



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

File number: KSC-BC-2020-07/IA005

Before: The President of the Specialist Chambers
Judge Ekaterina Trendafilova

Registrar: Fidelma Donlon

Date: 16 June 2021

Language: English

Classification: Confidential

Decision Assigning a Court of Appeals Panel

Judges of the Court of Appeals Panel:

Judge Michèle Picard

Judge Emilio Gatti

Judge Nina Jørgensen

Specialist Prosecutor's Office:

Jack Smith

Counsel for Hysni Gucati:

Jonathan Elystan Rees

Huw Bowden

Counsel for Nasim Haradinaj:

Toby Cadman

Carl Buckley

THE PRESIDENT of the Specialist Chambers (“President”), acting pursuant to Articles 33(1)(c) and 45(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office, Rules 77(1), 169 and 170(2) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers and Rules 3 and 4 of the Rules on the Assignment of Specialist Chambers Judges from the Roster of International Judges (“Rules on Assignment”), herewith assigns a Court of Appeals Panel following the decision by the Pre-Trial Judge to grant Mr Hysni Gucati and Mr Nasim Haradinaj leave to appeal the decision on their motions regarding the non-disclosure by the Specialist Prosecutor’s Office (“SPO”) of certain material (“Decision Granting Leave to Appeal”).¹

I. PROCEDURAL BACKGROUND

1. On 26 May 2021, the Pre-Trial Judge issued a decision on, *inter alia*, the non-disclosure of certain material held by the SPO.²
2. On 3 June 2021, Mr Haradinaj and Mr Gucati requested leave to appeal the Impugned Decision.³
3. On 15 June 2021, the Pre-Trial Judge issued the Decision Granting Leave to Appeal.⁴

II. CLASSIFICATION

4. The underlying filings are classified as confidential and the present decision will therefore bear the same classification in accordance with Rule 82(4) of the Rules, until

¹ F00235, Decision on the Defence Applications for Leave to Appeal the Decision on the Gucati Requests B-C, 15 June 2021 (confidential).

² F00210, Decision on Prosecution Requests and Challenges Pursuant to F00172, 26 May 2021 (confidential).

³ See F00216, Application for Leave to Appeal through Certification from Decision KSC-BC-2020-07/F00210 Pursuant to Article 45(2) and Rule 77(1); Alternative Request for Reconsideration under Rule 79(1), 3 June 2021 (confidential); F00219, Application for Leave to Appeal the Decision on Prosecution Requests and Challenges Pursuant to F00172, 3 June 2021 (confidential).

⁴ See Decision Granting Leave to Appeal.

it is reclassified in due course in accordance with Rule 3(4) of the Rules on Assignment.

III. ASSIGNMENT

5. Having considered the criteria set forth in Rule 4(2) of the Rules on Assignment, including relevant experience and expertise as well as availability at this time,

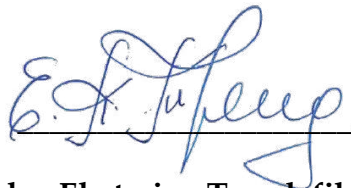
THE PRESIDENT HEREBY ASSIGNS:

Judge Michèle Picard

Judge Emilio Gatti

Judge Nina Jørgensen

to the Court of Appeals Panel to decide on the appeals filed pursuant to the Decision Granting Leave to Appeal.



**Judge Ekaterina Trendafilova,
President of the Specialist Chambers**

Dated this Wednesday, 16 June 2021
At The Hague,
The Netherlands