



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2020-05  
**The Prosecutor v. Salih Mustafa**

**Before:** **Trial Panel I**  
Judge Mappie Veldt-Foglia, Presiding Judge  
Judge Roland Dekkers  
Judge Gilbert Bitti  
Judge Vladimir Mikula, Reserve Judge

**Registrar:** Dr Fidelma Donlon

**Filed by:** Dr Fidelma Donlon

**Date:** 2 February 2023

**Language:** English

**Classification:** **Public**

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**Notification of Approval of Co-Counsel**

**with one confidential Annex**

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**Specialist Prosecutor's Office**

Alex Whiting

**Counsel for Salih Mustafa**

Julius von Bóné

**Victims' Counsel**

Anni Pues

1. Pursuant to Rule 26(1) of the Rules,<sup>1</sup> the Registrar hereby informs Trial Panel I of the approval of Mr Jonathan Elystan Rees ('Mr Rees') as Co-Counsel for Mr Salih Mustafa ('Mr Mustafa').
2. On 8 January 2023, Counsel for Mr Mustafa, Mr Julius von Bóné ('Mr von Bóné or 'Counsel'), informed the Defence Office that he would like to be assisted by Mr Rees as Co-Counsel. Counsel provided Mr Mustafa's request for Mr Rees to be approved as a Defence Team member, as well as all relevant documentation pursuant to Section 18 of the Directive on Counsel.<sup>2</sup>
3. On 25 October 2018, Mr Rees was admitted to the List of Counsel pursuant to Section 7(3) of the Directive on Counsel.<sup>3</sup>
4. It is noted that Mr Rees is currently appointed as Counsel for Mr Hysni Gucati in the KSC-BC-2020-07 case.<sup>4</sup> Both Mr von Bóné and Mr Rees have informed the Defence Office of their assessment that no actual or potential conflict of interest exists and that they do not anticipate any conflict of interest arising pursuant to Article 28 of the Code of Professional Conduct.<sup>5</sup> In addition, Mr Rees has provided the Defence Office with Mr Gucati's written, informed consent.
5. On 13 January 2023, the Registrar approved Mr Rees as Co-Counsel for Mr Mustafa in accordance with Section 18 of the Directive on Counsel.<sup>6</sup>

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<sup>1</sup> Rules of Procedure and Evidence Before the Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'); *see also* Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015, arts 21(4), 21(5), 34(7) and 41(4)(b).

<sup>2</sup> Directive on Counsel, KSC-BD-04-Rev1, 28 April 2021.

<sup>3</sup> *See* Decision on Admission to the List of Specialist Counsel, KSC/REG/DEF/0059, 25 October 2018.

<sup>4</sup> *See* KSC-BC-2020-07, F00024, Notification of the Appointment of Counsel, with one confidential Annex, 28 September 2020.

<sup>5</sup> Code of Professional Conduct – for Counsel and Prosecutors Before the Kosovo Specialist Chambers, KSC-BD-07, 1 March 2019 ('Code of Professional Conduct').

<sup>6</sup> *See* Annex 1, Letter of Approval, Selection of a Team Member, KSC/REG/IOR/5741, 13 January 2023.

6. Pursuant to Rule 82(1)(b) and (3) of the Rules, Annex 1 is filed confidentially, as it contains personal information concerning Counsel and Co-Counsel.

**Word count: 358**

A handwritten signature in cursive script, reading "Fidelma Donlon", written over a horizontal line.

**Dr Fidelma Donlon**

**Registrar**

Thursday, 2 February 2023

At The Hague, the Netherlands