



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: KSC-CC-PR-2017-03

Before: The President of the Specialist Chambers

Judge Ekaterina Trendafilova

Registrar: Fidelma Donlon

Date: 7 June 2017

File name: Referral of the Revised Rules of the Rules of Procedure and Evidence Pursuant to Article 19(5) of the Law

Public

Decision on the Location of Proceedings Before the Specialist Chamber of the Constitutional Court for the Review of the Revised Rules of the Rules of Procedure and Evidence Pursuant to Article 19(5) of the Law

Invoking authority:

The Presiding Judge of the Specialist Chamber of the Constitutional Court

THE PRESIDENT of the Specialist Chambers (the “President”), being seized with an invocation of a change of venue to the Host State by the Presiding Judge of the Specialist Chamber of the Constitutional Court (the “SCCC”), herewith and in accordance with Article 3(8)(d) of the Law on Specialist Chambers and Specialist Prosecutor’s Office (the “Law”) decides on the location of the proceedings before the SCCC for the review of the Revised Rules of the Rules of Procedure and Evidence (the “Revised Rules”) pursuant to Article 19(5) of the Law.

1. Following the “Judgment on the Referral of the Rules of Procedure and Evidence Adopted by Plenary on 17 March 2017 to the Specialist Chamber of the Constitutional Court Pursuant to Article 19(5) of Law no. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office,” issued by the SCCC on 26 April 2017, the Specialist Chambers Judges sitting in Plenary (the “Plenary”), except for the Judges of the SCCC, adopted the Revised Rules on 29 May 2017.
2. On 31 May 2017, the President referred the Revised Rules adopted by the Plenary to the SCCC in accordance with Article 19(5) of the Law.¹ On the same day, pursuant to Article 33(3) of the Law, the President assigned a Constitutional Court Panel to review the Revised Rules in order to ensure their compliance with Chapter II of the Constitution of the Republic of Kosovo.²
3. On 2 June 2017, pursuant to Article 3(8)(c) of the Law, the Presiding Judge of the SCCC invoked a change in venue to the Host State for the proceedings concerning the referral of the Revised Rules.³

¹ Referral of Revised Rules of Procedure and Evidence to the Specialist Chamber of the Constitutional Court, File No. KSC-CC-PR-2017-03, 31 May 2017.

² Decision to Assign Judges to a Constitutional Court Panel of the Specialist Chambers, File No. KSC-CC-PR-2017-03, 31 May 2017.

³ Invocation of Change of Venue for the Referral of Revised Rules of the Rules of Procedure and Evidence Pursuant to Article 19(5) of the Law, File No. KSC-CC-PR-2017-03, 2 June 2017.

4. The applicable law regarding this invocation is as previously set out.⁴

**FOR THESE REASONS, AND PURSUANT TO ARTICLE 3(8)(D) OF THE LAW,
THE PRESIDENT HEREBY**

sets the venue for the proceedings before the Specialist Chamber of the Constitutional Court for the review of the Revised Rules pursuant to Article 19(5) of the Law to the Host State so that the Specialist Chamber of the Constitutional Court sits, deliberates, receives and issues filings and submissions at the seat of the Specialist Chambers in the Host State; and **requests** the Registrar to take any necessary steps to give effect to the present decision.



Judge Ekaterina Trendafilova,
President

Dated this Wednesday, 7 June 2017

At The Hague, The Netherlands

⁴ cp. Decision on the Location of Proceedings Before the Specialist Chamber of the Constitutional Court for the Review of the Rules of Procedure and Evidence Pursuant to Article 19(5) of the Law, File No. File No. KSC-CC-PR-2017-02, 12 April 2017, paras 6-9.