

In: KSC-BC-2020-07

The Prosecutor v. Hysni Gucati and Nasim Haradinaj

Before: Pre-Trial Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Nasim Haradinaj

Date: 23 February 2021

Language: English

Classification: Public

Application for Case Conference to be Conducted in the Defendant's Absence

Specialist Prosecutor

Jack Smith

Counsel for Nasim Haradinaj

Toby Cadman

Carl Buckley

Counsel for Hysni Gucati

Jonathan Elystan Rees QC

Huw Bowden

I. INTRODUCTION

1. By order dated 17 February 2021, the Pre-Trial Judge set the date for a Status Conference and for submissions.¹
2. That Status Conference is listed for 24 February 2021 at 11:00 hrs CET.
3. On behalf of Mr. Haradinaj, an application is made for that hearing to be dealt with in the Defendant's absence and for Counsel to attend remotely.
4. Attached to this application is Confidential Annex, which consists of a signed confirmation that Mr. Haradinaj will not be attending, and the matter should proceed in his absence.

II. SUBMISSIONS

5. Mr. Haradinaj makes his application as per Rule 96(2)(c) of the Rules of Evidence and Procedure, in that:

(2) With the written consent of the Accused, given after receiving advice from his or her Specialist Counsel, a status conference under this Rule may be conducted"

¹ 'Order Setting the Date for the Second Status Conference and Related Matters', KSC-BC-2020-07/F00129

...

(c) in the absence of the Accused, with his or her Specialist Counsel present or participating via video-conference".

6. We confirm that Mr. Haradinaj has received appropriate advice from both Counsel and Co-Counsel, the issue having been discussed in conference with Mr. Haradinaj.
7. Finally, the written consent of Mr. Haradinaj is attached as a Confidential Annex 1 to facilitate this application.
8. Word Count: 294 words



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Specialist Co-Counsel