



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2018-01
Before: **Single Judge**
Judge Nicolas Guillou
Registrar: Dr Fidelma Donlon
Date: 28 September 2020
Language: English
Classification: **Public**

Order for a New Case File

Specialist Prosecutor
Jack Smith

Duty Counsel for Hysni Gucati
Tamara Buruma

Duty Counsel for Nasim Haradinaj
Bastiaan Martens

THE SINGLE JUDGE,¹ pursuant to Article 33(2) of Law No. 05/L-53 on Specialist Chambers and Specialist Prosecutor's Office (the "Law"), hereby issues the following order.

1. Following the arrest and transfer of Hysni Gucati² and Nasim Haradinaj³, the Single Judge considers it necessary for the Registry to open a new Basic Court case file. Considering that the Specialist Prosecutor's request for arrest and transfer was filed for both suspects together, the specific offences alleged to have been committed by the two suspects correspond to a large extent, and the arrest took place on the same day, the Single Judge is of the view that one case file for both suspects may be opened carrying the case name "The Prosecutor v. Hysni Gucati and Nasim Haradinaj".

2. The present decision shall be the first document in the new case file. The documents listed below, including their annexes and corresponding translations, if available, shall be copied and transferred into the new case file and follow the present decision in chronological order. Unless ordered otherwise, these documents shall maintain their current classifications.

- a. KSCPR-2018, F00003, public;
- b. KSCPR-2018, F00004, public;

¹ KSCPR-2018, F00004, President, *Decision Assigning a Single Judge Pursuant to Article 33(2) of the Law*, 29 May 2018, public, p. 5.

² KSC-BC-2018-01, F00132, Registrar, *Notification of Arrest Pursuant to Rule 55(4)*, 25 September 2020, strictly confidential and *ex parte*; F00135, Registrar, *Notification of the Reception of Hysni Gucati in the Detention Facilities of the Specialist Chambers*, 25 September 2020, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*; F00136, Registrar, *Preliminary report on the arrest and transfer of Hysni Gucati pursuant to Decision KSC-BC-2018-01/F00128*, 25 September 2020, strictly confidential and *ex parte*.

³ KSC-BC-2018-01, F00133, Registrar, *Notification of Arrest Pursuant to Rule 55(4)*, 25 September 2020, strictly confidential and *ex parte*; F00137, Registrar, *Notification of the Reception of Nasim Haradinaj in the Detention Facilities of the Specialist Chambers*, 26 September 2020, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*; F00138, Registrar, *Preliminary report on the arrest and transfer of Nasim Haradinaj pursuant to Decision KSC-BC-2018-01/F00128*, 26 September 2020, strictly confidential and *ex parte*.

- c. KSC-BC-2018-01, F00120, strictly confidential and *ex parte*;
- d. KSC-BC-2018-01, F00121, strictly confidential and *ex parte*;
- e. KSC-BC-2018-01, F00122, strictly confidential and *ex parte*;
- f. KSC-BC-2018-01, F00123, strictly confidential and *ex parte*;
- g. KSC-BC-2018-01, F00124, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*;
- h. KSC-BC-2018-01, F00125, strictly confidential and *ex parte*, with Annexes 1-2, strictly confidential and *ex parte*;
- i. KSC-BC-2018-01, F00126, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*;
- j. KSC-BC-2018-01, F00127, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*;
- k. KSC-BC-2018-01, F00128, strictly confidential and *ex parte*, with Annexes 1-4, strictly confidential and *ex parte*; Annex 3, strictly confidential, corrected, Annexes 1-4 public redacted;
- l. KSC-BC-2018-01, F00129, strictly confidential and *ex parte*;
- m. KSC-BC-2018-01, F00130, strictly confidential and *ex parte*;
- n. KSC-BC-2018-01, F00132, strictly confidential and *ex parte*;
- o. KSC-BC-2018-01, F00133, strictly confidential and *ex parte*;
- p. KSC-BC-2018-01, F00134, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*;
- q. KSC-BC-2018-01, F00135, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*;
- r. KSC-BC-2018-01, F00136, strictly confidential and *ex parte*;
- s. KSC-BC-2018-01, F00137, strictly confidential and *ex parte*, with Annex 1, strictly confidential and *ex parte*;
- t. KSC-BC-2018-01, F00138, strictly confidential and *ex parte*; and

u. KSC-BC-2018-01, F00139, confidential, with Annex 1, confidential.

DISPOSITION

3. For the above reasons, the Single Judge hereby:

- a) **ORDERS** the Registry to open a new Basic Court case file with the case name “The Prosecutor v. Hysni Gucati and Nasim Haradinaj” and assign it a new case number;
- b) **ORDERS** the Registry to file the present decision as the first document in the new case file;
- c) **ORDERS** the Registry to subsequently copy and transfer the documents listed in paragraph 2 above, in chronological order, to the new case file; and
- d) **ORDERS** the Registry to maintain, unless ordered otherwise, the classification level of each documents copied and transferred.



Judge Nicolas Guillou
Single Judge

Dated this Monday, 28 September 2020

At The Hague, the Netherlands.