



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: KSC-CA-2023-02/R
Specialist Prosecutor v. Salih Mustafa

Before: Judge Gilbert Bitti, Single Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Registrar

Date: 29 January 2024

Language: English

Classification: Public

Notification of Appointment of Duty Counsel to Salih Mustafa

with one confidential Annex

Specialist prosecutor's Office

Kimberly P. West

Counsel for Victims

Anni Pues

Registry

Head of Defence Office

Duty Counsel for Salih Mustafa

Laurens van Puyenbroeck

1. First, the Registrar notes that Ms Venkateswari Alagendra ('Ms Alagendra') has been and continues to be appointed as Counsel for Mr Jakup Krasniqi in Case KSC-BC-2020-06.¹
2. On 11 January 2024, the Registrar notified the President of the Specialist Chambers ('President') of the approval, on 3 January 2024, of Ms Alagendra as Counsel for Mr Salih Mustafa ('Mr Mustafa').²
3. On 15 January 2024, Mr Mustafa filed a request before the President for an extension of the time limit for requesting protection of legality in relation to the final judgment in his case.³
4. On 17 January 2024, the President assigned a Single Judge, Judge Gilbert Bitti, to oversee the implementation by the Registrar of the Reparation Order against Mr Mustafa.⁴
5. On 22 January 2024, Counsel for Mr Mustafa, Ms Alagendra, submitted a request before the Single Judge for a temporary stay of setting a time limit for payment of reparations.⁵
6. On 23 January 2024, the Specialist Prosecutor's Office ('SPO') challenged the appointment of Ms Alagendra before the Supreme Court Panel, due to a potential conflict of interest ('Motion').⁶
7. On 25 January 2024, the Supreme Court Panel ruled on the SPO's request, declaring that the Registrar's decision in relation of the appointment of Ms Alagendra

¹ KSC-BC-2020-06, F00058, Notification of Approval of Counsel for Mr Jakup Krasniqi, 6 November 2020, public.

² KSC-CA-2023-02, F00041, Notification of Approval of Counsel for Salih Mustafa, 11 January 2024, public. 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. Accordingly, the Registrar filed additional information before the Supreme Court Panel. *See* KSC-SC-2024-02, F00004, Information Additional to Notification of Approval of Counsel for Salih Mustafa, 18 January 2024, public.

³ KSC-SC-2024-02, F00001, Mustafa Urgent Motion for Extension of Time to File a Request for Protection of Legality, 15 January 2024, public.

⁴ F00001, Decision Assigning a Single Judge, 17 January 2024, public.

⁵ KSC-CA-2023-02/R, Mustafa Request for a Temporary Stay, 22 January 2024, public.

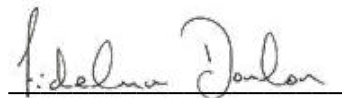
⁶ KSC-SC-2024-02, F00006, Prosecution Challenge to appointment of Counsel, 23 January 2024, public.

has no legal effect and ordering the Registrar, as a matter of urgency, to appoint Duty Counsel to represent Mr Mustafa until the appointment of Counsel has been resolved.⁷

8. The Registrar hereby informs the Single Judge of the approval, pursuant to Section 17 of the Directive on Counsel, of Mr Laurens van Puyenbroeck ('Mr Van Puyenbroeck') as Duty Counsel for Mr Mustafa.⁸ Mr Van Puyenbroeck is admitted to the List of Counsel pursuant to Section 7(3) of the Directive on Counsel and continues to meet the requirements of Section 5 of the Directive on Counsel.⁹

9. Pursuant to Rule 82(3) of the Rules, the Registrar submits that this notification is submitted as public, whereas Annex 1 is filed confidentially, as it contains personal information concerning Duty Counsel.

Word count: 518



Dr Fidelma Donlon

Registrar

Monday, 29 January 2024

At The Hague, the Netherlands

⁷ KSC-CA-2023-02, F00008, Decision on Prosecution Motion Regarding Conflict of Interest of Defence Counsel, 25 January 2024, public.

⁸ See Annex 1, confidential.

⁹ See Directive on Counsel, KSC-BD-04-Rev1, 28 April 2021, public; Decision on Admission to the Lists of Counsel, KSC/REG/DEF-VPO/0030, 25 October 2018.