



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2020-06

**The 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 Guénaél Mettraux

Judge Fergal Gaynor, Reserve Judge

**Registrar:** Fidelma Donlon

**Date:** 18 October 2024

**Language:** English

**Classification:** Public

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**Public Redacted Version of**

**Decision on Prosecution Request for Rule 107 Measures for Witnesses**

**[REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]**

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**Specialist Prosecutor**

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**TRIAL PANEL II** (“Panel”), pursuant to Articles 23, 35(2), 40(2) and (6), and 58 of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rules 80, 107, 116(1) and (4), 141 and 144 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

## I. PROCEDURAL BACKGROUND

1. On 27 September 2024, the Specialist Prosecutor’s Office (“SPO”) filed a request for Rule 107 measures in respect of the testimony of [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] (“Request”).<sup>1</sup>
2. On 9 October 2024, the Defence teams for the four Accused (collectively “Defence”) filed a joint consolidated response to the Request (“Response”).<sup>2</sup>
3. On 14 October 2024, the Registry filed its assessment regarding SPO’s request for video-conference testimony for [REDACTED], [REDACTED], and [REDACTED] (“Registry Assessment”).<sup>3</sup>
4. On 15 October 2024, the SPO filed its reply (“Reply”).<sup>4</sup>

## II. SUBMISSIONS

### A. REQUEST

5. The SPO requests the Panel to order necessary and proportionate measures,

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<sup>1</sup> F02603, Specialist Prosecutor, *Prosecution Request for Rule 107 Measures for Witnesses* [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED], 27 September 2024, confidential (a public redacted version was on the same day, F02603/RED).

<sup>2</sup> F02630, Specialist Counsel, *Joint Defence Response to Prosecution Request for Rule 107 Measures for Witnesses* [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED], 9 October 2024, confidential (a public redacted version was on 16 October 2024, F02630/RED).

<sup>3</sup> F02649, Registry, *Registry Assessment Regarding Specialist Prosecutor’s Request for Video Conference Testimony for Witnesses* [REDACTED], [REDACTED], and [REDACTED], 14 October 2024, confidential and *ex parte* (a confidential redacted version was filed on the same day, F02649/CONF/RED; a corrected version of a confidential redacted version was filed on 17 October 2024, F02649/CONF/RED/COR; and a public redacted version was filed on 17 October 2024, F02649/RED).

<sup>4</sup> F02654, Specialist Prosecutor, *Prosecution Reply Relating to its Rule 107 Request (F02603)*, 15 October 2024, confidential (a public redacted version was filed on the same day, F02654/RED)

including protective measures and video-conference testimony for [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] (“Witnesses”).<sup>5</sup> The Witnesses are [REDACTED]<sup>6</sup> of [REDACTED] (“Rule 107 Provider”). The Rule 107 Provider has authorised the Witnesses’ testimony and/or admission of their evidence in writing subject to certain conditions.<sup>7</sup>

6. In line with the Rule 107 Provider’s conditions, the SPO requests that: (i) the Witnesses be identified only by an assigned pseudonym; (ii) their names and identifying information be redacted from the Kosovo Specialist Chambers’ (“KSC”) public records; (iii) any records identifying the Witnesses or [REDACTED] not be disclosed to the public; (iv) the Witnesses testify with face and voice distortion and in private session for any in-court discussion or testimony identifying them (collectively, “Protective Measures”).<sup>8</sup> The SPO further requests that [REDACTED], [REDACTED], and [REDACTED] testify by video-conference (“VTC”) from an appropriate location in [REDACTED] (“VTC Request”).<sup>9</sup> In addition, and in order to effectuate the conditions of the Rule 107 Provider, the SPO requests that: (i) a [REDACTED] representative be permitted to be present during the Witnesses’ testimony, including preparation sessions; and (ii) the [REDACTED] authorities have the opportunity to review any private session testimony before it is reclassified as public (“Additional Measures”, collectively “Measures”).<sup>10</sup> The SPO submits that for [REDACTED], a further set of restrictions applies which are consistent with those applied by the Rule 107 Provider—[REDACTED].<sup>11</sup>

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<sup>5</sup> Request, para. 1.

<sup>6</sup> [REDACTED]. See also Request, para. 2, fn. 6.

<sup>7</sup> Request, para. 2

<sup>8</sup> Request, para. 39(i)-(iv).

<sup>9</sup> Request, paras 3(v), 7.

<sup>10</sup> Request, para. 3(vi)-(vii).

<sup>11</sup> The further set of restrictions include the continuation of protective measures name and any identifying information not be disclosed to the public or included in any public records. Request, para. 3, referring to [REDACTED].

7. The SPO further submits that the requested measures are necessary in light [REDACTED], and to safeguard [REDACTED].<sup>12</sup> The SPO argues that: (i) [REDACTED];<sup>13</sup> (ii) the Accused's network of supporters, including former subordinates, and their ability to identify and interfere with witnesses, as well as the prevailing climate of witness intimidation in Kosovo, are well-established and warrant requested protective measures;<sup>14</sup> and (iii) [REDACTED], [REDACTED], and [REDACTED] have all [REDACTED].<sup>15</sup>

8. The SPO avers that the requested measures are proportionate and there will be no prejudice incurred to the Defence, which will be able to fully cross-examine the witnesses concerned.<sup>16</sup>

#### B. RESPONSE

9. The Defence opposes the application in part and argues that: (i) reliance on Rule 107 does not give a "carte blanche" to the SPO or a Rule 107 Provider to require, and be granted, any protective measures it wants;<sup>17</sup> and (ii) Rule 107 does not allow the Witnesses to testify completely anonymously about any subject, but only about the material or information that was provided to the SPO under Rule 107.<sup>18</sup> Therefore, the fact that these Witnesses have some knowledge [REDACTED] does not warrant their full anonymity from the public.<sup>19</sup> The Defence further argues that many [REDACTED] witnesses testified publicly [REDACTED] and [REDACTED], who is scheduled to testify in the current proceedings about, *inter alia*, [REDACTED], does not benefit from any protective measure at this stage.<sup>20</sup> The Defence further argues that the nature of [REDACTED] does not warrant the

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<sup>12</sup> Request, para. 5.

<sup>13</sup> Request, para. 5.

<sup>14</sup> Request, para. 5.

<sup>15</sup> Request, para. 5.

<sup>16</sup> Request, paras 2, 6.

<sup>17</sup> Response, para. 1.

<sup>18</sup> Response, para. 5.

<sup>19</sup> Response, para. 5.

<sup>20</sup> Response, para. 6.

protective measures sought.<sup>21</sup>

10. In relation to the VTC Request, the Defence argues that the SPO has failed to justify its request for video-conference testimony, as the SPO does not maintain that the Witnesses have health or family circumstances or that they would be put at risk by coming to The Hague.<sup>22</sup>

11. The Defence does not oppose the presence during testimony of a representative of the Rule 107 Provider but maintains that: (a) if such testimony takes place via video link, the [REDACTED] should always be visible on the screen; and (ii) the [REDACTED] should not attend the Witnesses' preparation sessions.<sup>23</sup>

12. The Defence also objects to the SPO request that the Rule 107 provider have the opportunity to review any private session testimony before it is reclassified as public. The Defence argues that the review would encroach on the Panel's powers under Rules 80 and 84(1) of the Rules.<sup>24</sup>

### C. REPLY

13. The SPO replies that the objections in the Response rely on a misapplication of Rule 107 and are therefore without merit.<sup>25</sup> The SPO submits that: (a) it is the prerogative of the Rule 107 Provider to invoke Rule 107 and request conditions under that Rule at its discretion;<sup>26</sup> (b) the SPO and the Rule 107 Provider are under no obligation to provide additional justifications for the conditions;<sup>27</sup> and (c) the conditions are an appropriate means of giving effect to Rule 107(1) and (3)-(4), and will not undermine the Accused's rights or cause prejudice to the Defence.<sup>28</sup>

14. The SPO further replies that exclusion of the [REDACTED] from the

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<sup>21</sup> Response, para. 6.

<sup>22</sup> Response, para. 11.

<sup>23</sup> Response, para. 12.

<sup>24</sup> Response, para. 13.

<sup>25</sup> Reply, para. 1.

<sup>26</sup> Reply, para. 3.

<sup>27</sup> Reply, para 3.

<sup>28</sup> Reply, para 4.

preparation sessions is unwarranted and without justification.<sup>29</sup> The SPO submits that the representative's presence during the preparation sessions ensures that the Rule 107 Provider's confidentiality interests are protected.<sup>30</sup>

#### D. REGISTRY ASSESSMENT

15. The Registry finds it feasible to conduct the testimony of the witnesses concerned via video-conference.<sup>31</sup>

### III. DISCUSSION

16. The SPO filed the Request prior to the Panel's decision on the SPO's "consolidated Rule 153 motion for [REDACTED] and [REDACTED] and a Rule 154 motion for [REDACTED], [REDACTED], and [REDACTED]".<sup>32</sup> In that decision, the Panel permitted [REDACTED], [REDACTED] and [REDACTED] to testify pursuant to Rule 154, and denied the SPO's request that [REDACTED]'s proposed evidence be admitted pursuant to Rule 153, without prejudice to the SPO calling [REDACTED] to testify live, or making an application under Rule 154.<sup>33</sup> The Panel will therefore address the Request on the basis that the SPO intends to call [REDACTED], [REDACTED], and [REDACTED] to testify, and may also request that [REDACTED] will testify before the KSC.

#### A. PROTECTIVE MEASURES

17. The Panel recalls that publicity of proceedings is a fundamental right of the Accused under Article 21(2) of the Law and a necessary component of a fair trial.<sup>34</sup> This right is not absolute and is subject to exceptions, including those associated with the protection of victims and witnesses, as stipulated by Articles 21(2)

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<sup>29</sup> Reply, para. 5.

<sup>30</sup> Reply, para. 5.

<sup>31</sup> Registry Assessment, para. 17.

<sup>32</sup> [REDACTED].

<sup>33</sup> [REDACTED].

<sup>34</sup> See e.g. European Court of Human Rights ("ECtHR"), *Riepan v. Austria*, no. 35115/97, [Judgment](#), 14 November 2000, para. 27; *Krestovskiy v. Russia*, no. 14040/03, [Judgment](#), 28 October 2010, para. 24; *Sutter v. Switzerland*, no. 8209/78, [Judgment](#), 22 February 1984, para. 26

and 23.<sup>35</sup> Rule 80(1) further provides that, consistent with Article 23(1), a Panel may, *proprio motu* or upon request by a Party, the Witness Protection and Support Office, a witness, or Victims' Counsel, where applicable, order appropriate measures for the protection, safety, physical and psychological well-being, dignity and privacy of witnesses, victims participating in the proceedings and others at risk on account of testimony given by witnesses, provided that the measures are consistent with the rights of the Accused.

18. As this Panel has previously held, a party seeking protective measures for one or more of its witnesses for reasons of security must demonstrate that there is a real likelihood that the person for whom the protective measures are sought may be in danger, or at risk of being interfered with or intimidated.<sup>36</sup> This requires proof of some objective basis underlying the claim that the safety or security of the individual concerned is at risk.<sup>37</sup>

19. In assessing whether the SPO has established these requirements, the Panel has considered several factors, including the particular and sensitive nature of [REDACTED], [REDACTED], [REDACTED], the SPO's submission that [REDACTED], the general climate of witness interference and intimidation prevailing in Kosovo, and the SPO's submission that [REDACTED], [REDACTED], and [REDACTED] have all expressed concerns about retribution on account of

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<sup>35</sup> F00133/COR, Corrected Version of *First Decision on Specialist Prosecutor's Request for Protective Measures*, 14 December 2020, strictly confidential and *ex parte*, para. 114. A confidential redacted version was issued the same day (citing ICC, *Prosecutor v. Ongwen*, [ICC-02/04-01/15-612-Red](#), Trial Chamber IX, *Decision on the 'Prosecution Application for In-Court Protective and Special Measures'*, 29 November 2016, para. 5; *Prosecutor v. Bemba Gombo et al.*, [ICC-01/05-01/13-1306](#), Trial Chamber VII, *Decision on Prosecution Request for In-Court Protective Measures*, 28 September 2015, para. 3).

<sup>36</sup> KSC-BC-2020-07/F00303, Trial Panel II, *Decision on the Prosecution Request for Protective Measures* ("Decision of 7 September 2021"), 7 September 2021, para. 11.

<sup>37</sup> Decision of 7 September 2021, para. 11 (citing, *inter alia*, ICTY, *Prosecutor v. Popović et al.*, IT-95-5/18-T, [Decision on Urgent Prosecution Motion for Additional Protective Measures for Witness KDZ084](#), 10 May 2012, p. 3; *Prosecutor v. Bošković*, IT-04-82-T, *Decision on Prosecution's Motion for Protective Measures*, 2 May 2007, para. 2; ICTR, *Prosecutor v. Simba*, ICTR-01-76-I, [Decision on Defence Request for Protection of Witnesses](#), 25 August 2004, para. 5).

their cooperation in these proceedings.<sup>38</sup> The Panel has also accounted for the fact that the measures requested do not in any way restrict the ability of the Defence to question the said witnesses.

20. Having considered these factors, the Panel finds that an objective basis exists for the conclusion that disclosure of the identity of the Witnesses or their association with [REDACTED] to the public would pose a risk to the interests outlined above.

21. Regarding the necessity of the requested Protective Measures, the Panel notes the general climate of witness interference and intimidation relating to criminal proceedings against former KLA members, which results in the risk of intimidation or interference for witnesses and/or their family members as well as interferences with the dignity and privacy of those concerned.<sup>39</sup> Further, the Panel finds that no less restrictive measures would sufficiently address the security concerns associated with the Witnesses. As such, the Panel finds that the Protective Measures are necessary.

22. The Panel notes that the Protective Measures would not deny the Accused's knowledge of the identities of the Witnesses as their identities have been disclosed to the Defence by the SPO,<sup>40</sup> and does not materially limit the ability of the Defence to question them, and therefore no prejudice is caused to the Defence. The Panel finds that the Protective Measures sought by the SPO are consistent with the effective protection of the rights of the Accused and proportionate in light of the demonstrated need for protection of the Witnesses.

23. The Panel therefore grants the SPO's request for the Protective Measures.

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<sup>38</sup> Request, para. 5.

<sup>39</sup> KSC-BC-2020-05, F00494/RED/COR, Trial Panel I, *Corrected Version of Public Redacted Version of Trial Judgment*, 24 January 2023, para. 57; KSC-BC-2020-07, F00611/RED, Trial Panel II, *Public Redacted Version of Trial Judgment*, 18 May 2022, para. 577.

<sup>40</sup> See Request, para. 6.



## B. VTC REQUEST

24. The Panel will address the SPO's request for video-conference testimony only in respect of [REDACTED], [REDACTED], and [REDACTED].

25. The Panel recalls that it has discretion to authorise testimony by means of video-conference when the criteria of Rule 144 are met, although the presence of a witness in court remains the preferred option.<sup>41</sup>

26. When considering whether to allow video-conference testimony, a number of factors may be considered, including: (i) the location; (ii) personal and health situation of the witness; (iii) the availability and security of the witness; and (iv) the complexity and duration of any logistical travel and other arrangements to be made.<sup>42</sup>

27. The Panel notes the SPO's submission that the sensitive nature of [REDACTED],<sup>43</sup> and that the expected duration of direct examination of [REDACTED], [REDACTED], and [REDACTED] is one hour each.<sup>44</sup>

28. The Panel notes the Registry Assessment that it is feasible to conduct the

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<sup>41</sup> See e.g., F02396, Panel, *Decision on Prosecution Request for the Video-Conference Testimony of W04445 and W04501*, 20 June 2024, public, para. 6; F02308, Panel, *Decision on Prosecution Request for Video-Conference Testimony for W04305 and Related Request*, 14 May 2024, confidential, para. 8 (a public redacted version was filed on the same day, F02308/RED); F02181, Panel, *Decision on Prosecution Request for Video-Conference Testimony for W04571*, 15 March 2024, public, para. 7; F01851, Panel, *Decision on Prosecution Request for Video-Conference Testimony for W04448 and Related Matters*, 11 October 2023, para. 9 (a public redacted version was filed on the same day, F01851/RED); F01776, Panel, *Decision on Prosecution Request for Video-Conference Testimony for W03827* ("8 September 2023 Decision"), 8 September 2023, confidential, para. 12 (a public redacted version was filed on 1 November 2023, F01776/RED); KSC-BC-2020-07, Transcript of Hearing, 14 January 2022, p. 3034, lines 2-5. See also ICTY, *Prosecutor v. Tadić*, IT-94-1-T, Trial Chamber II, [Decision on the Defence Motions to Summon and Protect Defence Witnesses, and on the Giving of Evidence by Video-Link](#), 25 June 1996, para. 19.

<sup>42</sup> 8 September 2023 Decision, para. 12; KSC-BC-2020-07, Transcript of Hearing, 14 January 2022, p. 3034, lines 6-10. See similarly KSC-BC-2020-04, F00482/RED, Trial Panel I, *Public Redacted Version of Decision on the Specialist Prosecutor's Request for Video-Conference Testimony for TW4-04, TW4-10 and TW4-11*, 13 April 2023, paras 13-14.

<sup>43</sup> Request, para. 5.

<sup>44</sup> Request, para. 7. See also CRSPD627, Email from Thaci Defence team to CMU regarding Thaci Defence Revised Cross-Estimates - [REDACTED], [REDACTED], and [REDACTED], 17 October 2024, confidential, in which Thaci Defence notifies the Panel that reduces its cross-examination estimates for [REDACTED], [REDACTED], and [REDACTED], to 10 minutes each.

testimony of [REDACTED], [REDACTED], and [REDACTED] via video-conference from the appropriate location with the necessary logistical, technical, and security arrangements, including the implementation of in-court protective measures.<sup>45</sup>

29. The Panel also notes the Defence argument that the SPO has failed to justify its request for video-conference testimony.<sup>46</sup>

30. Having carefully considered the Request, the Panel is satisfied that the SPO has established that the specific situation of [REDACTED], [REDACTED], and [REDACTED] warrant video-conference testimony. The Panel notes that the information-provider has asked that these witnesses testify via video-conference.<sup>47</sup> In light of their roles and functions and the limited expected time of testimony, the request is not unreasonable. The Panel found above that there are objective risks to the security and safety of these witnesses, which the Panel considers can be addressed effectively in this case by this means of testimony.<sup>48</sup> Additionally, the Panel is satisfied that video-conference testimony will cause no prejudice to the Accused and is compatible with the effective protection of their rights, as the witnesses will be examined under the same conditions as those in the courtroom. Notably, the Panel, the Accused, the Parties and participants will be able to see and hear each witness testifying in real-time and will have the opportunity to ask them questions. The Panel also considers that receiving their testimony via video-conference might help expedite the proceedings.

31. The Panel therefore grants the SPO's request that [REDACTED], [REDACTED], and [REDACTED] testify via video-conference

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<sup>45</sup> Registry Assessment, para. 17.

<sup>46</sup> Response, paras 10-11.

<sup>47</sup> Request, para. 3.

<sup>48</sup> See Section III. A of this Decision.

### C. ADDITIONAL MEASURES

32. The Panel turns to the SPO request for authorisation of the presence of representatives of the Rule 107 Provider during the testimony before the KSC of any of the Witnesses (“First Measure”), the presence of representatives of the Rule 107 Provider during the preparation sessions of any of the Witnesses (“Second Measure”) and the request for authorisation of the review of any private session testimony of any of the Witnesses by the Rule 107 Provider before that testimony is reclassified as public (“Third Measure”). The Defence objects to the granting of the Second Measure and the Third Measure.<sup>49</sup>

33. As regards the necessity of the First Measure, the Panel observes that the presence of representatives of the Rule 107 Provider during the testimony of the Witnesses may be conducive to resolving any matters relating to the confidentiality and use of documents with any of the Witnesses who will testify before the KSC. Further, the Panel finds that no less restrictive measures would sufficiently address the security concerns associated with these Witnesses. As such, the Panel finds that the requested First Measure is necessary.

34. The Panel also finds that the First Measure is consistent with the effective protection of the Accused’s rights, and proportionate in light of the need for protection of the Witnesses. The Panel also finds that the First Measure effectively safeguards the interests of the Rule 107 Provider, and is compatible with the fundamental rights of the Accused. The Panel is satisfied that the First Measure is proportionate, and will request the representative of the Rule 107 Provider to be visible on the video-conference screen at all times during testimony.

35. Regarding the Second Measure, the Panel finds that the presence of the Rule 107 Provider’s representative during preparation sessions will be conducive to resolving any matters relating to the confidentiality and use of documents with

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<sup>49</sup> Response, para. 46.

the Witnesses in the same manner as the representative's presence during the Witnesses' testimonies before the KSC. The Panel recalls that, during the preparation session, the SPO remains bound to comply with the requirements set out in the Order on the Conduct of the Proceedings, and finds that the Defence has failed to demonstrate that the presence of the Rule 107 Provider's representative during preparation sessions would be incompatible with the fundamental rights of the Accused. The Panel therefore finds that the Third Measure is necessary and proportionate.

36. For these reasons, the Panel authorises the presence of the Rule 107 Provider's representative during the testimony and preparation sessions of the Witnesses.

37. The Panel turns to the Third Measure. The Panel notes the Defence objection that it is not the prerogative of the Rule 107 Provider to approve redactions after the hearings, as this would encroach on the Panel's powers under Rules 80 and 84(1) of the Rules.<sup>50</sup> The Panel notes that approval of any request for reclassification of any private session testimony remains solely within the power of the relevant Panel or Judge.<sup>51</sup> Nevertheless, nothing prevents the Panel from receiving submissions regarding the redaction of transcripts of hearings from the Rule 107 Provider, and then permitting the Parties and participants to respond to those submissions.

38. As regards the necessity of the Third Measure, the Panel observes that it provides the Rule 107 Provider with an opportunity to make submissions on the redaction of information affecting its interests, and may also assist the Panel in ensuring that that no identifiable information, either regarding the identities of the Witnesses or their connection to the [REDACTED], will be disclosed to the public. The Panel notes that only the Rule 107 Provider can make meaningful submissions as to what might affect its interests, and finds that the Third Measure

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<sup>50</sup> Response, para. 13.

<sup>51</sup> Rule 84 of the Rules.

is necessary and that there are no other less restrictive measures available to achieve the same goal.

39. As regards the proportionality of the Third Measure, the Panel considers that the Third Measure safeguards the interests of the Rule 107 Provider as well as those of the witnesses and is compatible with the fundamental rights of the Accused, who will have an opportunity to respond to any request for redaction made by the Rule 107 Provider. The Panel will make the final determination as to the classification of the records of testimony and any redaction to the record, ensuring that the rights of the Accused are effectively safeguarded. The Panel is therefore satisfied that the Third Measure is proportionate.

40. The Panel clarifies that the Rule 107 Provider's Representative will be provided with the transcript of the testimony of any of the Witnesses conducted in private session once the transcript is available, and the Rule 107 Provider's Representative will be given an opportunity to indicate what information it considers should be redacted from any public record.

41. For these reasons, the Panel authorises the review of any private session testimony of any of the Witnesses by the Rule 107 Provider before it is reclassified as public.

#### IV. DISPOSITION

42. For these reasons, the Panel hereby:

- a) **ORDERS** the following protective measures for [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]:
  - (i) use of a pseudonym;
  - (ii) redaction of the witnesses' names and identifying information from the KSC's public records;

- (iii) non-disclosure to the public of any records identifying the witnesses or [REDACTED];
- (iv) for those witnesses who testify before the KSC, face and voice distortion and private session for any in-court discussion or testimony identifying them;
- b) **AUTHORISES** [REDACTED], [REDACTED], and [REDACTED] to testify via video-conference;
- c) **ORDERS** the Registry to make the necessary arrangements for [REDACTED], [REDACTED], and [REDACTED]'s testimony via video-conference,
- d) **AUTHORISES** the presence of representatives of the Rule 107 Provider during the in-court testimony of any of [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]; and
- e) **AUTHORISES** the review of any private session testimony of any of [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] by the Rule 107 Provider before it is reclassified as public.



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**Judge Charles L. Smith, III**  
**Presiding Judge**

Dated this Friday, 18 October 2024

At The Hague, the Netherlands.