

**ANNEX 1 to**  
**Haradinaj Defence Request for Protection of Legality**

**Public**

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**List of Authorities for the Haradinaj Defence Request for Protection of Legality**

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## Treaty

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

## Laws of the Republic of Kosovo

- Constitution of the Republic of Kosovo. Official Gazette of the Republic of Kosovo No. K-09042008 of 9 April 2008.
- Criminal Code of the Republic of Kosovo, Code No.04/L-123, Official Gazette of the Republic of Kosovo No. 19/13 July 2012.
- Criminal Code of the Republic of Kosovo, Code No. 06/L-074, Official Gazette of the Republic of Kosovo No. 2/14 January 2019.
- Law on Witness Protection, Law No. 04/L-015, Official Gazette of the Republic of Kosovo No. 13/1 September 2011.

## 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.

### Proceedings before the Kosovo Specialist Chambers

- 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/IA005/F00008, Decision on Appeals against Disclosure Decision, 29 July 2021.
- 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/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/F00605, Gucati Request to Make Further Submissions re. Disclosure, 12 March 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-BC-2020-07/F00611RED, Trial Judgment, 18 May 2022.

- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00011, Decision Assigning a Court of Appeals Panel, 21 June 2022.
- Prosecutor v Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, KSC-BC-2020-06/PL001, Decision on Kadri Veseli's Request for Protection of Legality, 15 August 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00035, Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, 19 August 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00036, Gucati Appeal Brief, 19 August 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00035/COR, Corrected Version of Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, 31 August 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00035/COR2, Further Corrected Version of Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, 2 September 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00047, Prosecution Brief in Response to Defence Appeals, 21 September 2022, confidential.

- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00058, Gucati Reply to Consolidated Prosecution Response to Defence Requests concerning the Response Brief and amendment to Notices of Appeal, 6 October 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00061, Application for the Extension of the Word Limit of Gucati Brief in Reply pursuant to Rule 179(3), 7 October 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00062, Haradinaj Reply to SPO Brief in Response to Defence Appeal Brief, 7 October 2022, confidential.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00065, Haradinaj Re-filed Reply to SPO Brief in Response to Defence Appeal Brief, 16 October 2022.
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- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00074, Order Scheduling an Appeal Hearing, 20 October 2022.

- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00079, Defence Request for an Order for Disclosure of Witness Contact Details, 2 November 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00094, Decision on Defence Requests to Interview Witnesses, to Order an Updated Rule 102(3) Notice and to Adjourn the Appeal Hearing, 28 November 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01, Transcript 1 and 2 December 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00098, Haradinaj Request for Order to the SPO to Release Video Recordings, 11 December 2022.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00105, Decision on Haradinaj Request to Order the SPO to Disclose Material under Rule 102(3) or Rule 103 of the Rules, 16 January 2023.
- Prosecutor v. Hysni Gucati and Nasim Haradinaj, KSC-CA-2022-01/F00114, Appeal Judgment, 2 February 2023.

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- 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.
- Prosecutor v. Margetić, ICTY IT-95-14-R77.6, Trial Judgement, 7 February 2007.

## **Jurisprudence of the Special Tribunal for Lebanon**

- In the Case Against Akhbar Beirut S.A.L. and Mohamed Ali Al Amin, Reasons for Sentencing Judgment, 5 September 2016, STL-14-06/S/CJ.
- In the Case Against Karma Mohamed Tahsin Al Khayat, Reasons for Sentencing Judgment, 6 October 2015, STL-14-05/S/CJ.

## **Jurisprudence of the International Residual Mechanism for Criminal Tribunals**

- Prosecutor v. Anselme Nzabonimpa, Jean de Dieu Ndagijamana, Marie Rose Fatuma, Dick Prudence Munyeshuli and Augustin Ngirabatware, Trial Judgement, 25 June 2021, MICT-18-116-T.

## **Jurisprudence of the European Court of Human Rights**

- Al-Nashif v Bulgaria, Judgment, 20 June 2002, ECtHR, Appl. no. 50963/99.

- Delcourt v. Belgium, Judgment, 17 January 1970, ECtHR, Application No. 2685.
- Edwards and Lewis v. UK, Judgment, 27 October 2004, ECtHR, Appl Nos. 39647/98, 40461/98.
- Fey v. Austria, Judgment, 24 February 1993, ECtHR, Application No. 14396/88.
- G.I.E.M. S.R.L. and Others v. Italy, Judgment, 28 June 2018, ECtHR, Appl. nos. 1828/06, 34163/07, 19029/11.
- Hauschildt v. Denmark, Judgment, 24 May 1989, ECtHR, Application No. 10486/83.
- Matanović v Croatia, Judgment, 4 April 2017, ECtHR, Application No. 2742/12.
- Moreira Ferreira v Portugal (No. 2), Judgment, 11 July 2017, ECtHR, Grand Chamber, Application No. 19867/12.
- Piersack v. Belgium, Judgment, 1 October 1982, ECtHR, Application No. 8692/79.
- Ramanauskas v Lithuania, Judgment, 5 February 2008, ECtHR, Application No. 74420/01.
- Teixeira de Castro v Portugal, Judgment, 9 June 1998, ECtHR, Application No. 44/1997/828/1034.
- Trifontsov v Russia, Decision, 9 October 2012, ECtHR, Application No. 12025/02.



- Vasiliauskas v. Lithuania, Judgment, 20 October 2015, ECtHR, Appl. no. 35343/05.

### **Books**

- European Court of Human Rights, Guide on Article 6 of the Convention – Right to a fair trial (criminal limb), last updated on 31 August 2022, available at [https://www.echr.coe.int/documents/guide\\_art\\_6\\_criminal\\_eng.pdf](https://www.echr.coe.int/documents/guide_art_6_criminal_eng.pdf).