

# Further Allegations the EU's court in The Hague is Politically Motivated

*EU's court in The Hague is accused of being politically motivated as defence counsel seeks recusal of President Ekaterina Trendafilova and Judge Charles Smith*

LONDON, LONDON, UK, July 30, 2021 /EINPresswire.com/ -- On 26 July 2021 defence counsel in the case of Nasim Haradinaj sought the recusal of the President and Vice President of the [Kosovo Specialist Chambers](#).



The EU's Controversial Court in The Hague Attracts Further Criticism"

*Charles Simpson*

The recusal of President Trendafilova from exercising any judicial, administrative or case-management decision-making function in the instant case, on the grounds that

President Trendafilova's statements at a confidential diplomatic briefing undermine her independent and impartial judicial decision-making and representation of the Kosovo Specialist Chambers and seriously harm the proper administration of justice before the Specialist Chambers or the proper internal functioning of the Specialist Chambers and that President Trendafilova's conduct may have caused harm to the standing of the Specialist Chambers.

Defence counsel averred the Defendants' rights and interests are substantially affected by the presence of the President at the Specialist Chambers, in her representative capacity as well as in her judicial capacity. There is a risk of that abuse of authority, misrepresentations of Defendants and promoting the cause of another party continuing, if she is not recused or disqualified from any judicial, administrative or case-management function in the instant case.

The recusal of Vice President Smith on the grounds of Vice President Smith's prior conduct in a high judicial office in the European Union Rule of Law Mission in Kosovo ("EULEX"), including alleged demonstrated abuse of judicial authority and exercise of political pressure that undermines his judicial decision-making and risks seriously harming the proper administration of justice before the Specialist Chambers or the proper internal functioning of the Specialist Chambers and further that Vice President Smith's conduct may have caused harm to the standing of the Specialist Chambers.

Defence counsel averred the Defendant's rights and interests are substantially affected by the appointment of the Vice President as Presiding Judge on Trial Panel II. There is a risk of that abuse of authority by the Vice President continuing if he is not recused or disqualified from

serving as Presiding Judge on Trial Panel II and from exercising any judicial, administration and case management function in the instant case. The Defence seeks the recusal or disqualification of the Vice President from all judicial, administration and case management function in the instant case on the basis that his prior conduct, as alleged, would cause any objective observer or bystander to apprehend, that there is an appearance of judicial bias or impropriety and a distinct lack of impartiality and independence, that cannot be restored.

The Kosovo Specialist Chambers has been mired in controversy since its creation. It is widely viewed in Kosovo as being an ethnic court.

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