



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

File number: KSC-BC-2020-06/IA010

Before: The President of the Specialist Chambers
Judge Ekaterina Trendafilova

Registrar: Fidelma Donlon

Date: 26 August 2021

Language: English

Classification: Public

Decision Assigning a Court of Appeals Panel

Judges of the Court of Appeals Panel:

Judge Michèle Picard

Judge Emilio Gatti

Judge Nina Jørgensen

Counsel for Hashim Thaçi:

Gregory Kehoe

Counsel for Kadri Veseli:

Ben Emmerson

Specialist Prosecutor's Office:

Jack Smith

Counsel for Rexhep Selimi:

David Young

Victims' Counsel:

Simon Laws

Counsel for Jakup Krasniqi:

Venkateswari Alagendra

THE PRESIDENT of the Specialist Chambers (“President”), noting Articles 33(1)(c), 41(10) and 45(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office, Rules 58, 169 and 170(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“KSC”) 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 to decide on Mr Hashim Thaçi’s appeal against the Pre-Trial Judge’s decision on his continued detention (“Appeal”).¹

I. PROCEDURAL BACKGROUND

1. On 5 November 2020, Mr Thaçi was arrested in Kosovo pursuant to an arrest warrant issued by the Pre-Trial Judge on 26 October 2020² and was transferred to the Detention Facilities of the KSC in The Hague on the same day.³
2. On 23 July 2021, the Pre-Trial Judge rendered the Impugned Decision, wherein he ordered Mr Thaçi’s continued detention.⁴
3. On 16 August 2021, Mr Thaçi filed the Appeal.⁵ On the same day, his Defence filed an application for recusal of the President from the task of assigning a Court of Appeals Panel adjudicate the Appeal.⁶

¹IA010/F00004, Thaçi Defence Appeal against Decision on Review of Detention of Hashim Thaçi, 16 August 2021 (confidential). See also F00417/RED, Public Redacted Version of Decision on Review of Detention of Hashim Thaçi, 23 July 2021 (“Impugned Decision”).

² See F00027, Public Redacted Version of Decision on Request for Arrest Warrants and Transfer Orders, 26 October 2020.

³ See F00053, Notification of the Reception of Hashim Thaçi in the Detention Facilities of the Specialist Chambers and Appointment of Counsel, 5 November 2020.

⁴ See Impugned Decision, para. 64(a).

⁵ See generally Appeal.

⁶ F00434, Thaçi’s Defence Application for the Recusal of the President Ekaterina Trendafilova from assigning a Court of Appeals Panel to adjudicate Mr Thaçi’s appeal on provisional release with confidential Annex 1 and Public Annex 2, 16 August 2021 (“Recusal Application”).

4. On 24 August 2021, the President dismissed the Recusal Application.⁷

II. ASSIGNMENT

5. Having dismissed the Recusal Application and having considered the criteria set forth in Rule 4 of the Rules on Assignment, including relevant experience and expertise as well as availability at this time,

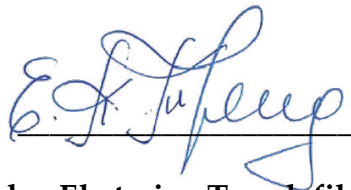
THE PRESIDENT HEREBY ASSIGNS:

Judge Michèle Picard

Judge Emilio Gatti

Judge Nina Jørgensen

to the Court of Appeals Panel to decide on the Appeal.



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

Dated this Thursday, 26 August 2021
At The Hague,
The Netherlands

⁷ F00440, Decision on Application for the Recusal of the President, 24 August 2021.