

THE REQUEST IS PUBLIC.

To: THE KOSOVO SPECIALIST CHAMBERS
The Hague

For:

THE BODY – COMPETENT PANEL OR PRINCIPAL REGARDING A REVIEW OF THE
DECISION OF THE REGISTRAR, DR FIDELMA DONLON

Mr. Ruzhdi Saramati
Fshati Dobrushtë, komuna Prizren
20000 Prizren
Kosovë

Date: 22 February 2019

Ref: KSC/REG/IOR/1632

TO THE PRESIDENT OF THE KOSOVO SPECIALIST CHAMBERS

The Hague, The Netherlands

Against Decision Ref: KSC/REG/IOR/1632 of the Registrar Dr Fidelma Donlon, dated 18 February 2019, rejecting suspect Ruzhdi Saramati's request for Legal Aid based on the finding that he failed to comply with all formal requirements in his request for assignment of counsel and Legal Aid. The suspect, Ruzhdi Saramati of Dobrushtë village, Prizren municipality, hereby duly submits

A REQUEST FOR REVIEW OF THE DECISION

Grounds

In her decision Ref: KSC/REG/IOR/1632 dated 18 February 2019 to reject Legal Aid and assignment of defence counsel, the Registrar, Dr Fidelma Donlon has erroneously assessed the factual situation and has consequently reached an unlawful decision.

I hold that, I, Ruzhdi Saramati, as a suspect, have met all the conditions to be granted Legal Aid and assigned a counsel which is proven by all the evidence appended to the documentation to be decided upon by the Registrar, Dr Fidelma Donlon, as the first decision-making instance.

I hereby submit that there has been an error in the assessment of the factual situation in relation to all the points based on which a decision to reject was made on the substance of the claim and in relation to this, I point out the following:

1. **I, Ruzhdi Saramati, as a suspect, have** provided all the plausible and substantiated information in relation to the 3 bank accounts which are the only ones in my use, including the two bank accounts mentioned in the Declaration of Means Form.

The Registrar, Dr. Fidelma Donlon, has misread or misinterpreted, because I provided her with 3 bank accounts, including bank statements for the (2) accounts declared on the Declaration of Means Form specifying which statement belongs to which bank account and I also provided the third account together with the bank statement.

I do not have any other bank accounts but there has been an error in the interpretation of my bank accounts, which I appended to the legal aid request together with the bankcards and which were also submitted the first time round but whether deliberately or otherwise, the Registrar, Dr Fidelma Donlon has erroneously interpreted them by stating that the two bank accounts have not been substantiated whilst in fact the two bank accounts are active in the respective banks even today and were submitted in the Declaration of Means and the same can be found in the case documentation submitted to the Registrar, Dr Fidelma Donlon.

Therefore could you please carefully check the two bank accounts with bank statements for each account in my possession as well as the third bank account, ***therefore, I only have three bank accounts where 1. my invalidity pension, 2. my German pension and 3. my TMK pension payments are made.***

2. **It is not factually correct that I provided the wrong information about different bank accounts** but I only added a third bank account to the two bank accounts you have (unfounded) suspicions about. ***Therefore, I only have 3 bank accounts and if there is any suspicion thereof, checks can be carried out with the respective banks whose phone numbers I provided and I asked that you verify that I only have 3 bank accounts which can be found in the Request for Legal Aid documents.***

3. **It is not factually correct that I failed to provide information about my vehicle,** because no declaration of a vehicle was requested by the Registrar, Dr. Fidelma Donlon and upon the request of the Registrar, Dr Fidelma Donlon, I provided full information about the vehicle in possession.

Therefore, honoured President of the Specialist Court, awaiting a more in-depth examination and in case of any suspicion, a verification of the evidence with the competent bodies whose phone numbers I have provided, the appended documentation with the said formal rejection, which cannot stand from the legal point of view, on the basis of which my request for legal aid and assignment of counsel was rejected.

In conclusion, I kindly request a review of my request both from the formal and substantive point of view based on the documentation requested of me and which I provided to you in its entirety and you will be satisfied that my request for Legal Aid and assignment of counsel is reasonable and that it will result in a positive reply.

Dobrushtë,

22 February 2019

Respectfully,

The suspect, Ruzhdi Saramati