



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2020-06  
**The Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi**

**Before:** Pre-Trial Judge  
Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Filed by:** Dr Fidelma Donlon

**Date:** 12 May 2021

**Language:** English

**Classification:** Public

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**Notification of Assignment of Counsel to Denied Applicants**

**With one confidential and *ex parte* Annex**

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**Specialist Prosecutor's Office**

Jack Smith

**Counsel for Hashim Thaçi**

David Hooper

**Head of Victims' Participation Office**

Silke Studzinsky

**Counsel for Kadri Veseli**

Ben Emmerson

**Counsel for Denied Applicants**

Dr Anni Pues

**Counsel for Rexhep Slimi**

David Young

**Victims' Counsel**

Simon Laws

**Counsel for Jakup Krasniqi**

Venkateswari Alagendra

1. Pursuant to Rule 113(6) of the Rules<sup>1</sup> and Section 15(3) of the Directive on Counsel,<sup>2</sup> the Registrar hereby notifies the Pre-Trial Judge of the assignment of Counsel to seven victim applicants, whose applications to participate as victims in the proceedings were denied through the First Decision on Victims' Participation ('First Decision').<sup>3</sup>

## I. PROCEDURAL HISTORY

2. On 4 January 2021, the Pre-Trial Judge issued a Framework Decision on Victims' Applications.<sup>4</sup>

3. On 15 February 2021, the Victims' Participation Office ('VPO') submitted its first report on received applications,<sup>5</sup> which was supplemented on 1 April 2021.<sup>6</sup>

4. The Pre-Trial Judge issued the First Decision on 21 April 2021, finding that Applicants 06/06, 08/06, 09/06, 10/06, 11/06, 13/06 and 14/06 ('Denied Applicants') are not admitted to the proceedings as participating victims, among other findings.<sup>7</sup>

## II. APPLICABLE LAW

5. Article 22(3) of the Law<sup>8</sup> and Rule 113 of the Rules foresees the possibility for persons claiming to be victims of a crime alleged in the indictment to file applications for admission as victims participating in proceedings.

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<sup>1</sup> Rules of Procedure and Evidence Before the Specialist Chambers ('Rules'), KSC-BD-03/Rev3/2020, 2 June 2020.

<sup>2</sup> Directive on Counsel, KSC-BD-04-Rev1, 28 April 2021; *see also* Legal Aid Regulations, KSC-BD-25, 03 September 2020, reg. 31.

<sup>3</sup> KSC-BC-2020-06, F00257/RED, Public Redacted Version of the First Decision on Victims' Participation, 21 April 2021.

<sup>4</sup> F00159, Framework Decision on Victims' Applications, 4 January 2021, public.

<sup>5</sup> F00203, First Registry Report to the Pre-Trial Judge on Victims' Applications for Participation in the Proceedings, 15 February 2021, public.

<sup>6</sup> F00241, Supplement to First Registry Report to the Pre-Trial Judge on Victims' Applications for Participation in the Proceedings with Recommendation on Grouping, 1 April 2021, public.

<sup>7</sup> First Decision, paras 60, 85(f).

<sup>8</sup> Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ('Law'), 3 August 2015.

6. Pursuant to Rule 113(6) of the Rules, “[d]enied applicants may appeal as of right the decision within fourteen (14) days with the assistance, if necessary, of Counsel from the List of Victims’ Counsel assigned to them as a group”.<sup>9</sup>

7. Pursuant to Section 15(2) and (3) of the Directive on Counsel, upon assignment of Counsel to the denied applicants, the Registry shall notify the denied applicants of the decision and provide them with Counsel’s contact details.

### III. SUBMISSIONS

8. On 12 May 2021, the Registrar assigned Dr Ani Pues as Counsel to the Denied Applicants as a group, in accordance with Rule 113(6) of the Rules, Section 15(3) of the Directive on Counsel, and Regulation 31 of the Legal Aid Regulations.<sup>10</sup> Dr Pues was admitted to the List of Victims’ Counsel on 25 October 2018, in accordance with Rule 25 of the Rules and Section 7(3) of the Directive on Counsel.

9. Upon Dr Pues’s assignment as Counsel to the Denied Applicants, the VPO has arranged for delivery, via courier service, of a translation of the redacted version of the First Decision to the Denied Applicants in a language they understand and speak, together with a letter notifying the Denied Applicants of their right to appeal pursuant to Rule 113(6) of the Rules. VPO has also provided the Denied Applicants with the relevant contact details of Counsel assigned to them as a group.

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<sup>9</sup> Rule 113(6) of the Rules.

<sup>10</sup> See Annex 1, Letter of Assignment, KSC/REG/IOR/4063, 12 May 2021.

IV. CLASSIFICATION

10. Annex 1 is submitted as confidential and *ex parte* for distribution to Counsel for Denied Applicants and the Head of VPO only, as it contains personal information concerning Counsel.

**Word count: 574**

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

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**Dr Fidelma Donlon**  
**Registrar**

Wednesday, 12 May 2021

At The Hague, the Netherlands