



**In:** KSC-SC-2024-02  
**The Prosecutor v. Salih Mustafa**

**Before:** A Panel of the Supreme Court Chamber  
Judge Ekaterina Trendafilova, Presiding Judge  
Judge Christine van den Wyngaert  
Judge Daniel Fransen

**Registrar:** Dr Fidelma Donlon

**Filed by:** Registrar

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**Information Additional to Notification of Approval of Counsel for Salih Mustafa**  
**with two confidential and *ex parte* Annexes**

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**Specialist Prosecutor's Office**

Kimberly P. West

**Counsel for Salih Mustafa**

Venkateswari Alagenda

**Counsel for Victims**

Anni Pues

**Registry**

Head of Defence Office

1. On 11 January 2024, the Registrar notified the President<sup>1</sup> of the approval, on 3 January 2024, of Ms Venkateswari Alagendra ('Ms Alagendra') as Counsel for Mr Salih Mustafa ('Mr Mustafa'), pursuant to Rule 26(1) of the Rules.<sup>2</sup>
2. Further to this notification, the Registrar notes that Ms Alagendra is currently also appointed as Counsel for Mr Jakup Krasniqi ('Mr Krasniqi') in Case KSC-BC-2020-06.<sup>3</sup>
3. Accordingly, on 2 January 2024, Ms Alagendra provided the Defence Office with two signed and dated consent forms, from both her current client, Mr Krasniqi,<sup>4</sup> and her prospective client, Mr Mustafa.<sup>5</sup> In this regard, the Registrar draws the Panel's attention to Articles 4(b)(1) and 28(3)(b) of the Code of Professional Conduct of Counsel.<sup>6</sup>
4. This submission is filed as public, whereas, pursuant to Rule 82(3) of the Rules, Annexes 1 and 2 are filed confidentially and *ex parte*. Although the fact that consent has been given is a matter of public record, the Registry assesses that the forms themselves should remain confidential and *ex parte*, as they relate to confidential communications between Counsel and her clients.

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<sup>1</sup> KSC-CA-2023-02, F00041, Notification of Approval of Counsel for Salih Mustafa, 11 January 2024, public. This notification was filed before the President of the Specialist Chambers, in case file KSC-CA-2023-02. In the meantime, a new case file has been created in connection with Mr Mustafa (namely KSC-SC-2024-02), and the President has assigned a Supreme Court Panel thereto. See KSC-SC-2024-02, F00003, Decision Assigning a Supreme Court Panel, 17 January 2024, public. Accordingly, the Registrar now files this additional information before the Supreme Court Panel.

<sup>2</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, Articles 21(4), 21(5), 34(7) and 41(4)(b).

<sup>3</sup> KSC-BC-2020-06, F00058, Notification of Approval of Counsel for Mr Jakup Krasniqi, 6 November 2020, public.

<sup>4</sup> Annex 1 Consent Form, Jakup Krasniqi, 29 December 2023, confidential and *ex parte*.

<sup>5</sup> Annex 2, Consent Form, Salih Mustafa, 30 December 2023, confidential and *ex parte*. See also KSC-SC-2024-02, F00001, Mustafa Urgent Motion for an Extension of Time to File a Request for Protection of Legality, 15 January 2024, public, para. 12 (it is noted that the dates of the consent forms cited in this filing are incorrect).

<sup>6</sup> Code of Professional Conduct of Counsel and Prosecutors Before the Kosovo Specialist Chambers, KSC-BD-07-Rev1, 28 April 2021, public.

**Word count: 399**

A handwritten signature in black ink, appearing to read 'Fidelma Donlon', written over a horizontal line.

**Dr Fidelma Donlon**

**Registrar**

Thursday, 18 January 2024

At The Hague, the Netherlands