court of Cambodia
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ERN	Evidence Reference Number
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
iMMO	Instituut voor Mensenrechten en Medisch Onderzoek
IRMCT	International Residual Mechanism for Criminal Tribunals
JCE	Joint Criminal Enterprise
JCE I	Basic form of Joint Criminal Enterprise
Kosovo Constitution	Constitution of the Republic of Kosovo
KLA	Kosovo Liberation Army
Murder Victim	[REDACTED]
NATO	North Atlantic Treaty Organization
SCCC	Specialist Chamber of the Constitutional Court
Serbian forces	Forces of the Federal Republic of Yugoslavia and the Republic of Serbia, including units of the Yugoslav Army, police and other units of

	the Ministry of Internal Affairs, and other groups fighting on behalf of the Federal Republic of Yugoslavia and the Republic of Serbia
SPO	Specialist Prosecutor's Office
STL	Special Tribunal for Lebanon
UNMIK	United Nations Mission in Kosovo
ZDC	Zilash/Zlaš Detention Compound

II. CITED MATERIALS

A. SPECIALIST CHAMBERS

1. Case KSC-BC-2020-05 / KSC-CA-2023-02

(a) Filings

Annex 1 to Decision on Items Used with W04484, W04485 and W04849 and Article 37 Material	KSC-BC-2020-05, F00369/A01, Annex 1 to Decision on items used with witnesses W04484, W04485 and W04849 during their in-court testimony and on evidence collected prior to the establishment of the Specialist Chambers, 29 March 2022
Annex 1 to SPO Article 37 Application	KSC-BC-2020-05, F00306/A01, Annex 1 to Prosecution Application for Admission of remaining Material under Article 37 of the Law, 4 February 2022 (confidential)
Annex 1 to SPO Article 37 and Other Material Application	KSC-BC-2020-05, F00201/A01, Annex 1 to Prosecution Application for Admission of Material Through the Bar Table, 13 September 2021 (confidential)
Appeal Brief	KSC-CA-2023-02, F00021/COR/RED3, Second Further Public Redacted Version of Corrected Version of Defense Appeal Brief pursuant to Rule 179(1) of Rules of Procedure and Evidence ("Rules"), 15 September 2023 (uncorrected confidential version filed on 24 April 2023, corrected confidential version filed on 2 May 2023)

Confirmation Decision	KSC-BC-2020-05, F00008/RED, Public Redacted Version of Decision on the Confirmation of the Indictment Against Salih Mustafa, 5 October 2020 (strictly confidential and <i>ex parte</i> version filed on 12 June 2020)
Decision Dismissing Defence Jurisdiction Motion	KSC-BC-2020-05, F00155, Decision dismissing "Salih Mustafa's Preliminary Defence Motion to Oppose KSC Jurisdiction", 15 July 2021
Decision on Adjudicated Facts	KSC-BC-2020-05, F00191, Decision on judicial notice of adjudicated facts, 7 September 2021
Decision on Article 37 and Other Material	KSC-BC-2020-05, F00281/RED, Public redacted version of Decision on the admission of evidence collected prior to the establishment of the Specialist Chambers and other material, 13 December 2021 (confidential version filed on 13 December 2021)
Decision on Assignment	KSC-CA-2023-02, F00007, Decision Assigning a Court of Appeals Panel, 7 February 2023 (confidential, reclassified as public on 7 February 2023)
Decision on Certification to Appeal Decision on Victim Participation	KSC-CA-2023-02, F00017, Decision on Defence Request for Certification to Appeal the "Decision on Modalities of Victim Participation in Appellate Proceedings", 21 March 2023
Decision on Closing of Evidentiary Proceedings and Related Matters	KSC-BC-2020-05, F00439, Decision on the closing of the evidentiary proceedings and related matters, 20 June 2022
Decision on Closing Statements and Related Matters	KSC-BC-2020-05, F00468/RED, Public redacted version of Decision setting the agenda for the hearing on the closing statements and related matters, 31 August 2022 (confidential version filed on 31 August 2022)
Decision on Evidentiary Matters	KSC-BC-2020-05, F00436/RED, Public redacted version of Decision on items used with Witnesses WDSM 600 to 1100, 1300 to 1700 and [REDACTED] during their in-court testimonies, on the Specialist Prosecutor's request for the admission of documentary evidence in rebuttal, and on the Defence request to present evidence

	in rejoinder, 20 June 2022 (confidential version filed on 20 June 2022)
Decision on Extension of Time to File Notice of Appeal	KSC-CA-2023-02, F00004, Decision on Defence Motion for Variation of Time Limit to File Notice of Appeal, 9 January 2023
Decision on Extension of Time Limit to File Response Briefs	KSC-CA-2023-02, F00024, Decision on Specialist Prosecutor's Office and Victims' Counsel Requests for Extension of Time to File Briefs in Response, 5 May 2023
Decision on Items Used with W03593, W04600, W01679, and W03594	KSC-BC-2020-05, F00285/RED, Public redacted version of Decision on items used with witnesses W03593, W04600, W01679, and W03594 during their in-court testimony, 17 December 2021 (confidential version filed on 17 December 2021)
Decision on Items Used with W04484, W04485 and W04849 and Article 37 Material	KSC-BC-2020-05, F00369, Decision on items used with witnesses W04484, W04485 and W04849 during their in-court testimony and on evidence collected prior to the establishment of the Specialist Chambers, 29 March 2022
Decision on Items Used with W04603, W04669, W04676, W04391, W04390, and W04674	KSC-BC-2020-05, F00304/RED, Public redacted version of Decision on items used with witnesses W04603, W04669, W04676, W04391, W04390, and W04674 during their in-court testimony, 3 February 2022 (confidential version filed on 3 February 2022)
Decision on SPO Rule 153 Application	KSC-BC-2020-05, F00286/RED, Public redacted version of Decision on the Prosecution application pursuant to Rule 153 of the Rules, 17 December 2021 (confidential version filed on 17 December 2021)
Decision on SPO Rule 155 Application	KSC-BC-2020-05, F00235/RED, Public redacted version of Decision on the Prosecution application for the admission of prior statements of witness W04648 and related documents, 15 October 2021 (confidential version filed on 15 October 2021)

Decision on Variation of Time and Word Limits to File Appeal Brief	KSC-CA-2023-02, F00020, Decision on Defence Motion for Variation of Time and Word Limits to File Appeal Brief, 3 April 2023
Decision on Victim Participation in Appellate Proceedings	KSC-CA-2023-02, F00011, Decision on Modalities of Victim Participation in Appellate Proceedings, 15 February 2023
Decision on Victims' Procedural Rights at Trial	KSC-BC-2020-05, F00152, Decision on victims' procedural rights during trial, 12 July 2021
Defence Motion for Extension of Time to File Notice of Appeal	KSC-CA-2023-02, F00001, Defense urgent motion to extend time limit to file Notice of Appeal, 3 January 2023
Defence Motion Regarding Victim Participation in Appellate Proceedings	KSC-CA-2023-02, F00009, Motion regarding Victims' Counsel participating in the Pre-Appeal Conference and further Appeal proceedings, 13 February 2023 (confidential and <i>ex parte</i> , reclassified as public on 15 February 2023)
Defence Preliminary Motion on Jurisdiction	KSC-BC-2020-05, F00149, Salih Mustafa's Preliminary Defense Motion to Oppose KSC Jurisdiction, 7 July 2021
Defence Rejoinder Request	KSC-BC-2020-05, F00434/RED, Public redacted version of the Defence request to present evidence in rejoinder and related matters, following the order of the Panel as prescribed in filing F00430, 23 June 2022 (confidential version filed on 9 June 2022)
Defence Request for Leave to Appeal Decision on Victim Participation	KSC-CA-2023-02, F00013, Defence Request for Certification to Appeal the Decision on Modalities of Victim Participation in Appellate Proceedings, 22 February 2023
Defence Response to SPO Rule 153 Application	KSC-BC-2020-05, F00278/RED, Public Redacted Version of Defence Response to Prosecution Application KSC-BC-2020/F00263, dated 19 November 2021 and on Addendum to Prosecution Application KSC-BC-2020/F00263, dated 22 November 2021, 24 January 2022 (confidential version filed on 3 December 2021)

Further Defence Submissions on <i>Mens Rea</i> for Murder	KSC-CA-2023-02, F00034, Answer to question pursuant to the Order of the Appeals Panel, 31 October 2023
Further SPO Submissions on <i>Mens Rea</i> for Murder	KSC-CA-2023-02, F00033, Further prosecution submissions on mens rea for murder, 31 October 2023
iMMO Expert Reports Submission	KSC-BC-2020-05, F00417, Victims' Counsel's Submission of medical reports pertaining to Victims 08/05 and 09/05, 24 May 2022
Indictment	KSC-BC-2020-05, F00019/A01, Public Redacted Version of Indictment, 28 September 2020 KSC-BC-2020-05, F00011/A01, Indictment, 19 June 2020 (strictly confidential and <i>ex parte</i> , reclassified as confidential on 2 September 2021)
List of Adjudicated Facts	KSC-BC-2020-05, F00144/A01, Annex 1 to Prosecution's motion for judicial notice of adjudicated facts, 30 June 2021
Notice of Appeal	KSC-CA-2023-02, F00006/RED2, Public Redacted Version of Defence Notice of Appeal pursuant to Rule 176 (of Rules of Procedure and Evidence) against the Judgment of the Trial Panel I of 16 December 2022, 13 February 2023 (confidential version filed on 2 February 2023)
Order for Preparation of Appeal Hearing	KSC-CA-2023-02, F00030, Order for the Preparation of the Appeal Hearing, 12 October 2023
Order Scheduling Appeal Hearing	KSC-CA-2023-02, F00029, Order Scheduling an Appeal Hearing, 17 August 2023
Order Scheduling Appeal Judgment	KSC-CA-2023-02, F00036, Order Scheduling the Pronouncement of the Appeal Judgment, 27 November 2023
Order Scheduling Pre-Appeal Conference	KSC-CA-2023-02, F00008, Order Scheduling a Pre-Appeal Conference, 9 February 2023
Reparation Order	KSC-BC-2020-05, F00517/RED/COR, Corrected version of Public redacted version of Reparation Order against Salih Mustafa, 14 April 2023 (confidential version filed on 6 April 2023)

Reply Brief	KSC-CA-2023-02, F00028/RED, Public Redacted Version of the Defence Brief in Reply to The Prosecutions' Brief in Response to Defence Appeal and Victims' Counsel Response to Defence Appeal Brief F00021 pursuant to Rule 179 (3) of Rules of Procedure and Evidence ("Rules"), 3 July 2023 (confidential version filed on 16 June 2023)
Rule 132 Decision	KSC-BC-2020-05, F00430/RED, Public redacted version of Decision under Rules 132 and 149 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers on evidence called by the Panel, 3 June 2022 (confidential version filed on 3 June 2022)
Rule 151(3) Application	KSC-BC-2020-05, F00195, Submission of an application for assurances pursuant to the Decision on the conduct of the proceedings <i>and</i> Rule 151(3) of the Rules, 9 September 2021 (confidential)
SPO Article 37 and Other Material Application	KSC-BC-2020-05, F00201/RED, Public Redacted Version of 'Prosecution Application for Admission of Material Through the Bar Table', KSC-BC-2020-05/F00201, dated 13 September 2021, 15 September 2021 (confidential version filed on 13 September 2021)
SPO Article 37 Application	KSC-BC-2020-05, F00306, Prosecution Application for Admission of remaining Material under Article 37 of the Law, 4 February 2022
SPO Final Trial Brief	KSC-BC-2020-05, F00505/RED/A01, Public Redacted Version of Annex 1 to "Corrected version of 'Prosecution Final Trial Brief pursuant to Rule 134(b) with Confidential Annex 1 and Public Annex 2'", filing F00459/COR/A01, dated 22 July 2022, 31 January 2023 KSC-BC-2020-05, F00459/COR/A01, Corrected version of 'Prosecution Final Trial Brief pursuant to Rule 134(b)', 22 July 2022

	(confidential) (uncorrected confidential version filed on 21 July 2022)
SPO Pre-Trial Brief	<p>KSC-BC-2020-05, F00088/A01, Corrected version of Specialist Prosecutor's Pre-Trial Brief in the case against Salih MUSTAFA, 23 February 2021 (strictly confidential and <i>ex parte</i>, reclassified as confidential on 11 October 2021)</p> <p>KSC-BC-2020-05, F00085/A01, Confidential redacted version of Specialist Prosecutor's Pre-Trial Brief in the case against Salih MUSTAFA, 17 February 2021 (confidential)</p> <p>KSC-BC-2020-05, F00082/A01, Specialist Prosecutor's Pre-Trial Brief in the case against Salih MUSTAFA, 16 February 2021 (strictly confidential and <i>ex parte</i>)</p>
SPO Request for Admission of Exhibits (W01679 and W03594)	KSC-BC-2020-05, F00242, Prosecution Request for Admission of Exhibits from the Direct Examinations of W01679 and W03594, 28 October 2021
SPO Request for Admission of Exhibits (W03593 and W04600)	KSC-BC-2020-05, F00228, Prosecution Revised Request for Admission of Exhibits from the Direct Examinations of W03593 and W04600, 6 October 2021
SPO Request for Admission of Exhibits (W04603, W04669, W04676, W04391, and W04390)	KSC-BC-2020-05, F00276, Prosecution Request for Admission of Exhibits from the Direct Examinations of W04603, W04669, W04676, W04391, and W04390, 30 November 2021
SPO Request for Extension of Time to File Response Brief	KSC-CA-2023-02, F00022, Prosecution request for extension of time to file its Brief in Response, 1 May 2023
SPO Response Brief	KSC-CA-2023-02, F00027/RED/COR, Corrected version of 'Public redacted version of Prosecution Brief in Response to Defence Appeal', KSC-CA-2023-02/F00027/RED, 23 June 2023 (uncorrected confidential version filed on 5 June 2023, uncorrected public redacted version filed on 21 June 2023)

SPO Response to Defence Request for Leave to Appeal Decision on Victim Participation	KSC-CA-2023-02, F00015, Prosecution response to 'Defence Request for Certification to Appeal the Decision on Modalities of Victim Participation in Appellate Proceedings', 6 March 2023
SPO Response to Request for Submissions	KSC-BC-2020-05, F00167/A01, Annex 1 to Submission of confidential version of <i>Annex 2 to Prosecution Submission pursuant to KSC-BC-2020-05/F00123</i> , 20 August 2021 (confidential)
SPO Rule 102 Disclosure Notice	KSC-BC-2020-05, F00279, Prosecution notice of disclosure pursuant to Rule 102(4), 7 December 2021
SPO Rule 151(3) Notice	KSC-BC-2020-05, F00175, Prosecution's notice of potential need for assurances pursuant to Rule 151(3), 1 September 2021 (confidential)
SPO Rule 151(3) Submissions	KSC-BC-2020-05, F00203, Prosecution's <i>ex parte</i> submissions pursuant to Rule 151(3), 15 September 2021 (strictly confidential and <i>ex parte</i>)
SPO Rule 153 Application	KSC-BC-2020-05, F00263/RED, Public Redacted Version of 'Prosecution Application pursuant to Rule 153(1)' KSC-BC-2020/F00263, dated 19 November 2021, 22 November 2021 (confidential version filed on 19 November 2021)
SPO Rule 155 Application	KSC-BC-2020-05, F00200/RED, Public Redacted Version of 'Prosecution Application for the Admission of Prior Statements of witness W04648 under Rule 155(1)', KSC-BC-2020-05/F00200, dated 13 September 2021, 15 September 2021 (confidential version filed on 13 September 2021)
SPO Submissions on Closing Statements and Related Matters	KSC-BC-2020-05, F00471/RED, Public redacted version of 'Prosecution submissions pursuant to Decision F00468 setting the agenda for the hearing on the closing statements and related matters' [F00471, dated 8 September 2022], 9 September 2022 (confidential version filed on 8 September 2022)

Trial Judgment	KSC-BC-2020-05, F00494/RED3/COR, Further redacted version of Corrected version of Public redacted version of Trial Judgment, 8 June 2023 (confidential version filed on 16 December 2022)
Victims Observations on Reparations	KSC-BC-2020-05, F00415/RED, Public redacted version of Victims' Counsel further observations on reparations matters, 27 January 2023 (confidential version filed on 23 May 2022)
Victims Request for Extension of Time to File Response Brief	KSC-CA-2023-02, F00023, Victims' Counsel request for extension of time limit to file her response to the Defence's Appeals Brief, 4 May 2023
Victims Request on Conduct of Proceedings	KSC-BC-2020-05, F00297/RED, Public Redacted Version of Victims' Counsel request pursuant to the Second decision on the conduct of the proceedings dated 21 January 2022, 24 January 2022 (confidential version filed on 24 January 2022)
Victims Response Brief	KSC-CA-2023-02, F00026/RED3, Second Further Public Redacted Version of Victims' Counsel response to the Defence Appeal Brief F00021, 15 September 2023 (confidential version filed on 5 June 2023)
Victims Response to Defence Request for Leave to Appeal Decision on Victim Participation	KSC-CA-2023-02, F00014, Victims' Counsel Response to Defence request for certification to Appeal the Decision on Modalities of Victim Participation in Appellate Proceedings (F00013), 3 March 2023

(b) Oral Orders

Oral Order on Assurances for W04600	KSC-BC-2020-05, Order on Witness, Transcript, 20 September 2021, pp. 489-490
Oral Order on iMMO Appointment	KSC-BC-2020-05, Order Regarding Appointment of iMMO, Transcript, 21 March 2022, pp. 2533-2534

Oral Order on Victims Evidence	KSC-BC-2020-05, Order on the Presentation of Evidence Requested by the Victims' Counsel, Transcript, 9 March 2022, pp. 2519-2521
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(c) Evidence

iMMO Expert Report on [REDACTED]	C00033 (confidential)
iMMO Expert Report on [REDACTED]	C00032 (confidential)
iMMO Expert Reports	iMMO Expert Report on [REDACTED] and iMMO Expert Report on [REDACTED], collectively
List of Prisoners	P00305 (confidential)
Suspect Statement	P00111 to P00118 (Salih Mustafa), 19 and 20 November 2019 (confidential)

(d) Other documents

Email of 9 November 2023 from SPO	KSC-CA-2023-02, CRSPD13, Email from SPO to CMU, Parties and Participants re Domestic Case Law PDF Files, 9 November 2023 (confidential)
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2. Other Cases

<i>Gucati and Haradinaj</i> Appeal Decision on Defence Witnesses	KSC-BC-2020-07, IA006/F00006, Decision on Nasim Haradinaj's Appeal Against Decision on Prosecution Requests in Relation to Proposed Defence Witnesses, 7 January 2022
<i>Gucati and Haradinaj</i> Appeal Decision on Gucati's Arrest and Detention	KSC-BC-2020-07, IA001/F00005, Decision on Hysni Gucati's Appeal on Matters Related to Arrest and Detention, 9 December 2020
<i>Gucati and Haradinaj</i> Appeal Decision on Preliminary Motions	KSC-BC-2020-07, IA004/F00007, Decision on the Defence Appeals Against Decision on Preliminary Motions, 23 June 2021

<i>Gucati and Haradinaj</i> Appeal Judgment	KSC-CA-2022-01, F00114, Appeal Judgment, 2 February 2023
<i>Gucati and Haradinaj</i> First Appeal Decision on Haradinaj's Detention	KSC-BC-2020-07, IA002/F00005, Decision on Nasim Haradinaj's Appeal Against Decision Reviewing Detention, 9 February 2021
<i>Gucati and Haradinaj</i> Trial Judgment	KSC-BC-2020-07, F00611/RED, Public Redacted Version of the Trial Judgment, 18 May 2022 (confidential version filed on 18 May 2022)
<i>Lajçi</i> Appeal Decision on Investigation	KSC-BC-2018-01, IA001/F00005, Decision on Appeal Against "Decision on Application for an Order Directing the Specialist Prosecutor to Terminate the Investigation against Driton Lajçi", 1 October 2021
<i>Shala</i> Appeal Decision on Defects in the Indictment	KSC-BC-2020-04, IA004/F00008/RED, Public Redacted Version of Decision on Pjetër Shala's Appeal against Decision on Motion Challenging the Form of the Indictment, 22 February 2022 (confidential version filed on 22 February 2022)
<i>Shala</i> Appeal Decision on Jurisdiction	KSC-BC-2020-04, IA002/F00010, Decision on Pjetër Shala's Appeal Against Decision on Motion Challenging the Establishment and Jurisdiction of the Specialist Chambers, 11 February 2022
<i>Shala</i> Appeal Decision on Prior Statements	KSC-BC-2020-04, IA006/F00007, Decision on Shala's Appeal Against Decision Concerning Prior Statements, 5 May 2023
<i>Shala</i> Appeal Decision on Provisional Release	KSC-BC-2020-04, IA001/F00005/RED, Public Redacted Version of Decision on Pjetër Shala's Appeal Against Decision on Provisional Release, 20 August 2021 (confidential version filed on 20 August 2021)
<i>Thaçi et al.</i> Appeal Decision on Defects in the Indictment	KSC-BC-2020-06, IA012/F00015/RED, Public Redacted Version of Decision on Defence Appeals Against Decision on Motions Alleging Defects in the Form of the Indictment, 22 August 2022 (confidential version filed on 22 August 2022)
<i>Thaçi et al.</i> Appeal Decision on Fifth Victim Participation	KSC-BC-2020-06, IA027/F00004/RED, Public Redacted Version of Decision on Appeals

	Against “Fifth Decision on Victims’ Participation”, 21 June 2023 (confidential version filed on 21 June 2023)
<i>Thaçi et al.</i> Appeal Decision on Fourth Victim Participation	KSC-BC-2020-06, IA026/F00011/RED, Public Redacted Version of Decision on Appeals Against “Fourth Decision on Victims’ Participation”, 26 April 2023 (confidential version filed on 26 April 2023)
<i>Thaçi et al.</i> Appeal Decision on Judicial Questioning	KSC-BC-2020-06, IA028/F00011/RED, Public Redacted Version of Decision on <i>Thaçi, Selimi and Krasniqi</i> Appeal against Oral Order on Trial Panel Questioning, 4 July 2023 (confidential version filed on 4 July 2023)
<i>Thaçi et al.</i> Appeal Decision on Jurisdiction	KSC-BC-2020-06, IA009/F00030, Decision on Appeals Against “Decision on Motions Challenging the Jurisdiction of the Specialist Chambers”, 23 December 2021
<i>Thaçi et al.</i> Appeal Decision on Legality Challenge	KSC-BC-2020-06, IA013/F00012, Decision on Defence Appeals Against Decision on Motions Challenging the Legality of the Specialist Chambers and the Specialist Prosecutor’s Office and Alleging Violations of Certain Constitutional Rights of the Accused, 20 May 2022
<i>Thaçi et al.</i> Constitutional Court Decision on <i>Krasniqi’s</i> and <i>Veseli’s</i> Referrals	KSC-CC-2022-13 & KSC-CC-2022-14, F00010, Decision on the Referral of <i>Jakup Krasniqi</i> Concerning the Legality of Charging Joint Criminal Enterprise and the Referral of <i>Kadri Veseli</i> Concerning Decision of the Appeals Panel on Challenges to the Jurisdiction of the Specialist Chambers, 13 June 2022
<i>Thaçi et al.</i> Constitutional Court Decision on <i>Thaçi’s</i> Referral	KSC-CC-2022-15, F00010, Decision on the Referral of <i>Hashim Thaçi</i> Concerning the Right to an Independent and Impartial Tribunal Established by Law and to a Reasoned Opinion, 13 June 2022
<i>Thaçi et al.</i> Decision on Defence Motion on Adjudicated Facts	KSC-BC-2020-06, F01536, Decision on Defence Motion for Judicial Notice of Adjudicated Facts, 18 May 2023

<i>Thaçi et al.</i> SPO Submissions on Preliminary Motion	KSC-BC-2020-06, F00262, Prosecution response to preliminary motion concerning applicability of customary international law, 23 April 2021
<i>Veseli</i> Appeal Decision on Detention Review	KSC-BC-2020-06, IA014/F00008/RED, Public Redacted Version of Decision on Kadri Veseli's Appeal Against Decision on Remanded Detention Review and Periodic Review of Detention, 31 March 2022 (confidential version filed on 31 March 2022)
<i>Veseli</i> Appeal Decision on Interim Release	KSC-BC-2020-06, IA001/F00005, Decision on Kadri Veseli's Appeal Against Decision on Interim Release, 30 April 2021

3. Internal Regulatory Documents

Practice Direction on Filings	KSC-BD-15, Practice Direction on Files and Filings before the Kosovo Specialist Chambers, 17 May 2019
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B. INTERNATIONAL JURISPRUDENCE

1. European Court of Human Rights

<i>Guimon</i> Judgment	ECtHR, <i>Guimon v. France</i> , no. 48798/14, Judgment, 11 April 2019
<i>Ibrahim and Others</i> Judgment	ECtHR, <i>Ibrahim and Others v. The United Kingdom</i> , nos. 50541/08, 50571/08, 50573/08 and 40351/09, Judgment, 13 September 2016
<i>Khoroshenko</i> Judgment	ECtHR, <i>Khoroshenko v. Russia</i> , no. 41418/04, Judgment, 30 June 2015
<i>Messina</i> Judgment	ECtHR, <i>Messina v. Italy (No. 2)</i> , no. 25498/94, Judgment, 28 September 2000
<i>Murray</i> Judgment	ECtHR, <i>John Murray v. The United Kingdom</i> , no. 18731/91, Judgment, 8 February 1996
<i>O'Halloran and Francis</i> Judgment	ECtHR, <i>O'Halloran and Francis v. The United Kingdom</i> , nos. 15809/02 and 25624/02, Judgment, 29 June 2007

2. Extraordinary Chambers in the Court of Cambodia

<i>Duch</i> Trial Judgement	ECCC, <i>Co-Prosecutors v. Kaing</i> , 001/18-07-2007/ECCC/TC, Judgement, 26 July 2010
<i>Nuon and Khieu</i> Supreme Court Appeal Judgement	ECCC, <i>Co-Prosecutors v. Nuon and Khieu</i> , 002/19-09-2007-ECCC/SC, Appeal Judgement, 23 November 2016
<i>Nuon and Khieu</i> Trial Judgement	ECCC, <i>Co-Prosecutors v. Nuon and Khieu</i> , 002/19-09-2007/ECCC/TC, Case 002/01 Judgement, 7 August 2014

3. International Criminal Court

<i>Bemba et al.</i> Appeal Judgment	ICC, <i>Prosecutor v. Bemba et al.</i> , ICC-01/05-01/13-2275-Red, Public Redacted Judgment on the appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the decision of Trial Chamber VII entitled “Judgment pursuant to Article 74 of the Statute”, 8 March 2018
<i>Katanga and Ngudjolo</i> Bar Table Decision	ICC, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , ICC-01/04-01/07-2635, Decision on the Prosecutor’s Bar Table Motions, 17 December 2010
<i>Katanga and Ngudjolo</i> Confirmation Decision	ICC, <i>Prosecutor v. Katanga and Ngudjolo Chui</i> , ICC-01/04-01/07, Decision on the Confirmation of Charges, 30 September 2008
<i>Katanga</i> Sentencing Judgment	ICC, <i>Prosecutor v. Katanga</i> , ICC-01/04-01/07, Decision on Sentence pursuant to article 76 of the Statute, 23 May 2014
<i>Katanga</i> Trial Judgment	ICC, <i>Prosecutor v. Katanga</i> , ICC-01/04-01/07-3436-tENG, Judgment pursuant to article 74 of the Statute, 7 March 2014
<i>Lubanga</i> Appeal Judgment	ICC, <i>Prosecutor v. Lubanga</i> , ICC-01/04-01/06-3121-Red, Public redacted Judgment on the appeal of Mr Thomas Lubanga Dyilo against his conviction, 1 December 2014

<i>Lubanga</i> Sentencing Appeal Judgment	ICC, <i>Prosecutor v. Lubanga</i> , ICC-01/04-01/06-3122, Judgment on the appeals of the Prosecutor and Mr Thomas Lubanga Dyilo against the “Decision on Sentence pursuant to Article 76 of the Statute”, 1 December 2014
<i>Lubanga</i> Trial Judgment	ICC, <i>Prosecutor v. Lubanga</i> , ICC-01/04-01/06-2842, Judgment pursuant to Article 74 of the Statute, 14 March 2012
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Kosovo Supreme Court Judgment of 20 March 2023	Kosovo, Supreme Court, <i>G.S.</i> , Pml. 26/2023, Judgement, 20 March 2023
Kosovo Supreme Court Judgment of 7 May 2014	Kosovo, Supreme Court, <i>S.G. et al.</i> , Pml.Kzz 1/2014, Judgment, 7 May 2014
Kosovo Supreme Court Judgement of 6 August 2010	Kosovo, Supreme Court, <i>G.G.</i> , PKL-KZZ 27/2010, Judgement, 6 August 2010
Kosovo Supreme Court Judgment of 25 November 2010	Kosovo, Supreme Court, <i>I.G.</i> , Ap-Kž 108/2010, Judgment, 25 November 2010
Kosovo Supreme Court Judgment of 8 December 2009	Kosovo, Supreme Court, <i>G.G.</i> , AP-K 191/2009, Judgment, 8 December 2009

2. Legislation

2003 KCC	UNMIK, Regulation no. 2003/25, Provisional Criminal Code of Kosovo, UNMIK/REG/2003/25, 6 July 2003
2012 KCC	Criminal Code of the Republic of Kosovo, Code No. 04/L-082, 20 April 2012
KCC	Criminal Code of the Republic of Kosovo, Code No. 06/L-074, 14 January 2019
Kosovo Constitution	Constitution of the Republic of Kosovo

UNMIK Regulation 1999/24	UNMIK, Regulation no. 1999/24, UNMIK/REG/1999/24, 12 December 1999 on the Law Applicable in Kosovo
UNMIK Regulation 2000/59	UNMIK, Regulation no. 2000/59, UNMIK/REG/2000/59, 27 October 2000 Amending UNMIK Regulation no. 1999/24 on the Law Applicable in Kosovo

D. MISCELLANEOUS

2020 ICRC Commentary GCIII	ICRC, Commentary on the Third Geneva Convention: Convention (III) relative to the Treatment of Prisoners of War, 2 nd edition, 2020
Additional Protocol II	Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977
<i>Ambos</i> Rome Statute Commentary	<i>Ambos, K. (ed.), The Rome Statute of the International Criminal Court: Article-by-Article Commentary (Fourth Edition), C. H. Beck, Hart, Nomos 2022</i>
ICC Elements of Crimes	ICC, Elements of Crimes, 2010
Rome Statute	Rome Statute of the International Criminal Court
Torture Convention	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly on 10 December 1984 and entered into force on 26 June 1987