



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

File number: KSC-BC-2018-01

Before: The President of the Specialist Chambers
Judge Ekaterina Trendafilova

Registrar: Fidelma Donlon

Date: 6 June 2024

Language: English

Classification: Public

**Decision on Hashim Thaçi Request for
Substitution or Disqualification of a Judge**

Single Judge:

Judge Marjorie Masselot

Counsel for Hashim Thaçi:

Luka Misetic

Specialist Prosecutor's Office:

Kimberly P. West

Counsel for Kadri Veseli:

Ben Emmerson

Counsel for Rexhep Selimi:

Geoffrey Roberts

THE PRESIDENT of the Specialist Chambers (“President”), noting Articles 26(4), 31(2), (3) and 33(2) of the Law on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rule 20(3) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers, herewith renders a decision on the “Thaçi Defence Request for Substitution or Disqualification of a Judge With Public Annexes 1 and 2” (“Request”).¹

I. PROCEDURAL BACKGROUND

1. On 29 May 2018, Judge Nicolas Guillou was assigned as Single Judge to “consider any request for judicial authorisation and related matters submitted by the Specialist Prosecutor prior to the filing of an indictment and the ensuing assignment of a Pre-Trial Judge under Article 33(1)(a) of the Law”.²
2. On 5 December 2023, Judge Nicolas Guillou was elected Judge of the International Criminal Court (“ICC”) and on 8 March 2024, he was sworn in at the ICC.
3. On 28 May 2024, Mr Hashim Thaçi filed the Request.³
4. On 6 June 2024, Judge Masselot was appointed to the Roster of International Judges (“Roster”) following a rigorous recruitment process undertaken by the Independent Selection Panel in accordance with Articles 26 and 27 of the Law.
5. On 6 June 2024, Judge Guillou resigned, with immediate effect, from the Roster.
6. On 6 June 2024, the President assigned Judge Masselot to replace Judge Guillou as Single Judge in these proceedings (“Assignment Decision”).⁴

II. DISCUSSION

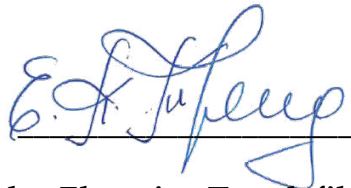
7. Mr Thaçi requests that Judge Guillou be replaced or, alternatively, disqualified as Single Judge in the present proceedings, because he was assigned to a situation at the

ICC on 22 April 2024, which was made public on 20 May 2024, and he is therefore unable to continue his duties as Single Judge at the Specialist Chambers.⁵

8. The President notes that Judge Masselot was assigned to replace Judge Guillou on 6 June 2024, with immediate effect.⁶ Accordingly, the Request for Judge Guillou's replacement has been rendered moot and the alternative request for his disqualification need not be addressed.

III. DISPOSITION

9. For the foregoing reasons, the President hereby **DISMISSES** the Request as moot.



**Judge Ekaterina Trendafilova,
President of the Specialist Chambers**

Dated this Thursday, 6 June 2024

At The Hague,

The Netherlands

¹ F00687, Thaçi Defence Request for Substitution or Disqualification of a Judge With Public Annexes 1 and 2, 28 May 2024.

² KSCPR-2018/F00004, Decision Assigning a Single Judge, 29 May 2018 (strictly confidential and *ex parte*), p. 5. The decision was reclassified as public on 28 September 2020.

³ This decision is issued without awaiting a response as the outcome thereof does not prejudice the Specialist Prosecutor.

⁴ F000697, Decision Assigning a Single Judge, 6 June 2024.

⁵ Request, para. 3. See also Request, paras 4, 9-11, 18-33.

⁶ See Assignment Decision, para. 5.