

Strasbourg, 14 February 2019

CAHDI (2019) 11 prov

COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI)

Developments concerning the International Criminal Court and other international criminal tribunals

Information document prepared by the Secretariat

57th meeting

Strasbourg (France), 21-22 March 2019

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DEVELOPMENTS CONCERNING THE INTERNATIONAL CRIMINAL COURT (ICC) AND OTHER INTERNATIONAL CRIMINAL TRIBUNALS

I. The International Criminal Court (ICC)

1. The Rome Statute of the International Criminal Court (the Rome Statute) currently has 123 State Parties. Since the last meeting of the CAHDI, no new instruments of ratification, acceptance or approval were deposited.
2. Since the last meeting of the CAHDI, there have been two new ratifications (by Guyana and Ireland) of the two amendments to the Rome Statute, adopted at the Review Conference of the Rome Statute held in Kampala (Uganda) from 31 May to 11 June 2010 (the so-called “Kampala amendments”). Both the amendment to Article 8 of the Rome Statute¹, and the amendments on the crime of aggression have been ratified/accepted by 37 States².
3. The amendment adopted by the Parties at the 11th plenary meeting of the Assembly of States Parties to the Rome Statute in The Hague (Netherlands) on 26 November 2015, to repeal Article 124 of the Rome Statute (transitional provision with regard to the ICC’s jurisdiction concerning war crimes), will enter into force for all States Parties one year after instruments of ratification or acceptance have been deposited by seven-eighths of them. So far, Norway (1 July 2016), Finland (23 September 2016), the Slovak Republic (28 October 2016), the Netherlands (20 March 2017), Portugal (11 April 2017), Austria (22 September 2017), France (19 March 2018), Italy (13 April 2018), Croatia (27 April 2018), Romania (14 June 2018), and Switzerland (14 December 2018) have deposited their instruments of acceptance/ratification with regard to this amendment³.
4. The 17th Session of the [Assembly of States Parties](#) to the ICC was held in The Hague, The Netherlands, on 5-12 December 2018. The Assembly adopted [five resolutions](#) by consensus on: the remuneration of the judges of the ICC; amendments to rule 26 of the Rules of Procedure and Evidence; co-operation; the proposed programme budget for 2019; and strengthening the International Criminal Court and the Assembly of States Parties.
5. The [Trust Fund for Victims](#), created in 2004 by the Assembly of States Parties to the ICC (in accordance with Article 79 of the Rome Statute), aims to support and implement programmes that address harms resulting from genocide, crimes against humanity, war crimes and aggression. Between 5 December 2018 and 15 January 2019, a number of States Parties⁴ made contributions to this Fund, some of them earmarked to support survivors of sexual and gender-based violence⁵.
6. As regards the latest judicial activity at the ICC, since the last CAHDI meeting:
 - In the case *The Prosecutor v. Omar Hassan Ahmad Al Bashir*, the Appeals Chamber of the ICC held five days of hearings in September 2018 in relation to the appeal of the Hashemite Kingdom of Jordan against the [decision of Pre-Trial Chamber II](#) on the non-compliance by Jordan with the request by the Court for the arrest and surrender of Mr Omar Al-Bashir. The Appeals Chamber received oral submissions on legal matters raised in this appeal from representatives of Jordan, the ICC Prosecutor, and *amici curiae* including representatives of the African Union, the League of Arab States and international law professors. This is the first time that the Appeals Chamber considers a referral to the Assembly of States Parties and the United Nations Security Council of a State Party’s non-compliance. On 4 December 2018, the ICC sent a request to the Republic of Belarus “for cooperation and surrender” of

¹ See [Amendment to Article 8 of the Rome Statute of the International Criminal Court](#), Kampala, 10/06/2010.

² See [Amendments on the crime of aggression to the Rome Statute of the International Criminal Court](#), Kampala, 11/06/2010.

³ See, [Amendment to article 124 of the Rome Statute of the International Criminal Court](#), The Hague, 26 November 2015.

⁴ Germany, Ireland, the Netherlands, Norway, the Slovak Republic, Sweden.

⁵ Denmark, Finland, Japan,

Mr Al-Bashir, as the Registrar had been informed in November 2018 of a “possible upcoming visit of Mr Al-Bashir to Belarus”. Until Omar Al Bashir is arrested and transferred to the seat of the Court, the case will remain in the Pre-Trial stage.

- As regards the admissibility challenge in the case [The Prosecutor v. Saif Al-Islam Gaddafi](#), the Prosecutor, the UN Security Council and victims who had communicated with the Court in relation to the case were invited to make written submissions by 28 September 2018. On 20 November 2018, the defence sent its reply to those submissions. The Court’s decision on this latest admissibility challenge is pending. Mr Gaddafi is suspected of two counts of crimes against humanity (murder and persecution) allegedly committed in 2011 in Libya. The case remains in the Pre-Trial stage, pending Saif Al-Islam Gaddafi’s transfer to the seat of the Court in The Hague.
- The confirmation of charges hearing in the case [The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud](#) was postponed to 6 May 2019. The purpose of the confirmation of charges hearing is to determine whether there is sufficient evidence to establish substantial grounds to believe that the person committed each of the crimes charged. If the charges are confirmed, the case will be transferred to a Trial Chamber. Mr Al Hassan was transferred to the ICC on 31 March 2018 following a warrant of arrest issued by the Chamber for war crimes and crimes against humanity.
- The closing statements in the case of [The Prosecutor v. Bosco Ntaganda](#) took place on 28-30 August 2018 before Trial Chamber VI. Bosco Ntaganda, former alleged Deputy Chief of the General Staff of the *Forces Patriotiques pour la Libération du Congo* [Patriotic Force for the Liberation of Congo], is accused of 13 counts of war crimes (murder and attempted murder; attacking civilians; rape; sexual slavery of civilians; pillaging; displacement of civilians; attacking protected objects; destroying the enemy’s property; and rape, sexual slavery, enlistment and conscription of child soldiers under the age of fifteen years and using them to participate actively in hostilities) and five crimes against humanity (murder and attempted murder; rape; sexual slavery; persecution; forcible transfer of population) allegedly committed in 2002-2003. ICC Trial Chamber VI will pronounce its decision in due course.
- In the case [The Prosecutor v. Dominic Ongwen](#), an alleged former brigade commander of the Sinia Brigade of the LRA, an armed group, is charged with 70 counts of crimes against humanity and war crimes in Uganda between 2002 and 2004. The trial opened in December 2016, resumed in January 2017, and continued in September 2018. The defence presented its evidence in October 2018. ICC Trial Chamber IX adjourned the hearings scheduled in January 2019 in order for the accused to receive any necessary medical treatment (the hearings will take place on 18 February 2019). 4,107 victims have been granted the right to participate in the proceedings.
- In the case [The Prosecutor v. Patrice-Edouard Ngaïssona](#), the arrest warrant for Patrice-Edouard Ngaïssona was issued on 7 December 2018. He was subsequently arrested by the French authorities on 12 December 2018 and transferred to ICC custody on 23 January 2019. Mr Ngaïssona is alleged to be the most senior leader and the “National General Coordinator” of the Anti-Balaka in Central African Republic (CAR), responsible for crimes committed in various locations in the CAR, including crimes against humanity and war crimes.
- In September 2018, the ICC Prosecutor opened a Preliminary Investigation ([Bangladesh/Myanmar](#)) concerning the alleged deportation of the Rohingya people from Myanmar to Bangladesh, as the latter is a State Party to the ICC. The preliminary examination may take into account a number of alleged coercive acts having resulted in the forced displacement of the Rohingya people, including deprivation of fundamental rights,

killing, sexual violence, enforced disappearance, destruction and looting. The Prosecutor will further consider whether other crimes under Article 7 of the Rome Statute may be applicable to the situation at hand, such as the crimes of persecution and other inhumane acts.

- On 15 January 2019, Trial Chamber I acquitted Laurent Gbagbo and Charles Blé Goudé, former president of Côte d'Ivoire and his right-hand man, respectively, from all charges of crimes against humanity (murder, rape, other inhumane acts or – in the alternative – attempted murder, and persecution) allegedly committed in Côte d'Ivoire in 2010 and 2011, in the case [*The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*](#). However, the Appeals Chamber of the ICC decided that Gbagbo and Goudé would remain in custody following the Prosecutor's appeal to the Trial Chambers decision to release them following their acquittal. On 1 February 2019, the Appeals Chamber decided unanimously that conditions are to be imposed on Mr Laurent Gbagbo and Mr Charles Blé Goudé upon their release to a State willing to accept them on its territory and willing and able to enforce the conditions set by the Appeals Chamber. These conditions are imposed to protect the integrity of the process.

II. The United Nations Mechanism for International Criminal Tribunals (MICT)

7. The United Nations Mechanism for International Criminal Tribunals (MICT) continues the jurisdiction and essential functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY) after the completion of their respective mandates.
8. The latest developments at the MICT were as follows:
 - In March 2018, both parties in the case [*The Prosecutor v. Ratko Mladić*](#) filed their notices of appeal against the ICTY judgment⁶ of November 2017, whereby Ratko Mladić, Commander of the Main Staff of the Army of the Bosnian-Serb Republic between 1992 and 1995, was found guilty of genocide, crimes against humanity and violations of the laws or customs of war committed by Serb forces in Sarajevo, Srebrenica and 15 other municipalities during the conflict in Bosnia and Herzegovina and sentenced to life imprisonment. The appeal's proceedings are on-going and a status conference will be held on 18 February 2019.
 - In April 2018, the Appeals Chamber ordered both parties to submit a list of the evidence and witnesses they propose to introduce at a future review hearing in the case [*Prosecutor v. Augustin Ndirabatswe*](#). On 20 December 2012, Trial Chamber II of the ICTR convicted Ndirabatswe of incitement to commit genocide, instigating and aiding and abetting genocide, and rape as a crime against humanity, in Rwanda in 1994. In June 2017, the Appeals Chamber granted Ndirabatswe's request for review of the appeal judgment. The review hearing was adjourned and has been scheduled to take place in September 2019.
 - The appeal hearing in the case of [*The Prosecutor v. Radovan Karadžić*](#), took place on 23-24 April 2018, against the ICTY Trial Chamber Judgement of 24 March 2016 which had found Karadžić guilty of genocide, crimes against humanity and violations of the laws or customs of war, sentencing him to 40 years of imprisonment. In September 2018, Karadžić filed a request to disqualify one of the judges from the case, who withdrew and was replaced by another judge.
 - In August 2018, the Indictment for contempt of court and incitement to commit contempt, submitted by the Prosecutor in the case [*The Prosecutor v. Maximilien Turinabo et al.*](#), was confirmed as Maximilien Turinabo, Anselme Nzabonimpa, Jean de Dieu Ndagijimana, Marie

⁶ ICTY, *The Prosecutor v. Ratko Mladić*, case no. IT-09-92, Trial judgment, 22 November 2017, [Vol. 1/5](#), [Vol. 2/5](#), [Vol. 3/5](#), [Vol. 4/5](#).

Rose Fatuma, and Dick Prudence Munyeshuli allegedly, from at least August 2015 through September 2017, shared the intent for and participated in a joint criminal enterprise which sought to overturn Augustin Ndirabatware's final conviction by interfering with the administration of justice, directly and/or through others, including by pressuring, offering bribes to, and otherwise influencing protected witnesses. A review hearing took place in September 2018.

- In [*The Prosecutor v. Stanišić and Simatović*](#) case, the two accused - Jovica Stanišić (the Head of the State Security Service of the Ministry of Internal Affairs of the Republic of Serbia) and Franko Simatović (employed by that Service) - were acquitted of all charges (i.e. four counts of crimes against humanity and one count of violations of the laws or customs of war) by an ICTY Trial chamber in May 2013. However, on 15 December 2015, the ICTY Appeals Chamber ordered that Stanišić and Simatović be retried on all counts of the indictment. The trial started in June 2017 and is on-going.

III. **The Extraordinary Chambers in the Courts of Cambodia (ECCC)**

9. Since the last CAHDI meeting, the latest developments at the Extraordinary Chamber in the Courts of Cambodia (ECCC) were as follows:

- On 16 November 2018, the Trial Chamber of the ECCC convicted the two former senior Khmer Rouge leaders of genocide, crimes against humanity and grave breaches of the Geneva Conventions of 1949 - and sentenced them to life imprisonment. The crimes were committed at various locations throughout Cambodia during the Democratic Kampuchea period from 17 April 1975 to 6 January 1979. In April 2014, the Trial Chamber decided that the following alleged crimes would form the basis for the second trial against Khieu Samphan (former Head of State of Democratic Kampuchea) and Nuon Chea (former Chairman of the Democratic Kampuchea National Assembly and Deputy Secretary of the Communist Party of Kampuchea) in [*Case 002/02*](#): genocide against the Cham and the Vietnamese; forced marriages and rape; internal purges; treatment of Buddhists at Tram Kok Cooperatives; and targeting of former Khmer Republic Officials in certain locations. Trial hearings started in October 2014 and closing statements were made in June 2017.
- In November 2018, the Pre-Trial Chamber of the ECCC decided to extend the time and page limits for appeal against the Closing Orders. In August 2018, the Co-Investigating Judges had issued two separate closing orders in the [*Case 004/02*](#), against Ao An, due to a disagreement about whether Ao An is subject to the ECCC's personal jurisdiction as a senior leader or one of the persons most responsible for crimes committed during the period of Democratic Kampuchea. The National Co-Investigating Judge was of the view that Ao An does not fall under the ECCC's personal jurisdiction under either category and dismissed the case against Ao An for that reason. The International Co-Investigating Judge was of the view that Ao An was subject to the ECCC's personal jurisdiction as one of the most responsible persons, and that there was sufficient evidence to indict him for the genocide of the Cham and crimes against humanity, as well as domestic offences under Cambodian law.
- In April 2018, Meas Muth filed a response to the International Co-Prosecutor's Final Submission and, in November 2018, the Co-Investigating Judges issued two separate Closing Orders in this case, due to a disagreement about whether Meas Muth is subject to the ECCC's personal jurisdiction as a senior leader or one of the persons most responsible for crimes committed during the period of Democratic Kampuchea. Meas Muth has been charged with genocide, crimes against humanity (namely murder, extermination, enslavement, imprisonment, torture, persecution, and other inhumane acts, grave breaches of the Geneva Conventions of 1949), and violations of the 1956 Cambodian Penal Code, namely premeditated homicide. In 2009, the International Co-Prosecutor filed submissions to request the Co-Investigating Judges to conduct judicial investigations into allegations of

crimes relating to a number of suspects, including Meas Muth (allegedly a Central Committee Member, General Staff Deputy Secretary, Division 164 Secretary and Kampong Som Autonomous Sector Secretary), in [Case 003](#). In March 2015, Meas Muth was charged *in absentia*. He appeared voluntarily before the International Co-Investigating Judge in December 2015, where he was notified of additional charges. In January 2017, the International Co-Investigating Judge concluded the judicial investigation in Case 003 against Meas Muth. In November 2017, the International and National Co-Prosecutors filed their Final Submissions in this case.

IV. Special Tribunal for Lebanon (STL)

10. The Tribunal's primary mandate is to hold trials for the persons responsible for the attacks that took place in Lebanon between 1 October 2004 and 12 December 2005 if the Tribunal finds that these attacks are connected to the attack of 14 February 2005, which killed former Lebanese Prime Minister Rafik Hariri and many others. The STL was open in March 2009 and has four organs: Chambers; the Office of the Prosecutor; the Defence Office; and the Registry.

11. On 8-9 November 2018, the [Sixth International Meetings of the Defence](#) were held at the headquarters of the STL in Leidschendam, the Netherlands. The meetings were organised by the Defence Office of the STL, with the support of the Association of Defence Counsel practising before the International Courts and Tribunals (ADC-ICT), the International Criminal Court Bar Association (ICCBA), and the Office of Public Counsel for the Defence at the International Criminal Court (OPCD). The Meetings ended with the adoption of a [joint Final Statement](#) reflecting discussions on, *inter alia*, detention-related issues within the international criminal courts and tribunals; challenges facing defence lawyers when representing clients with limited or no resources at all in proceedings following their conviction or acquittal; and whether retrials should be held before international criminal courts and tribunals.

12. Since the last CAHDI meeting, the latest developments at the STL were as follows:

- In the case of [Ayyash et al.](#), the Trial Chamber heard oral closing arguments from the parties and participating victims in September 2018. This case relates to the 14 February 2005 attack which killed 22 individuals, including the former Lebanese Prime Minister Rafik Hariri, and injured 226 others. The Accused remain at large and the proceedings against them are being held *in absentia*. The trial opened in January 2014 and the presentation of the closing arguments concluded the trial hearings. The Judges have now withdrawn to deliberate and will issue a reasoned judgement that will find the accused "guilty" or "not guilty". A finding of guilt may be reached only when a majority of the Trial Chamber is satisfied that guilt has been proved beyond reasonable doubt. In such a case, the Trial Chamber will subsequently decide on the sentence. Following the first instance judgement, appeals proceedings may be initiated before the STL Appeals Chamber.

V. Residual Special Court for Sierra Leone (RSCSL)

13. The Residual Special Court for Sierra Leone (RSCSL) is responsible for the on-going legal obligations of the Special Court for Sierra Leone (SCSL), which concluded its mandate in December 2013. These include supervision of prison sentences, witness protection and support, maintenance and preservation of the archives, and assistance to national prosecution authorities

14. Since the last CAHDI meeting, the latest developments at the RSCSL were as follows:

- Judges of the RSCSL held a Plenary in Vienna in December 2018 and elected Justice Jon Kamanda of Sierra Leone to a two-year term as President. The Plenary also saw the pre-launch of a compilation of the Appeals Chamber's compilation of the Special Court's jurisprudence, which will be published in 2019.

- Prior to the Plenary, RSCSL Judges took part in a colloquium on 'Children Recruited and Exploited by Terrorist and Violent Extremist Groups'. RSCSL Judges and the Principal Defender presented Special Court's experience and jurisprudence in trying defendants on terrorism charges. The colloquium was organised by Justice Renate Winter together with the UN Office of Drugs and Crime (UNODC), and sponsored by the Council of Europe, Save the Children Sweden and *Terre des Hommes*.

VI. **Kosovo* Specialist Chambers (KSC) and Specialist Prosecutor's Office**

15. On 10 June 1999, the UN Security Council passed Resolution 1244⁷ establishing a framework for the resolution of the conflict in Kosovo* following the dissolution of the Socialist Federal Republic of Yugoslavia. The Resolution authorised the deployment of an international civilian and military presence that would provide an international transitional administration and security presence in the region. In April 2009, the European Union established EULEX, the European Union Rule of Law Mission to assist Kosovo* judicial authorities and law enforcement agencies in their process towards sustainability. Its legal basis lies in the *European Union Joint Action*⁸ of February 2008 and the Council Decisions of June 2010, 2012, 2014, 2016 and 2018⁹.

16. On 7 January 2011, the Council of Europe Parliamentary Assembly approved a Report entitled "[Inhuman treatment of people and illicit trafficking in human organs in Kosovo*](#)" (Doc.12462) which alleged that serious violations of international law had taken place in connection to the inhuman and degrading treatment to which some Serbians and some Albanian Kosovars were subjected by the Kosovo* Liberation Army. Based on the allegations of this Council of Europe Parliamentary Assembly Report, in September 2011 the European Union established a [Special Investigative Task Force](#) (SITF), an autonomous entity that derives its jurisdiction and legal authority from the *European Union Joint Action*¹⁰.

17. To address these allegations, on 3 August 2015, the Kosovo* Assembly adopted the new [Article 162 of the Kosovo* Constitution](#) and the [Law on Specialist Chambers and Specialist Prosecutor's Office](#) (Law no.05/L-053) to investigate and prosecute grave trans-boundary and international crimes which occurred during and in the aftermath of the conflict in Kosovo* in 1998, 1999 and 2000 in relation to the conduct identified in the Council of Europe Parliamentary Assembly Report of 7 January 2011.

18. The *Law on Specialist Chambers and Specialist Prosecutor's Office* gives the *Specialist Prosecutor's Office* the authority to, inter alia, request the presence of and to question suspects, victims and witnesses, collect and examine information and evidence, and take decisions on the initiation, and the continuation or termination of criminal proceedings. The *Specialist Prosecutor's Office* acts independently from the *Specialist Chambers* and all other prosecutors in Kosovo^{11*}.

19. The *Specialist Chambers* and the *Specialist Prosecutor's Office* are of temporary nature, and function in accordance with the "[Rules of Procedure and Evidence before the Kosovo* Specialist Chambers including Rules of Procedure for the Specialist Chamber of the Constitutional Court](#)" adopted pursuant to Article 162(6) of the Constitution of the Republic of Kosovo* and Article 19(1) of

⁷ UN Security Council, *Security Council resolution 1244 (1999) on the deployment of international civil and security presences in Kosovo**, 10 June 1999, S/RES/1244 (1999).

⁸ [Council Joint Action 2008/124/CFSP](#) of 4 February 2008 on the European Union Rule of Law Mission in Kosovo*, EULEX KOSOVO*.

⁹ [Council Decision 2010/322/CFSP](#) of 8 June 2010, [Council Decision 2012/291/CFSP](#) of 5 June 2012, [Council Decision 2014/349/CFSP](#) of 12 June 2014, [Council Decision 2016/947/CFSP](#) of 14 June 2016, and [Council Decision \(CFSP\) 2018/856](#) of 8 June 2018, amending and extending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo* (EULEX KOSOVO*).

* All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.

¹⁰ See n. 8 above.

the *Law on Specialist Chambers and Specialist Prosecutor's Office*. The Kosovo Specialist Chambers and Specialist Prosecutor's Office are part of the judicial system of Kosovo. The Chambers are attached to each level of the Kosovo court system.

20. In May 2018, Mr Pietro Spera was appointed as Ombudsperson for the *Specialist Chambers* and the *Specialist Prosecutor's Office*. The Ombudsperson has an essential role in monitoring, defending and protecting fundamental rights and freedoms as enshrined in the Constitution of Kosovo* for those persons interacting with the *Specialist Chambers* and the *Specialist Prosecutor's Office*. The Ombudsperson may not interfere in judicial proceedings before the *Specialist Chambers*, except in instances of unreasonable delay, but can make recommendations to the President of the *Specialist Chambers* or to the *Specialist Prosecutor* on matters falling within their functions.

21. In June 2018, the *Kosovo* Specialist Chambers* and the *Specialist Prosecutor's Office* published their [first report](#), highlighting some of the critical milestones achieved between April 2016 and February 2018. The first part of the report explains the process that led to the KSC becoming judicially operational (April 2016 – July 2017) and further major steps in building the regulatory framework and strengthening outreach (July 2017 – February 2018). The second part of the report presents the background and establishment of the *Specialist Prosecutor's Office*, highlighting its responsibility and the challenges of its work.

22. On 1 November 2018, the KSC added new names to the Lists of lawyers for Defence and Victims' Counsel, in addition to Counsel who were already admitted. The new updated public Lists contain 119 legal practitioners from Kosovo, Serbia and a number of other countries. Being on those Lists enables lawyers to be eligible to appear before the KSC to represent suspects, accused, a group of victims or any other person who is entitled to legal representation in accordance with the Law establishing the KSC and the [Directive on Counsel](#). Counsel can choose whether they want their names publicly mentioned on the website of the KSC.

23. In January 2019, two former commanders of the Kosovo liberation Army (UCK), Rustem Mustafa and Sami Lushtaku, were interviewed by the KSC regarding their role in Kosovo's war of independence from Serbia. Mustafa and Lushtaku have been politically active in the Democratic Party of Kosovo for the past 20 years and the Kosovar Prime Minister Ramush Haradinaj, who was twice acquitted of crimes against humanity and war crimes before the ICTY, spoke out in support of the two men. Mustafa has already served a four year sentence of imprisonment after being found guilty by a Pristina court of torturing wartime prisoners.

24. On 7 February 2019, the Specialist Chamber of the Constitutional Court of the Kosovo* Specialist Chambers granted the interim measure requested by Mr Mahir Hasani suspending the Order to provide certain documents and information to the Specialist Prosecutor's Office on 11 February 2019, when he had been summoned for questioning. On 20 December 2018, the Specialist Prosecutor's Office had issued a summons to question Mr Hasani on that date, and an Order for him to provide certain documents and information to the Specialist Prosecutor's Office on the same day. The interim measure granted was without prejudice to Mr Hasani's obligation to appear for questioning before the Specialist Prosecutor's Office.

25. To date (14 February 2019), no indictment procedures before the *Kosovo* Specialist Chambers* have been initiated.

* All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.