



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: KSC-BC-2020-07
The Prosecutor v. Hysni Gucati and Nasim Haradinaj

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filed by: Dr Fidelma Donlon

Date: 2 December 2020

Language: English

Classification: Public

Notification of the Appointment of Counsel to Nasim Haradinaj

with one confidential Annex

Specialist Prosecutor's Office

Jack Smith

Counsel for Nasim Haradinaj

Bastiaan Martens

1. Pursuant to Rule 26(1) of the Rules,¹ the Registrar hereby informs the Pre-Trial Judge of the appointment of Mr Bastiaan Dirk Willem Martens ('Mr Martens') as Counsel to Mr Nasim Haradinaj ('Mr Haradinaj').
2. Pursuant to Section 17(2) of the Directive on Counsel, the Registrar shall *assign* Duty Counsel in urgent matters and for a limited period pursuant to the Legal Aid Regulations.² Pursuant to Section 12(1)(a) and Section 13 of the Directive on Counsel, the Registrar shall *appoint* chosen Counsel to a suspect or Accused who has sufficient means to retain Counsel.
3. On 25 September 2020, the Registrar assigned Mr Martens as Duty Counsel to Mr Haradinaj pending the appointment or assignment of Counsel in accordance with Section 12 of the Directive on Counsel.³
4. On 30 November 2020, Mr Haradinaj requested the appointment of Mr Martens as Counsel and signed a Power of Attorney.⁴ Mr Martens is admitted to the List of Specialist Counsel in accordance with Sections 7 and 13(2) of the Directive on Counsel.⁵
5. That same day, the Registrar appointed Mr Martens as Counsel in accordance with Sections 12 and 13 of the Directive on Counsel.⁶

¹ Rules of Procedure and Evidence Before the Specialist Chambers, KSC-BD-03/Rev3/2020, 02 June 2020, ('Rules'); *see also* Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law'), arts 21(4), 21(5), 34(7) and 41(4)(b).

² *See* Directive on Counsel, KSC-BD-04, 6 November 2017, art. 17; Legal Aid Regulations, KSC-BD-25, 3 September 2020, reg. 21.

³ *See* Notification of the Reception of Nasim Haradinaj in the Detention Facilities of the Specialist Chambers, KSC-BC-2020-07/F00020, 26 September 2020, public.

⁴ *See* Annex 1.

⁵ Decision on Admission to the List of Specialist Counsel, KSC/REG/DEF/0094, 20 September 2019.

⁶ *See* Annex 1.

6. This submission is filed as public, whereas Annex 1 is filed as confidential pursuant to Rule 82(1)(b) and (3) of the Rules, as it contains personal information about Counsel and Mr Haradinaj, namely contact details and passport numbers.

Word count: 401

A handwritten signature in cursive script that reads "Fidelma Donlon".

Dr Fidelma Donlon
Registrar

Wednesday, 2 December 2020
At The Hague, the Netherlands