

ANNEX 1 to

**Prosecution Response to Haradinaj Defence Referral to the Specialist Chamber of
the Constitutional Court**

Public

List of Authorities**I. KSC – Gucati and Haradinaj**

1.	Public Redacted Version of the Decision on the Confirmation of the Indictment , KSC-BC-2020-07/F00074/RED, 11 December 2020 ('Confirmation Decision')
2.	Public Redacted Version of the Trial Judgment , KSC-BC-2020-07/F00611/RED, 18 May 2022 ('Trial Judgment')
3.	Appeal Judgment , KSC-CA-2022-01/F00114, 2 February 2023 ('Appeal Judgment')
4.	Disclosure Package 1, KSC-CA-2022-01, 26 September 2022
5.	Haradinaj Defence Referral to the Specialist Chamber of the Constitutional Court , KSC-CC-2023-22/F00001, 20 November 2023 ('Referral')
6.	Public Redacted Request for Admission of Whistleblower Complaint , KSC-CC-2023-22/F00005/RED, 22 December 2023 ('Additional Evidence Request')
7.	Annex 1 to the Additional Evidence Request, KSC-CC-2023-22/F00005/A01, 22 December 2023 ('Tendered Item')
8.	ANNEX 1 to Prosecution Submissions on the Applicable Law , KSC-BC-2020-07/F00341/A01, 30 September 2021 ('Salihu et al. Commentary')
9.	Decision on Requests for Protection of Legality , KSC-SC-2023-01/F00021, 18 September 2023 ('Legality Decision')
10.	ANNEX 2 to Prosecution Brief in Response to Defence Appeals , KSC-CA-2022-01/F00047/A02, 21 September 2022 ('LT; KS and RB')

II. KSC – other cases

1.	Decision on the Referral of Jakup Krasniqi Concerning the Legality of Charging Joint Criminal Enterprise and the Referral of Kadri Veseli Concerning Decision of the Appeals Panel on Challenges to the Jurisdiction of the Specialist Chambers , KSC-CC-2022-13/F00010, 13 June 2022 ('Veseli/Krasniqi SCCC Decision')
2.	Decision on the Referral of Pjetër Shala to the Constitutional Court Panel Concerning the Violation of Mr Shala's Fundamental Rights Guaranteed by Articles 31, 32, and 54 of the Kosovo Constitution and Articles 6 and 13 of the European Convention on Human Rights , KSC-CC-2023-21/F00006, 29 August 2023 ('Shala 2023 SCCC Decision')
3.	Public Redacted Version of the Decision on the Referral of Pjetër Shala Concerning Fundamental Rights Guaranteed by Articles 31 and 32 of the Kosovo Constitution and Articles 6 and 13 of the European Convention on

	Human Rights, KSC-CC-2022-19/F00004/RED, 15 December 2022 (redacted version notified 22 December 2022) ('Shala 2022 SCCC Decision')
4.	Public Redacted Version of Decision on the Referral of [REDACTED] Further to a Decision of the Single Judge , KSC-CC-2020-08/F00020/RED, 22 April 2020 ('April 2020 SCCC Decision')
5.	Decision on the Referral of Driton Lajci Concerning Interview Procedure by the Specialist Prosecutor's Office , KSC-CC-2019-07/F00013, 13 January 2020 (Lajci 2020 SCCC Decision')
6.	Decision on the Referral of Hashim Thaçi Concerning the Right to an Independent and Impartial Tribunal Established by Law and to a Reasoned Opinion , KSC-CC-2022-15/F00010, 13 June 2022 ('Thaçi SCCC Decision')
7.	Public Redacted Version of 'Prosecution consolidated response to F01100 and F01101 with strictly confidential and ex parte Annex 1', KSC-BC-2020-06/F01121, dated 24 November 2022 , KSC-BC-2020-06/F01121/RED, 29 November 2022

III. Kosovo Constitutional Court ('KCC')

1.	KCC, Judgment , KI 55/09, 6 April 2011
2.	KCC, Constitutional review of 16 decisions of the Supreme Court of Kosovo rendered between 26 March and 12 April 2018 , KI 96/18 <i>et al.</i> , 19 February 2019
3.	KCC, Resolution on Inadmissibility , KI 72/18, 14 December 2018
4.	KCC, Resolution on Inadmissibility , KI 08/11, 24 April 2012
5.	KCC, Resolution on Inadmissibility , KI 146/20, 25 June 2021
6.	KCC, Resolution on Inadmissibility , KI 144/20, 5 January 2021
7.	KCC, Resolution on Inadmissibility , KI 37/18, 11 June 2018
8.	KCC, Resolution on Inadmissibility , KI 119/17, 3 May 2019
9.	KCC, Constitutional review of Judgment Pml. no. 19/2022 of the Supreme Court of 15 February 2022 , KI 74/22, 5 December 2023

IV. ECtHR

1.	ECtHR [GC], <i>Del Río Prada v. Spain</i> , Judgment , 42750/09, 21 October 2013	
2.	ECtHR [GC], <i>Vasiliauskas v. Lithuania</i> , Judgment , 35343/05, 20 October 2015	
3.	ECtHR [GC], <i>Kafkaris v. Cyprus</i> , Judgment , 21906/04, 12 February 2008	
4.	ECtHR, <i>S.W. v. United Kingdom</i> , Judgment , 20166/92, 22 November 1995	
5.	ECtHR, <i>Ben Salah Adraqui and Dhaima v. Spain</i> , Decision , 45023/98, 27 April 2000	
6.	ECtHR, <i>Matanović v. Croatia</i> , Judgment , 2742/12, 4 April 2017	
7.	ECtHR, <i>Trifontsov v. Russia</i> , Decision , 12025/02, 9 October 2012	
8.	ECtHR, <i>Lyubchenko v. Ukraine</i> , Decision , 34640/05, 31 May 2016	
9.	ECtHR [GC], <i>Lopes de Sousa Fernandes v. Portugal</i> , Judgment , 56080/13, 19 December 2017	
10.	ECtHR, <i>Prystavka v. Ukraine</i> , Decision , 21287/02, 17 December 2002	
11.	ECtHR, <i>Rezgui v. France</i> , Decision , 49859/99, 7 November 2000	
12.	ECtHR [GC], <i>Vučković and others v. Serbia</i> , Judgment (Preliminary Objection), 17153/11 et al., 25 March 2014	
13.	ECtHR, <i>Saghinadze and others</i> , Judgment , 18768/05, 27 May 2010	

V. ICTY

1.	ICTY, <i>Prosecutor v. Aleksovski</i> , Judgement , IT-95-14/1-A, 24 March 2000 (<i>Aleksovski AJ</i>)
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VI. Other

1.	Mother Jones, David Corn and Dan Friedman, The Far-Right Pushes a New Conspiracy Theory to Discredit Jack Smith , 23 December 2023.
2.	Insajderi, Links to the Putin regime, 'Curri' and Serbian passports - the statement of the man who allegedly recorded the people of the state , 4 August 2021.

VII. Other Designated Short Forms

	Description	Short Form
1.	Law No.06/L-074 on Criminal Code of the Republic of Kosovo, 14 January 2019	Criminal Code
2.	Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015	Law. Unless otherwise indicated, all subsequent references to 'Article' or 'Articles' are to the Law.
3.	Rules of Procedure for the Specialist Chamber of the Constitutional Court, KSC-BD-03/Rev3/2020, 2 June 2020	'SCCC Rule' or 'SCCC Rules' are to the SCCC Rules
4.	Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020	Rules