



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

In: KSC-BC-2020-06
Specialist Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi

Before: Trial Panel II
Judge Charles L. Smith, III, Presiding Judge
Judge Christoph Barthe
Judge Guénaël Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

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**Prosecution motion for admission of Drenica Zone documents
with confidential Annexes 1-2**

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I. INTRODUCTION

1. Pursuant to Articles 37 and 40 of the Law,¹ Rules 137-138 of the Rules,² and the Conduct of Proceedings Order,³ the Specialist Prosecutor's Office ('SPO') requests the admission of contemporaneous KLA records ('Proposed Exhibits') relating to the Drenica Operational Zone ('Drenica OZ'). The Proposed Exhibits⁴ – which are, to the extent possible, organised thematically in Annex 1⁵ – are *prima facie* authentic, relevant, and have probative value that is not outweighed by any prejudice.⁶

II. SUBMISSIONS

2. The Proposed Exhibits corroborate and complement witness and documentary evidence, and adjudicated facts,⁷ which, taken together, demonstrate: (i) the high level of organisation of the KLA, including in the Drenica OZ, during the Indictment

¹ Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law'). All references to 'Article' or 'Articles' herein refer to the Law, unless otherwise specified.

² Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

³ Order on the Conduct of Proceedings, KSC-BC-2020-06/F01226/A01, 25 January 2023 ('Conduct of Proceedings Order'), paras 60-62. Pursuant to paragraph 61 of the Conduct of Proceedings Order, certain KLA materials, including most of the Proposed Exhibits, were sent to the Defence for *inter partes* consultation in 2023. Given, *inter alia*, competing demands at that time, the Defence indicated its intention to respond to the motion once filed.

⁴ As indicated where relevant in Annex 1, a limited number of Proposed Exhibits were previously denied admission without prejudice, on the basis that further context was necessary. Such context is provided in this filing and Annex 1.

⁵ Annex 1 includes specific indicia of the *prima facie* authenticity, relevance, and probative value of each Proposed Exhibit. It also indicates the relevant Indictment paragraphs for each Proposed Exhibit and identifies any exhibits associated with witness testimony. See Decision on Specialist Prosecutor's Bar Table Motion, KSC-BC-2020-06/F01409, Confidential, 31 March 2023 ('First Decision'), para.22. Annex 2 links the abbreviations used in the 'Indictment Primary Paragraphs' column of Annex 1 with the primary Indictment paragraph(s) to which each item relates. See Amended Indictment, KSC-BC-2020-06/F00999/A01, 30 September 2022, Confidential ('Indictment'). Annex 2 also defines other abbreviations and short names used in this filing and Annex 1.

⁶ The applicable law has been set out in prior decisions. See *e.g.* First Decision, KSC-BC-2020-06/F01409, paras 8-13.

⁷ A non-exhaustive selection of Proposed Exhibits has been set out below, with further detail provided in Annex 1. Likewise, a selection of testimony, statements, and exhibits is cited below, with further details set out in the Annex. For the sake of publicity and to the extent references to private session testimony or confidential exhibits may be identifying of protected witnesses, such references are only included, where relevant, in the authenticity and relevance/probative value columns of Annex 1.

period; (ii) that KLA members in the Drenica OZ acted under the authority and pursuant to the instructions of the Accused and General Staff; and (iii) that the JCE members, including the Accused and certain KLA members in the Drenica OZ, such as Sylejman SELIMI and Sabit GECI, shared the common criminal purpose, which they implemented personally and through the structures in place. The Proposed Exhibits also corroborate and complement other evidence and adjudicated facts concerning the charged crimes; the conflict and widespread and systematic attack against the civilian population; the Accused's effective control, including both directly and through the Drenica OZ structures; the practical assistance, encouragement, and/or moral support the Accused provided to the perpetrators of the charged crimes; and the Accused's and other JCE members' knowledge and intent.

A. THE PROPOSED EXHIBITS ARE *PRIMA FACIE* RELEVANT

3. Drenica OZ was the first zone to be established⁸ and encompassed the municipalities of Skënderaj/Srbica, Glllogoc/Glogovac, and Klinë/Klina.⁹ In 1991, Adem JASHARI and an armed formation in Prekaz, Skënderaj/Srbica organised the first armed action against the Serbian police and military forces.¹⁰ KLA armed units were established as early as 1993.¹¹ Thereafter, in public communiqués, the KLA General Staff¹² claimed responsibility for attacks in Drenica against: (i) Serbian police, including as part of organised and 'serial' attacks conducted in various areas of

⁸ See e.g. P00776 (Confidential), pp.16-20, 39-40; P00778, pp.6652, 6691. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.179.

⁹ KSC-BC-2020-06/F01534/A01, Fact 245.

¹⁰ See e.g. P00186 / P00186_ET, pp.3, 6; KSC-BC-2020-06/F01534/A01, Fact 212.

¹¹ See e.g. P00186 / P00186_ET, pp.3, 6; P00776 (Confidential), pp.4-5; P00777, p.6585; P00761.2_ET (Confidential), pp.2-5. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.179.

¹² During the early organisation of the KLA, the term 'Central Staff', rather than 'General Staff', was used for the central organising entity of the KLA. The term 'General Staff' is used herein, consistent with the Indictment and Pre-Trial Brief. See Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, fn.3.

Kosovo,¹³ and (ii) collaborators of the Serbian authorities, including (attempted and completed) executions, as a warning to all collaborators.¹⁴

4. In November 1997, uniformed KLA soldiers made their first public appearance in Llaushë/Lauša, Skënderaj/Srbica, at a widely attended funeral of a teacher who was killed by Serbian police.¹⁵ During this appearance, Rexhep SELIMI confirmed that the KLA had undertaken operations against ‘Albanian-speaking collaborators of the occupier, collaborationists’. He further alleged that other political representatives ‘attempt to denigrate our holy war with their pacifist positions’.¹⁶

5. The armed conflict intensified in early 1998, including as demonstrated by the late February and early March 1998 Serbian attacks in Qirez/Ćirez, Likoshan/Likošane, and Prekaz.¹⁷ Thereafter, thousands from the diaspora and in Kosovo volunteered for the KLA.¹⁸ Drenica OZ – in particular, Likoc/Likovac – was often the first place new KLA recruits reported before being assigned to other locations.¹⁹ For much of the Indictment period, the Drenica OZ headquarters were in Likoc/Likovac,²⁰ which the Accused and other General Staff members also used as a

¹³ See e.g. P00152 / P00152_ET; P00153 / P00153_ET. See also P00778, pp.6628-6629.

¹⁴ See e.g. P00153 / P00153_ET; P00279 / P00279_ET; P00281 / P00281_ET. See also P00793, para.10, Annex 8; P00794, pp.3335-3336; P00800, p.4966.

¹⁵ KSC-BC-2020-06/F01534/A01, Fact 214; P00778, p.6627. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.179.

¹⁶ SPOE00209301-SPOE00209301 / SPOE00209301-SPOE00209301-ET. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.179.

¹⁷ See e.g. Annex 1: item 29 (098249-098291 / 098249-098291-ET). See also KSC-BC-2020-06/F01534/A01, Facts 24-32. Proposed Exhibits corroborate the ongoing intensity of the conflict, including in the Drenica OZ, during the Indictment period. See e.g. Annex 1: items 29 (098249-098291 / 098249-098291-ET), 30 (098634-098660 / 098634-098660-ET), 34 (095979-095989 / 095979-095989-ET). See also KSC-BC-2020-06/F01534/A01, Facts 67-68, 73, 87.

¹⁸ See e.g. KSC-BC-2020-06/F01534/A01, Facts 30, 41.

¹⁹ See e.g. Annex 1: item 19 (U000-8037-U000-8051 / U000-8037-U000-8051-ET). See also P00778, p.6591; SITF00223322-00223393, pp.3744–3747, 3752–3754, 3757; 083620-TR-ET Part 1 RED, p.18; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.179.

²⁰ KSC-BC-2020-06/F01534/A01, Fact 244. See also Fact 217; P00773 (Confidential), paras 6-7. Proposed Exhibits corroborate that Likoc/Likovac was the headquarters. See e.g. Annex 1: items 19 (U000-8037-U000-8051 / U000-8037-U000-8051-ET), 36 (SITF00423701-SITF00423701 / SITF00423701-SITF00423701-

headquarters²¹ and frequently visited, including to negotiate the release of prisoners held by the KLA.²²

6. During the Indictment period, the Drenica OZ Commander, Deputy Commander, and multiple other KLA members in the Drenica OZ – at times, acting together with General Staff members, including Hashim THAÇI and Rexhep SELIMI – interrogated, detained, mistreated, and killed suspected collaborators and other Opponents²³ at Likoc/Likovac, Qirez/Ćirez, Baicë/Banjica, and other locations in the Drenica OZ, including as charged in the Indictment.²⁴

7. By summer 1998, the Drenica OZ was commonly understood to be ‘a dangerous region, “the worst area”, where people [were] sent to be killed.’²⁵ KLA soldiers in other OZs indicated to enquiring family members and others that missing and detained Opponents – some of whom were later found dead or were never seen again – had been or would be sent to Drenica.²⁶

ET), 41 (097160-097161 / 097160-097161-ET), 63 (097149-097157 / 097149-097157-ET Revised), 64 (097141-097141 / 097141-097141-ET), 65 (097138-097138 / 097138-097138-ET).

²¹ See e.g. P00776 (Confidential), pp.44-45; IT-04-84 T3256-T3363, pp.3283–3284.

²² See e.g. P00515 / P00515_ET.6; P00811 / P00811_ET.12; P00811 / P00811_ET.16; P00811 / P00811_ET.23; U015-8743-U015-8935-ET Revised 1, p.U015-8896; Transcript (W04147), 25March 2024, pp.13552-13553, 13556-13557, 13561-13563; P00767 (Confidential), pp.SITF00364479, SITF00364481; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, paras 16, 181, 270.

²³ The term ‘Opponents’ is defined at paragraph 32 of the Indictment.

²⁴ Annex 1: items 79 (U002-3614-U002-3629 / U002-3614-U002-3629-ET), 81 (U017-2602-U017-2615 / U017-2602-U017-2615-ET), 82 (098615-098626 / 098615-098626-ET Revised), 85 (SITF00033376-SITF00033378 / SITF00033376-SITF00033376-ET); P00003 / P00003_AT; P00004, p.2; P00515 / P00515_ET.38; P00864, p.1; P00220 / P00220_ET (Confidential); P00680 (Confidential), pp.034242-034243, 034256-034269; P00970, pp.SPOE00078776-SPOE00078777; Transcript (W04147), 25 March 2024, pp.13561-13563; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, paras 272-282, 505, 584-590. See also paras 11, 13, 16-18 below. Annex 1 includes further references, including to protected witness testimony.

²⁵ See e.g. P00363 (Confidential), para.14. See also fn.26 below.

²⁶ See e.g. P00730, p.4253; P00331.2_ET (Confidential), pp.2, 12; P00332 (Confidential), p.SITF00297509; KSC-BC-2020-06/F01534/A01, Fact 461. See also P00358 (Confidential), pp.SPOE00193512, SPOE00193514; P00356_ET (Confidential), p.27.

i. Drenica OZ Command

8. In May 1998, Sylejman SELIMI was selected as Drenica OZ Commander at a meeting attended by Rexhep SELIMI; the General Staff approved the appointment.²⁷ The Deputy Commander was Sami LUSHTAKU.²⁸ Around the end of February 1999, LUSHTAKU became Drenica OZ Commander.²⁹

9. In May 1998, the Drenica OZ Commander took measures to establish a special unit,³⁰ military police,³¹ and Brigades 111, 112, 113, and 114.³² Contemporaneous records show that the Drenica OZ Command reported to, met with, and requested reinforcements, funds, and logistics from the General Staff,³³ and distributed and enforced General Staff regulations and directives.³⁴ The Drenica OZ Command and subordinate commanders: (i) distributed funds and supplies to local headquarters;³⁵

²⁷ See e.g. P00761.6_ET, pp.3-5; P00761.6_ET (Confidential), p.3; P00800, pp.5048, 5148; KSC-BC-2020-06/F01534/A01, Facts 242-243; U015-8743-U015-8935-ET Revised 1, p.U015-8845. Proposed Exhibits corroborate SELIMI's position. See e.g. Annex 1: items 22 (096746-096747 / 096746-096747-ET); 41 (097160-097161 / 097160-097161-ET); 42 (U000-2534-U000-2534 / U000-2534-U000-2534-ET).

²⁸ See e.g. Annex 1: item 82 (098615-098626 / 098615-098626-ET Revised, p.098618). See also P00773 (Confidential), paras 8, 21; IT-05-87 6D00067, p.6D000773; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.180.

²⁹ See e.g. Annex 1: items 36 (SITF00423701-SITF00423701 / SITF00423701-SITF00423701-ET); 43 (U017-3040-U017-3040 / U017-3040-U017-3040-ET), 68 (U003-4775-U003-4784 / U003-4781-U003-4781-ET, U003-4782-U003-4784-ET, pp.U003-4781, U003-4783). See also P00772 (Confidential), para.12; P00773 (Confidential), para.21; U015-8743-U015-9047 / U015-8743-U015-8935-ET Revised 1, p.U015-8845; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.180.

³⁰ See para.13 below.

³¹ See paras 14-16 below.

³² KSC-BC-2020-06/F01534/A01, Fact 245; IT-03-66 T2048-T2103, pp.2076-2077; P00761.3_ET (Confidential), pp.14-15. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.182; P00180 / P00180_ET. See also Annex 1: item 34A (SPOE00226687-SPOE00226688 / SPOE00226687-SPOE00226688-ET Revised).

³³ Annex 1: items 34A (SPOE00226687-SPOE00226688 / SPOE00226687-SPOE00226688-ET Revised), 50A (SPOE00225147-SPOE00225147 / SPOE00225147-SPOE00225147-ET Revised). See also P00142 / P00142_ET (Confidential); P00172 / P00172_ET (Confidential); P00875 / P00875_ET; P00895 / P00895_ET (Confidential), p.31; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.186; KSC-BC-2020-06/F01534/A01, Fact 277.

³⁴ Annex 1: items 34A (SPOE00226687-SPOE00226688 / SPOE00226687-SPOE00226688-ET Revised), 40 (U000-7797-U000-7797 / U000-7797-U000-7797-ET), 43 (U017-3040-U017-3040 / U017-3040-U017-3040-ET); P00120 / P00120_ET. See also KSC-BC-2020-06/F01534/A01, Fact 236. See also Facts 239-240.

³⁵ Annex 1: items 48 (U000-8276-U000-8276 / U000-8276-U000-8276-ET Revised), 87 (SPOE00227539-SPOE00227539 / SPOE00227539-SPOE00227539-ET Revised). See also Annex 1: items 86 (SPOE00227536-

(ii) regulated the daily schedules of its soldiers;³⁶ (iii) kept detailed records of members and their weapons and activities;³⁷ (iv) maintained a hospital in Likoc/Likovac;³⁸ (v) issued standardised communications documents, including code ciphers,³⁹ which were consistent with similar ciphers used by the General Staff⁴⁰ and in other OZs;⁴¹ (vi) coordinated with other OZs, transferring and requesting soldiers and supplies;⁴² (vii) trained officers, including in coordination with other OZs,⁴³ consistent with General Staff orders,⁴⁴ and at the Drenica OZ Command's military school;⁴⁵ and (viii) provided that disobedience or failure to implement orders would lead to disciplinary measures.⁴⁶

SPOE00227537 / SPOE00227536-SPOE00227537-ET), 88 (SPOE00227540-SPOE00227540 / SPOE00227540-SPOE00227540-ET).

³⁶ Annex 1: items 21 (U000-8241-U000-8241 / U000-8241-U000-8241-ET), 22 (096746-096747 / 096746-096747-ET). Similar schedules were used in other OZs, including Llap OZ, Dukagjin OZ, and Pashtrik OZ. *See* U000-9814-U000-9814 / U000-9814-U000-9814-ET (KSC-BC-2020-06/F02178/A01, item 25); U001-5427-U001-5427 / U001-5427-U001-5427-ET; U001-1144-U001-1144 / ET U001-1144-U001-1144.

³⁷ *See e.g.* Annex 1: items 3 (098663-098665 / 098663-098665-ET), 11 (098668-098669 / 098668-098669-ET), 14 (U000-8195-U000-8203 / U000-8195-U000-8203-ET), 17 (U000-8666-U000-8666 / U000-8666-U000-8666-ET), 18 (U000-8832-U000-8833 / U000-8832-U000-8833-ET), 23 (U000-8063-U000-8064 / U000-8063-U000-8064-ET), 44 (U017-2690-U017-2707 / U017-2690-U017-2707-ET), 89 (SPOE00227541-SPOE00227543 / SPOE00227541-SPOE00227543-ET). *See also* P00180 / P00180_ET (Confidential).

³⁸ *See e.g.* Annex 1: item 50 (U002-3688-U002-3688 / U002-3688-U002-3688-ET). *See also* KSC-BC-2020-06/F01534/A01, Fact 299.

³⁹ *See e.g.* Annex 1: items 68 (U003-4775-U003-4784 / U003-4775-U003-4780-ET), 68A (SPOE00226692-SPOE00226692 / SPOE00226692-SPOE00226692-ET).

⁴⁰ *See e.g.* SPOE00226675-SPOE00226690 / SPOE00226675-SPOE00226690-ET, pp.SPOE00226675-SPOE00226677.

⁴¹ Pashtrik OZ: SPOE00225134-SPOE00225137 / SPOE00225134-SPOE00225137-ET Revised; Dukagjin OZ: SPOE00225767-SPOE00225770 / SPOE00225767-SPOE00225770-ET; Nerodime OZ: U001-1788-U001-1804 / U001-1788-U001-1804-ET.

⁴² *See e.g.* Annex 1: items 13 (U000-7769-U000-7770 / U000-7769-U000-7770-ET), 14 (U000-8195-U000-8203 / U000-8195-U000-8203-ET), 19 (U000-8037-U000-8051 / U000-8037-U000-8051-ET), 42 (U000-2534-U000-2534 / U000-2534-U000-2534-ET). *See also* P00121 / P00121_ET; P00122 / P00122_ET; P00136 / P00136-ET (Confidential); P00144 / P00144_ET (Confidential); P00145 / P00145_ET (Confidential).

⁴³ *See e.g.* Annex 1: item 14 (U000-8195-U000-8203 / U000-8195-U000-8203-ET).

⁴⁴ P00631 / P00631_ET. *See also* P00617 / P00617_ET.

⁴⁵ *See e.g.* Annex 1: items 36 (SITF00423701-SITF00423701 / SITF00423701-SITF00423701-ET), 38 (097047-097056 / 097047-097056-ET), 68 (U003-4775-U003-4784 / U003-4781-U003-4781-ET, p.U003-4781). *See also* P00125 / P00125_ET; P00126 / P00126_ET.

⁴⁶ *See e.g.* Annex 1: items 15 (U000-7640-U000-7640 / U000-7640-U000-7640-ET), 37 (U000-7898-U000-7899 / U000-7898-U000-7899-ET), 38 (097047-097056 / 097047-097056-ET). *See also* Annex 1: item 29 (098249-098291 / 098249-098291-ET, p.098274).

10. The Drenica OZ Command also issued written orders concerning civilian matters⁴⁷ and mandating support for the KLA,⁴⁸ including by regulating: (i) the relocation of structures and public gatherings;⁴⁹ (ii) the sale of fuel;⁵⁰ (iii) wheat harvests and prices, and the provision of wheat and other supplies for 'the needs of the KLA';⁵¹ and (iv) consistent with General Staff orders and regulations,⁵² movement into, out of, and within the Drenica OZ, including by a system of checkpoints.⁵³ On 30 July 1998, the Drenica OZ Information Sector issued orders warning the population of 'enemy propaganda' and 'disinformation', and forbidding the population from leaving without authorisation and from taking any measures against KLA interests, under threat of 'military law sanctions' in case of non-compliance.⁵⁴

11. Contemporaneous records demonstrate that the Drenica OZ was collecting information about, taking statements from, interrogating, arresting, and detaining suspected collaborators, Serbs, and other Opponents, including charged victims in this case.⁵⁵ Certain victims were targeted based on, *inter alia*, their association with

⁴⁷ See also U015-8743-U015-9047 / U015-8743-U015-8935-ET Revised 1, p.U015-8846.

⁴⁸ The Drenica OZ Command also ordered the mobilisation of civilians to assist in fortifying KLA bases, with disciplinary measures to be taken against those who refused. See P00134 / P00134_ET.

⁴⁹ See Annex 1: item 38 (097047-097056 / 097047-097056-ET, pp.097055-097056). See also P00138 / P00138_ET (Confidential).

⁵⁰ Annex 1: item 46 (097209-097209 / 097209-097209-ET); P00141 / P00141_ET.

⁵¹ Annex 1: items 52 (098672-098672 / 098672-098672-ET), 53 (097040-097045 / 097042-097045-ET); P00133 / P00133_ET; P00143 / P00143_ET.

⁵² P00166 / P00166_ET (Confidential), p.U000-9363; P00879 / P00879_ET.

⁵³ See e.g. Annex 1: item 84 (096521-096534 / 096521-096529-ET). See also Annex 1: items 90 (SPOE00227544-SPOE00227544 / SPOE00227544-SPOE00227546-ET), 93 (SPOE00232066-SPOE00232067 / SPOE00232066-SPOE00232067-ET Revised).

⁵⁴ Annex 1: item 78 (U000-7864-U000-7864 / U000-7864-U000-7864-ET). See also Annex 1: items 39 (097179-097179 / 097179-097179-ET Revised), 77 (U000-7904-U000-7904 / U000-7904-U000-7904-ET). Similar Drenica OZ Command directives and statements were issued in 1999. See e.g. P00115 / P00115_ET; P00811 / P00811_ET.35; P00515 / P00515_ET.51.

⁵⁵ See e.g. Annex 1 (and the related authenticity and relevance/probative value columns of the following items): items 79 (U002-3614-U002-3629 / U002-3614-U002-3629-ET), 80 (U000-7780-U000-7780 / U000-7780-U000-7780-ET Revised 1), 81 (U017-2602-U017-2615 / U017-2602-U017-2615-ET), 82 (098615-098626 / 098615-098626-ET Revised), 83 (097963-097997 / 097963-097997-ET Revised), 84 (096521-096534 / 096530-096531-ET, 096533-096533-ET). See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, paras 273-282, 459-468, 584-592.

collaborators identified in General Staff communiqués.⁵⁶ Other Proposed Exhibits confirm Drenica OZ KLA members' hostility against and suspicion of Albanians who did not join or support the KLA, or were associated with the LDK, government-in-exile, and FARK.⁵⁷

12. Despite their involvement in crimes,⁵⁸ the Accused and other members of the General Staff appointed, promoted, and approved the appointment and promotion of, *inter alia*, members of the Drenica OZ Command, including Sylejman SELIMI.⁵⁹

ii. Special Unit

13. On 9 May 1998, Drenica OZ Commander Sylejman SELIMI issued a program and plan for a special unit.⁶⁰ Pursuant to KLA regulations, SELIMI subsequently appointed Jahir DEMAKU as special unit commander, and notified the appointment to the General Staff.⁶¹ In August 1998, Sylejman SELIMI approved a training program for this special unit, the Black Tigers.⁶² Proposed Exhibits demonstrate the high level of organisation and discipline among units under Jahir DEMAKU's command,⁶³ compliance with General Staff directives,⁶⁴ and involvement in collecting information

⁵⁶ See e.g. Annex 1 (and the related authenticity and relevance/probative value columns of the following items): items 82 (098615-098626 / 098615-098626-ET Revised), 84 (096521-096534 / 096530-096531-ET / 096533-096533-ET), 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET). See also P00154 / P00154_ET (Confidential); P00283 / P00283_ET; P00793, para.10, Annex 13; P00794, pp.3337, 3340-3341.

⁵⁷ See e.g. Annex 1: items 29 (098249-098291-ET, pp.098274, 098276, 098281), 35 (U002-3545-U002-3558-ET, p.U002-3550). See also paras 3-4, 10 above.

⁵⁸ See paras 6, 11 above.

⁵⁹ For example, Sylejman SELIMI was appointed National Guard Commander by Hashim THAÇI. See e.g. P00763.5_ET, p.13; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.120.

⁶⁰ P00139 / P00139_ET (Confidential).

⁶¹ P00140 / P00140_ET (Confidential).

⁶² P00137 / P00137_ET (Confidential); P00146 / P00146 ET.1, P00146_ET.2, P00146_ET.3 (Confidential). See also P00120 / P00120_ET.

⁶³ This included units under his command both before and after his special unit appointment. See e.g. Annex 1: items 10 (U000-8229-U000-8229 / U000-8229-U000-8229-ET), 15 (U000-7640-U000-7640 / U000-7640-U000-7640-ET), 21 (U000-8241-U000-8241 / U000-8241-U000-8241-ET).

⁶⁴ See e.g. Annex 1: item 37 (U000-7898-U000-7899 / U000-7898-U000-7899-ET).

about, the arrest, and the mistreatment of Opponents, including charged victims in this case.⁶⁵

iii. Military police

14. On 13 May 1998, Drenica OZ Commander Sylejman SELIMI issued a program for the military police; all commanders were obliged to inform soldiers in their units of the program, including that the military police were responsible for disciplinary measures, such as use of force, imprisonment in case of, for example, desertion, and confiscation of unauthorised vehicles.⁶⁶ During the Indictment period, Drenica OZ military police were also enforcing orders of the Drenica OZ Command,⁶⁷ recording logistics and donations,⁶⁸ coordinating with other units and commanders,⁶⁹ and taking statements.⁷⁰

15. As corroborated by Proposed Exhibits,⁷¹ the Drenica OZ military police commander was Sahit JASHARI.⁷² In February 1999, upon orders of the General Staff's Military Police Directorate, under Fatmir LIMAJ,⁷³ a formal recruitment process was carried out for military police members to be (re)assigned at both zone and brigade

⁶⁵ See e.g. Annex 1: item 82 (098615-098626 / 098615-098626-ET Revised, p.098615); P00220 / P00220_ET (Confidential). See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.273.

⁶⁶ P00119 / P00119_ET (Confidential).

⁶⁷ See e.g. Annex 1: items 70 (U017-3734-U017-3734 / U017-3734-U017-3734-ET), 71 (U017-3349-U017-3363 / U017-3349-U017-3358-ET, U017-3359-U017-3359-ET, U017-3360-U017-3363-ET).

⁶⁸ See e.g. Annex 1: item 69 (098585-098605 / 098585-098605-ET).

⁶⁹ See e.g. Annex 1: item 69 (098585-098605 / 098585-098605-ET).

⁷⁰ See e.g. Annex 1: item 76 (U017-3004-U017-3034 / U017-3004-U017-3034-ET).

⁷¹ See e.g. Annex 1: items 34C (SPOE00226694-SPOE00226695 / SPOE00226694-SPOE00226695-ET), 69 (098585-098605 / 098585-098605-ET), 82 (098615-098626-ET Revised, p.098616).

⁷² Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.185. See also P00773 (Confidential), paras 17-19.

⁷³ Similar directives were issued to other OZ Commands. See e.g. P00872 / P00872_ET. For Fatmir LIMAJ's role as head of the military police directorate, see e.g. 083280-TR-ET Part 5, p.21; 083640-TR-ET Part 8 RED2, p.7. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, paras 148, 185.

levels,⁷⁴ including existing military police members,⁷⁵ and Sahit JASHARI himself.⁷⁶ These communications with the General Staff also included a template for a standard military police armband.⁷⁷

16. Sahit JASHARI and the military police detained, interrogated, and mistreated suspected collaborators, Serbs, and other Opponents in the Drenica OZ, including victims in this case.⁷⁸

iv. Intelligence services

17. Intelligence services were active in the Drenica OZ.⁷⁹ Proposed Exhibits corroborate the presence and role of Sabit GECI ('Qopa') – who headed an intelligence unit⁸⁰ – in the Drenica OZ, including at Likoc/Likovac,⁸¹ where he participated in the detention, interrogation, and mistreatment of Opponents.⁸² Together with Hashim THAÇI, Rexhep SELIMI, and Sahit JASHARI, among others, Sabit GECI also took part

⁷⁴ See e.g. Annex 1: items 70 (U017-3734-U017-3734 / U017-3734-U017-3734-ET), 71 (U017-3349-U017-3363 / U017-3349-U017-3358-ET, U017-3359-U017-3359-ET, U017-3360-U017-3363-ET), 72 (U017-3739-U017-3788 / U017-3739-U017-3739-ET, U017-3740-U017-3760-ET, U017-3761-U017-3761-ET, U017-3762-U017-3788-ET), 73 (U017-3874-U017-3887 / U017-3874-U017-3887-ET), 74 (U017-3789-U017-3873 / U017-3789-U017-3873-ET), 75 (U017-3369-U017-3508 / U017-3369-U017-3508-ET).

⁷⁵ See e.g. Annex 1: items 72 (U017-3739-U017-3788 / U017-3761-U017-3761-ET, U017-3740-U017-3760-ET, pp.U017-3751, U017-3753, U017-3755, U017-3757, U017-3759; U017-3762-U017-3788-ET); 74 (U017-3789-U017-3873 / U017-3789-U017-3873-ET, pp.U017-3810, U017-3866, U017-3868, U017-3872); 75 (U017-3369-U017-3508 / U017-3369-U017-3508-ET, pp.U017-3372, U017-3392, U017-3483).

⁷⁶ See e.g. Annex 1: item 72 (U017-3739-U017-3788 / U017-3739-U017-3739-ET).

⁷⁷ Annex 1: item 71 (U017-3349-U017-3363 / U017-3360-U017-3363-ET, p.U017-3363).

⁷⁸ See e.g. Annex 1: item 82 (098615-098626 / 098615-098626-ET Revised, p.098615); P00220 / P00220_ET (Confidential). See also para.17 below; P00971, pp.SITF00010862-SITF00010863; Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.273, 505, 589; Annex 1: item 72 (U017-3739-U017-3788 / U017-3739-U017-3739-ET, U017-3740-U017-3760-ET, U017-3761-U017-3761-ET, U017-3762-U017-3788-ET) and related sources in the authenticity column.

⁷⁹ In addition to the sources in fns 80-90 below, see e.g. Annex 1: items 10A (SPOE00225673-SPOE00225689 / SPOE00225673-SPOE00225689-ET Revised, p.SPOE00225682), 34C (SPOE00226694-SPOE00226695 / SPOE00226694-SPOE00226695-ET).

⁸⁰ See e.g. P00185 / P00185_ET (Confidential), p.SPOE00227659; P00763.4_ET, pp.9-10, 12-13, 22. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.183.

⁸¹ See e.g. Annex 1: items 1 (U001-0035-U001-0040 / U001-0035-U001-0040-ET), 35 (U002-3545-U002-3558 / U002-3545-U002-3558-ET, p. U002-3556), 58 (097239-097241 / 097239-097241-ET), 59 (098394-098397 / 098394-098397-ET), 61 (U002-3680-U002-3680 / U002-3680-U002-3680-ET).

⁸² Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, para.273.

in the detention, interrogation, and mistreatment of members of a parliamentary delegation at Qirez/Ćirez and Baicë/Banjica.⁸³

18. The General Staff intelligence services were also directly involved in the Drenica OZ. In one case, a soldier requested not to be transferred from Pashtrik OZ to Drenica OZ; this request was forwarded by Halil QADRAKU (Pashtrik OZ intelligence head) to the General Staff's intelligence section for a decision by 'Chief Luli' (Kadri VESELI's alias).⁸⁴ In a statement attached to QADRAKU's request, the soldier claims she was only accepted into the ranks of the KLA in Drenica OZ in April 1998 on the condition that she assassinate an Albanian who worked for the Serbian security service; the assassination attempt failed.⁸⁵ According to the soldier, Musa JASHARI⁸⁶ (who would later become, *inter alia*, a General Staff member), Fehmi LLADROVCI, and Jahir DEMAKU (who would later become the Black Tigers commander⁸⁷), among others, were aware of the operation.⁸⁸ In summer 1999, the target of the failed assassination was living in Drenica OZ, so the soldier requested that she not be transferred there.⁸⁹ QADRAKU noted, in his request to the General Staff intelligence services, that 'soldiers like her, who have acted in this way, should be protected, otherwise they will feel judged by us'.⁹⁰

⁸³ See e.g. P00680 (Confidential), pp.034242-034243, 034256-034269. See also Pre-Trial Brief, KSC-BC-2020-06/F01594/A03, paras 459-468.

⁸⁴ P00709 / P00709_ET; Transcript (W04765), 13 November 2023, pp.9901-9902.

⁸⁵ Annex 1: item 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET Revised, SITF00033378-SITF00033378-ET).

⁸⁶ In relation to his presence and role in the Drenica OZ, including in relation to the 'Female Unit', see e.g. Annex 1: items 4 (U002-0817-U002-0817 / U002-0817-U002-0817-ET), 5 (U002-0853-U002-0854 / U002-0853-U002-0854-ET). The first name is also spelled 'Muse' and 'Musaj' in various documents.

⁸⁷ See para.13 above.

⁸⁸ Annex 1: item 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET Revised, SITF00033378-SITF00033378-ET).

⁸⁹ Annex 1: item 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET Revised, SITF00033378-SITF00033378-ET).

⁹⁰ P00709 / P00709_ET.

B. THE PROPOSED EXHIBITS ARE *PRIMA FACIE* AUTHENTIC AND RELIABLE

19. The Proposed Exhibits contain multiple indicia of authenticity, as indicated for each in Annex 1.⁹¹ Many bear official headers, signatures (including of Sylejman SELIMI,⁹² Sami LUSHTAKU,⁹³ Sahit JASHARI,⁹⁴ and Jahir DEMAKU⁹⁵), reference numbers, stamps, seals, and insignia.⁹⁶

20. In addition to such formalities, other indicia of authenticity can be seen when the collection is viewed holistically. For example, as reflected in detail in Annex 1: (i) many of the Proposed Exhibits, including from different periods of time, were signed, prepared, and issued by, and/or concern, the same persons (including KLA members and alleged collaborators);⁹⁷ (ii) administrative and operational records track similar information, often using comparable or even identical formatting;⁹⁸ (iii) many of the Proposed Exhibits contain detailed information, including on routine and

⁹¹ For purposes of assessing certain of the indicia (such as signatures, insignia, stamps, seals, and formatting) identified below and in Annex 1, both the original and translation should be consulted.

⁹² See e.g. Annex 1: items 10 (U000-8229-U000-8229 / U000-8229-U000-8229-ET), 22 (096746-096747 / 096746-096747-ET), 41 (097160-097161 / 097160-097161-ET), 53 (097042-097045 / 097042-097045-ET), 62 (U000-8003-U000-8003 / U000-8003-U000-8003-ET), 68 (U003-4775-U003-4784 / U003-4775-U003-4780-ET, U003-4781-U003-4781-ET, U003-4782-U003-4784-ET), 82 (098615-098626 / 098615-098626-ET Revised).

⁹³ See e.g. Annex 1: items 36 (SITF00423701-SITF00423701 / SITF00423701-SITF00423701-ET), 43 (U017-3040-U017-3040 / U017-3040-U017-3040-ET), 68 (U003-4775-U003-4784 / U003-4775-U003-4780-ET, U003-4781-U003-4781-ET, U003-4782-U003-4784-ET), 82 (098615-098626 / 098615-098626-ET Revised)..

⁹⁴ See e.g. Annex 1: items 69 (098585-098605 / 098585-098605-ET), 82 (098615-098626 / 098615-098626-ET Revised).

⁹⁵ See e.g. Annex 1: items 10 (U000-8229-U000-8229 / U000-8229-U000-8229-ET), 15 (U000-7640-U000-7640 / U000-7640-U000-7640-ET), 21 (U000-8241-U000-8241 / U000-8241-U000-8241-ET), 37 (U000-7898-U000-7899 / U000-7898-U000-7899-ET), 47 (U000-7775-U000-7775 / U000-7775-U000-7775-ET), 53 (097042-097045 / 097042-097045-ET), 62 (U000-8003-U000-8003 / U000-8003-U000-8003-ET).

⁹⁶ See, similarly, Sixth Decision on Specialist Prosecutor's Bar Table Motion, KSC-BC-2020-06/F01983, 5 December 2023 ('Sixth Decision'), paras 85, 111, 119.

⁹⁷ See e.g. Annex 1: 82 (098615-098626 / 098615-098626-ET Revised), 83 (097963-097997 / 097963-097997-ET Revised), 84 (096521-096534 / 096521-096529-ET, 096530-096531-ET, 096533-096533-ET), 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET Revised, SITF00033378-SITF00033378-ET).

⁹⁸ See e.g. Annex 1: items 36 (SITF00423701-00423701 / SITF00423701-SITF00423701-ET), 68 (U003-4775-U003-4784 / U003-4781-U003-4781-ET). See also items 54 (U002-3672-U002-3672 / U002-3672-U002-3672-ET), 55 (U002-3674-U002-3674 / U002-3674-U002-3674-ET), 56 (U002-3676-U002-3676 / U002-3676-U002-3676-ET).

administrative matters, that only Drenica OZ KLA members would be in a position to know; and (iv) numerous Proposed Exhibits are interconnected with and/or corroborated by other Proposed Exhibits,⁹⁹ admitted evidence and other items on the Exhibit List,¹⁰⁰ and witness evidence.¹⁰¹

21. Finally, while proof of provenance or authorship is not required,¹⁰² the provenance of each Proposed Exhibit is indicated in Annex 1. The majority of the Proposed Exhibits were seized: (i) by the SPO from the residences of Rexhep SELIMI¹⁰³ and Jakup KRASNIQI;¹⁰⁴ and (ii) by the Serbian authorities from KLA bases and

⁹⁹ See e.g. Annex 1 (and the related authenticity and relevance/probative value columns of the following items): items 4 (U002-0817-U002-0817 / U002-0817-U002-0817-ET), 5 (U002-0853-U002-0854 / U002-0853-U002-0854-ET), 6 (U002-0851-U002-0852 / U002-0851-U002-0851-ET), 7 (U002-0858-U002-0859 / U002-0858-U002-0858-ET).

¹⁰⁰ See e.g. Annex 1 (and the related authenticity and relevance/probative value columns of the following items): items 50 (U002-3688-U002-3688 / U002-3688-U002-3688-ET), 51 (U000-8248-U000-8249 / U000-8248-U000-8249-ET), 58 (097239-097241 / 097239-097241-ET), 59 (098394-098397 / 098394-098397-ET), 63 (097149-097157 / 097149-097157-ET Revised), 68 (U003-4775-U003-4784 / U003-4775-U003-4780-ET, U003-4781-U003-4781-ET, U003-4782-U003-4784-ET).

¹⁰¹ See e.g. Annex 1 (and the related authenticity and relevance/probative value columns of the following items): items 72 (U017-3739-U017-3788 / U017-3739-U017-3739-ET, U017-3740-U017-3760-ET, U017-3761-U017-3761-ET, U017-3762-U017-3788-ET), 82 (098615-098626 / 098615-098626-ET Revised), 83 (097963-097997 / 097963-097997-ET Revised), 84 (096521-096534 / 096521-096529-ET, 096530-096531-ET, 096533-096533-ET), 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET Revised, SITF00033378-SITF00033378-ET).

¹⁰² See e.g. Decision on Veseli Defence Request for Leave to Appeal Decision to Admit P959 and P960, KSC-BC-2020-06/F02157, 29 February 2024, paras 12, 14, 16; Transcript, 25 March 2024, p.13521.

¹⁰³ See e.g. Annex 1: items 34A (SPOE00226687-SPOE00226688 / SPOE00226687-SPOE00226688-ET Revised), 34B (SPOE00226691-SPOE00226691 / SPOE00226691-SPOE00226691-ET), 34C (SPOE00226694-SPOE00226695 / SPOE00226694-SPOE00226695-ET), 68A (SPOE00226692-SPOE00226692 / SPOE00226692-SPOE00226692-ET).

¹⁰⁴ See e.g. Annex 1: items 10A (SPOE00225673-SPOE00225689 / SPOE00225673-SPOE00225689-ET Revised), 50A (SPOE00225147-SPOE00225147 / SPOE00225147-SPOE00225147-ET Revised), 86 (SPOE00227536-SPOE00227537 / SPOE00227536-SPOE00227537-ET), 87 (SPOE00227539-SPOE00227539 / SPOE00227539-SPOE00227539-ET Revised), 88 (SPOE00227540-SPOE00227540 / SPOE00227540-SPOE00227540-ET), 89 (SPOE00227541-SPOE00227543 / SPOE00227541-SPOE00227543-ET), 90-92 (SPOE00227544-SPOE00227544, SPOE00227545-SPOE00227545, SPOE00227546-SPOE00227546 / SPOE00227544-SPOE00227546-ET), 93 (SPOE00232066-SPOE00232067 / SPOE00232066-SPOE00232067-ET Revised), 94 (SPOE00232073-SPOE00232073 / SPOE00232073-SPOE00232073-ET Revised). A number of these items relate to the Pëllumbi unit, which, around spring/summer 1998, was involved in detentions (see e.g. 098615-098626 / 098615-098626-ET, p.098615) and was closely associated with the Accused and General Staff. For example, the Pëllumbi unit was supplied with arms stored at Jakup KRASNIQI's house, received orders from the General Staff, and, for a period of time, was based, along

members (including in the Drenica OZ) during the Indictment period and thereafter provided to the ICTY/IRMCT¹⁰⁵ and SPO.¹⁰⁶ Notably, documents forming part of the relevant, seized collections and/or their contents have been authenticated by witnesses,¹⁰⁷ which buttress the authenticity of the collections as a whole, also

with the General Staff, at the house of Jakup KRASNIQI's father. See U015-8743-U015-9047 / U015-8743-U015-8935-ET Revised 1, p.U015-8829-U015-8830.

¹⁰⁵ As indicated for relevant items in Annex 1, such Proposed Exhibits were then provided to the SITF/SPO by the ICTY/IRMCT. Proposed Exhibits collected in the context of prior criminal investigations and proceedings, including by the ICTY, are admissible, provided they satisfy the requirements of the Rules. See Article 37(1), (3)(c).

¹⁰⁶ See e.g. 095843-095872 RED / 095845-095862-ET RED, pp.095849-095850 concerning the following Proposed Exhibits found in Abri e Epërme, Baicë and Zhilivodë: Annex 1: items 34 (095979-095989), 31 (096039-096074), 33 (096077-096080), 9 (096083-096085), 25 (096500-096519), 84 (096521-096534), 22 (096746-096747); 95843-095872 RED / 095845-095862-ET RED, pp.095850-095855 concerning the following Proposed Exhibits found in Likoc: Annex 1: items 53 (097040-097045), 38 (097047-097056), 65 (097138-097138), 64 (097141-097141), 63 (097149-097157), 41 (097160-097161), 39 (097179-097179), 2 (097181-097182), 66 (097195-097198), 46 (097209-097209), 58 (097239-097241), 83 (097963-097997), 29 (098249-098291), 67 (098294-098304), 59 (098394-098397), 45 (098400-098401), 69 (098585-098605), 82 (098615-098626); 95843-095872 RED / 095845-095862-ET RED, pp.095855-095856 concerning the following Proposed Exhibits found in Llaushë: Annex 1: items 30 (098634-098660), 3 (098663-098665), 11 (098668-098669), 52 (098672-098672), 12 (098679-098691), 60 (098705-098717); ICTY, *Prosecutor v. Haradinaj et al.*, IT-04-84-T, Prosecution's Submission of Chain of Custody Information for Exhibits Tendered through Bislim Zyrap, 7 November 2007, Annex A (Investigator Declaration), paras 6, 13 (concerning documents provided to the SPO by the ICTY/IRMCT and falling in ERN range U000-0287-U002-3928). While the SPO has not tendered these documents, it relies on them in support of its submissions concerning provenance and authenticity, considering that the Panel may request such information. See Conduct of Proceedings Order, KSC-BC-2020-06/F01226/A01, para.46. IRMCT and ICTY Chambers have considered party submissions concerning provenance, without the supporting documents having been tendered or admitted. See e.g. IRMCT, *Prosecutor v. Stanišić and Simatović*, MICT-15-96-T, Decision on Submissions Regarding Exhibits Marked for Identification, 22 February 2021, p.5; ICTY, *Prosecutor v. Mladić*, IT-09-92-T, Decision on Prosecution Motion to Admit Evidence from the Bar Table: Foča Municipality, 14 November 2013, para.12; ICTY, *Prosecutor v. Stanišić and Simatović*, IT-03-69-T, Decision on Prosecution's Second Motion for Admission of Exhibits from the Bar Table, 10 March 2011, paras 19-20, 27; ICTY, *Prosecutor v. Haradinaj et al.*, IT-04-84-T, Decision on Prosecution's Motion to Tender Documents on its Rule 65 *ter* Exhibit List, 30 November 2007, para.14.

¹⁰⁷ See e.g. Annex 1 (and the related authenticity and relevance/probative value columns of the following items): items 50A (SPOE00225147-SPOE00225147 / SPOE00225147-SPOE00225147-ET Revised), 70 (U017-3734-U017-3734 / U017-3734-U017-3734-ET), 72 (U017-3739-U017-3788 / U017-3739-U017-3739-ET, U017-3740-U017-3760-ET, U017-3761-U017-3761-ET, U017-3762-U017-3788-ET), 82 (098615-098626 / 098615-098626-ET Revised), 84 (097963-097997 / 097963-097997-ET Revised), 85 (SITF00033376-SITF00033379 / SITF00033376-SITF00033376-ET Revised, SITF00033378-SITF00033378-ET). See also Prosecution motion for admission of Llap Zone documents and related request, KSC-BC-2020-06/F02178, 14 March 2024, para.21, fn.101.

considering the multiple indicia of authenticity on the face of the documents and their mutually corroborative nature.

C. THE PROBATIVE VALUE OF THE PROPOSED EXHIBITS IS NOT OUTWEIGHED BY ANY PREJUDICE

22. As the Proposed Exhibits are *prima facie* authentic, reliable, and relevant, they have probative value. No prejudice outweighs such probative value. The Defence has had and will have ample opportunity to address and make submissions concerning the Proposed Exhibits, put their contents to witnesses, and lead evidence to the contrary.¹⁰⁸ At the end of the trial, the Panel will assess what weight to assign any admitted exhibits in light of the entire record.¹⁰⁹

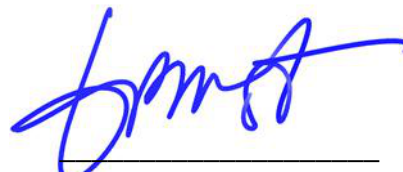
III. CLASSIFICATION

23. Annex 1 is confidential to give effect to existing protective measures and to safeguards the interests and privacy of third parties. Annex 2 contains information redacted from the public version of the Indictment. For each Proposed Exhibit, the proposed classification is indicated in Annex 1, justifying confidential classification, where appropriate.¹¹⁰

IV. RELIEF REQUESTED

24. For the foregoing reasons, the Panel should admit the Proposed Exhibits.

Word count: 5137



Kimberly P. West

Specialist Prosecutor

Tuesday, 16 April 2024

At The Hague, the Netherlands.

¹⁰⁸ See, *similarly*, Sixth Decision, KSC-BC-2020-06/F01983, paras 32, 87, 97, 105, 113, 121.

¹⁰⁹ Sixth Decision, KSC-BC-2020-06/F01983, para.129.

¹¹⁰ See First Decision, KSC-BC-2020-06/F01409, para.22.