

ANNEX 1 to

Corrected Version of Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj

Corrected Version of Table of Authorities for the Corrected Defence Appeal Brief

on Behalf of Mr. Nasim Haradinaj

Treaties

- European Convention for the Protection of Fundamental Rights and Freedoms, ratified 04 November 1950, in force 03 September 1953, 213 UNTS 221

European Union Instruments

- Art. 4 EU Directive (EU) 2016/343 of 9 March 2016 on the Strengthening of Certain Aspects of the Presumption of Innocence.

Laws of the Republic of Kosovo

- Constitution of the Republic of Kosovo
- Code No. 06/L-074, Criminal Code of the Republic of Kosovo, Official Gazette of the Republic of Kosovo No. 2/14 January 2019

Laws of the Kosovo Specialist Chambers

- Law on Specialist Chambers and Specialist Prosecutor Office Law No 05/L-053
- Rules of Procedure and Evidence before the Kosovo Specialist Chambers KSC-BD-03/Rev3/2020

Kosovo Specialist Chambers Jurisprudence

- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00251-A01RED, Indictment, 14 December 2020.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00260RED, Public Redacted Submission of Interim Pre-Trial Brief on Behalf of the Defence of Nasim Haradinaj, 12 July 2021, public.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00263, Decision Assigning TP II, 15 July 2021, public.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00272, Decision on the Application for Recusal or Disqualification, 6 August 2021, public.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00274, Request for Reconsideration of the Decision on Recusal or Disqualification, 12 August 2021.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00268CORRED, Publicly Redacted Version of the Corrected Version of Application for the Recusal of the President of the Specialist Chambers, Judge Ekterina Trendifilova, and the Vice President, Judge Charles L. Smith III,

Presiding Judge of Trial Panel II, public with confidential annexes, 23 August 2021.

- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/ F00342, Defence Submissions on Elements of Crimes and Modes of Liability, 30 September 2021, public.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00413RED, Public Redacted Version of Decision on the Prosecution Challenges to Disclosure of Items in the Updated Rule 102(3) Notice, 3 November 2021.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00435RED, Public Redacted Version of Decision on the Prosecution Request Related to Rule 102(3) Notice Item 201, 15 November 2021.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/ F00470, Decision on Prosecution Requests in Relation to Proposed Defence Witnesses, 03 December 2021, public.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/IA006-F00006, Decision on Nasim Haradinaj's Appeal Against Decision on Prosecution Requests in Relation to Proposed Defence Witnesses, 07 January 2022, public.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/ F00566RED, Publicly Redacted Final Trial Brief on Behalf of Nasim Haradinaj, 11 March 2022.

- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00611RED, Trial Judgement, 18 May 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00611RED, Dissenting Opinion of Judge Barthe, 18 May 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00029, Haradinaj Defence Refiled Notice of Appeal of Trial Judgment, 8 July 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/ F00022, Decision on Gucati's Request for Variation of Word Limit to File Appeal Brief, 5 August 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/ F00605, Gucati Request to Make Further Submissions re. Disclosure, 12 March 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/ F00606, Haradinaj Request for Permission to Make Further Submissions re: Disclosure, 12 March 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/ F00610, Decision on the Defence Requests for Permission to Make Further Submissions on Disclosure, 17 May 2022.

International Criminal Tribunal for Rwanda Jurisprudence

- Prosecutor v. Kayishema and Ruzindana, IT-95-1-A, Appeal Judgment, 04 December 2001.
- Prosecutor v. Naser Oric, IT-03-68-AR73.2, Interlocutory Decision on Length of Defence case, 20 July 2005.
- Prosecutor v. Nahimana, ICTR-99-52-A, Appeal Judgment, 28 November 2007.

International Criminal Tribunal for the Former Yugoslavia Jurisprudence

- Prosecutor v. Dusko Tadic, IT-94-1-A, Appeal Judgment, 15 July 1999.
- Prosecutor v. Ivica Marijačić and Markica Rebić, IT-95-14-R77.2, Judgment, 10 March 2006.
- Prosecutor v. Josip Jović, IT-95-14 and IT-95-14/2-R77, Trial Judgment, 30 August 2006.

International Criminal Court Jurisprudence

- Prosecutor Prosecutor v. Dominic Lubanga, ICC-01/04-01/06-1901, Decision on Defence Requests to Obtain Simultaneous French Transcripts, 14 December 2007.

- Prosecutor v. Bahr Idriss Abu Garda, ICC-02/06-02/09, Decision on the Confirmation of Charges, 8 February 2010.
- Prosecutor v. William Samoei Ruto and Joshua Arap Sang, ICC-01/09-01/1, Decision on the Confirmation of Charges, 23 January 2012.
- Prosecutor v. Lubanga, ICC-01/04-01/06, Trial Judgment I, 10 July 2012.
- Prosecutor v. Banda Jerbo, ICC-02/05-03/09, Decision on the Defence Request for Temporary Stay of Proceedings, 26 October 2012.

Special Tribunal for Lebanon Jurisprudence

- Prosecutor v. Al Jadeed S.A.L. & Ms Khayat, STL-14-05, Trial Judgment, 18 September 2015.

European Court of Human Rights Jurisprudence

- A. and Others v. United Kingdom, ECHR, Judgment, Application No. 3455/05.
- Al Khawaja v. United Kingdom, Judgment, ECHR, Application Nos. 26766/05 and 22228/06.
- Aytullah Ay v. Turkey, Judgment, ECHR, Applications Nos. 29084/07 and 1191/08.

- Bajić v. North Macedonia, Judgment, ECHR, Application No. 2833/13.
- Brandstetter v. Austria, Judgment, ECHR, Application Nos. 11170/84; 12876/87; 13468/87.
- Bulut v. Austria, ECHR, Judgment, Application No. 17358/90.
- Castillo Algar v. Spain , ECHR, Judgment, Application No. 79/1997/863/1074.
- Cosmos Maritime Trading and Shipping Agency v. Ukraine, ECHR, Judgment, Application No. 53427/09.
- Dimović v. Serbia, Judgment, ECHR, Application No. 24463/11.
- Feldbrugge v The Netherlands, ECHR, Judgment, Application No. 8562/79.
- Guðmundur Andri Ástráðsson v. Iceland, ECHR, Judgment, Application No. 26374/18.
- Jasper v. the United Kingdom [GC], Application No. 27052/95, 16 February 2000.
- Khudobin v. Russia, Judgment, ECHR, Application No. 59696/00.
- Matyjek v. Poland, ECHR, Judgment, Application No. 38184/03.
- Micalleg v. Malta, ECHR, Judgment, Application No. 17056/06.
- Nešťák v Slovakia, ECHR, Application No. 65559/01.

- Ramanauskas v. Lithuania, Judgment, ECHR, Application No. 74420/01.
- Ramos Nunes de Carvalho e Sá v. Portugal, ECHR, Judgment, Applications Nos. 55391/13, 57728/13 and 74041/13.
- Thomas v. United Kingdom, Judgment, ECHR, Application No. 19354/02.
- Vardanyan and Nanushyan v. Armenia, ECHR, Judgment, Application No. 8001/07.

Foreign Courts and Tribunals

- R v. Hickey and Ors. [1997] EWCA, unreported.

EXPLANATORY NOTE

1. All references to the jurisprudence of the Kosovo Specialist Chambers have been corrected to reflect those corrections made in the Corrected Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj.