



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2020-04
The Prosecutor v. Pjetër Shala

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filed by: Dr Fidelma Donlon

Date: 28 January 2022

Language: English

Classification: Public

Notification of Assignment of Victims' Counsel

With one confidential and *ex parte* Annex

Specialist Prosecutor's Office

Jack Smith

Counsel for the Accused

Jean-Louis Glissen

Registry

Head of Victims' Participation Office

Counsel for Victims

Simon Laws

1. Pursuant to Article 22(5) of the Law,¹ Rules 26(2) and 113(7) of the Rules,² and the First Decision on Victims' Participation ('First Decision'),³ the Registrar hereby notifies the Pre-Trial Judge of the assignment of Victims' Counsel for the purpose of representing the participating victim in the proceedings.

I. PROCEDURAL HISTORY

2. On 4 January 2021, the Pre-Trial Judge issued a Framework Decision on Victims' Applications.⁴ As per the Pre-Trial Judge's instructions, the Victims' Participation Office ('VPO') submitted its First Report on 1 October 2021, whereby it submitted one application for participation as a victim in the proceedings.⁵

3. On 15 December 2021, the Pre-Trial Judge issued the First Decision admitting one participating victim and directing the Registrar to assign, by Friday, 28 January 2022, a Victims' Counsel for the purpose of representing the victim participating in the proceedings ('VPP').⁶

II. APPLICABLE LAW

4. Article 22(5) of the Law provides that victim groups shall be assisted and represented by a Victims' Counsel. Pursuant to Rules 26(2) and 113(7) of the Rules, after the VPPs have been consulted and their interests and views taken into account, the Registrar shall assign a Victims' Counsel from the List of Victims' Counsel to a

¹ Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ('Law'), 3 August 2015.

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

³ KSC-BC-2020-04, F00123/RED, Public Redacted Version of First Decision on Victims' Participation, 15 December 2022.

⁴ F00064, Framework Decision on Victims' Applications, 1 September 2021.

⁵ F00085/RED, Public Redacted Version of the First Registry Report to the Pre-Trial Judge on Victims' Applications for Participation in the Proceedings, filing F00085, dated 1 October 2021, 29 October 2021.

⁶ First Decision, para. 50(a)-(b).

group of VPPs in accordance with the Directive on Counsel and the Legal Aid Regulations.⁷

5. In assigning Victims' Counsel, the Registrar shall, in accordance with the procedure laid down in the Legal Aid Regulations, take into account: (i) the proposal of the Head of the VPO; (ii) consultations with the VPPs who expressed their views and interests; and (iii) considerations of a potential conflict of interest and other relevant circumstances.⁸ Before making a proposal to the Registrar, the Head of VPO shall consult with the Independent Representative Body of Specialist Counsel.⁹

III. SUBMISSIONS

6. On 27 January 2022, the Registrar assigned Mr Simon Laws ('Mr Laws') as Victims' Counsel for the participating victim in accordance with Sections 12(2) and 15 of the Directive on Counsel and Regulation 31 of the Legal Aid Regulations.¹⁰

7. Mr Laws was admitted to the List of Victims' Counsel on 30 October 2020 in accordance with Rules 25(1) of the Rules and Section 7(3) of the Directive on Counsel.

IV. CLASSIFICATION

8. Annex 1 is submitted as confidential *ex parte* for distribution to Victims' Counsel only, as it contains personal information concerning Victims' Counsel.

Word count: 524



Dr Fidelma Donlon

⁷ Directive on Counsel, KSC-BD-04-Rev1, 28 April 2021, public, sects 12(2), 15; *see also* Legal Aid Regulations, KSC-BD-25, 03 September 2020, public, sect. 31.

⁸ Directive on Counsel, sect. 15(1); *see also* Legal Aid Regulations, sect. 31.

⁹ Legal Aid Regulations, sect. 31(2).

¹⁰ Annex 1, Letter of Assignment, KSC/REG/IOR/4913, 27 January 2022.

Registrar

Friday, 28 January 2022

At The Hague, the Netherlands