

**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 Guénaël Mettraux  
Judge Fergal Gaynor, Reserve Judge

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Victims' Counsel

**Date:** 13 November 2024

**Language:** English

**Classification:** Public

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**Public Redacted Version of Victims' Counsel's Request for resumption of action  
initiated by V254/06 with one strictly confidential and *ex parte* Annex**

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## I. INTRODUCTION

1. Pursuant to Article 22(3) and (6) of the Law on Specialist Chambers and Specialist Prosecutor's Office (Law No. 05/L-053) ("Law"), and Rule 114(4)(a) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"), Victims' Counsel requests the resumption of action initiated by deceased victim V254/06 by [REDACTED].
2. There is no doubt that V254/06 is deceased, and that [REDACTED] was a close relation of his and is therefore allowed to pursue his participation in the proceedings before the Specialist Chambers. Therefore, this request should be granted.

## II. CLASSIFICATION

3. Pursuant to Rule 82(1) and (3) of the Rules, this request is classified as strictly confidential and *ex parte* as it contains information that could lead to the identification of [REDACTED]. The Annex is classified as strictly confidential and *ex parte* as it consists of documents that identify [REDACTED]. A public redacted version of the request is filed simultaneously.

## III. PROCEDURAL HISTORY

4. On 20 October 2022, the Registry filed its ninth report transmitting victims' applications, including the application of V254/06.<sup>1</sup>
5. On 15 February 2023, the Trial Panel granted V254/06's application and admitted this victim to participate in the proceedings in the *Thaçi et al.* case.<sup>2</sup>
6. Victims' Counsel has been informed that V254/06 passed away on [REDACTED] and further that [REDACTED] wished to resume the action initiated by V254/06.

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<sup>1</sup> KSC-BC-2020-06/F01046, Ninth Registry Report to the Pre-Trial Judge on Victims' Applications for Participation in the Proceedings, 20 October 2022, with strictly confidential and *ex parte* Annexes 1-16 ("Ninth Registry Report").

<sup>2</sup> F01293, Fifth Decision on Victims' Participation, 14 February 2023, paras 16(b), 20(b), 47(a) and fn. 36 ("Fifth Decision on Victims' Participation").

## IV. SUBMISSIONS

### *a. Victims' Counsel's Standing*

7. Victims' Counsel was assigned to represent the interests of V254/06.<sup>3</sup> Therefore, Victims' Counsel has standing to submit this request directly to the Trial Panel as it pertains to continuation of the action initiated by the deceased VPP and aims at ensuring that the harm suffered by V254/06 is determined and recognised.

### *b. A closely-connected individual of a deceased victim may resume the action initiated by a VPP who died before the completion of the proceedings*

8. This Panel has interpreted "the participatory rights of victims in Rules 113 and 114 so as to extend to a participating victim's heirs in the event of death. Supporting this interpretation is Article 22(3) of the Law, which provides that victims have the right to notification, acknowledgement, and reparation".<sup>4</sup> The Panel has further explained that "the right of acknowledgement requires that the harm suffered by the victim is recognised".<sup>5</sup> As noted by the Panel, in order to guarantee this right, relatives of deceased victims or closely-connected individuals may participate in their place.<sup>6</sup> The Panel adopted the approach of the Pre-Trial Judge that for the relatives or closely-connected individuals to stand in for a deceased VPP they must provide evidence that (i) the victim is deceased and (ii) their relationship with the deceased.<sup>7</sup>

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<sup>3</sup> Fifth Decision on Victims' Participation, para. 47(c).

<sup>4</sup> F01834/RED, Public Redacted Version of Decision on Victims' Counsel's Request for Resumption of Action on Behalf of V252/06 by Relatives, 4 October 2023, para. 6; F01692/RED/COR, Corrected Public Redacted Version of Decision on Victims' Counsel's Request for Resumption of Action on Behalf of V131/06 by an Immediate Family Member, 21 July 2023, para. 6.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid., para. 7.

*c. Evidence pertaining to the resumption of action on behalf of V254/06*

9. [REDACTED] has provided the documents in the Annex to prove the death of V254/06 and their relationship to the victim.
10. Victims' Counsel submits that the documents provided by [REDACTED] are sufficient proof of the death of V254/06 as well as of their close relationship with the deceased victim. Therefore, it is submitted that [REDACTED] should be permitted to resume the action initiated by V254/06.

**V. RELIEF REQUESTED**

11. Victims' Counsel respectfully asks the Trial Panel to grant this request and allow [REDACTED] to resume the action of V254/06.

**Word count: 673**



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Counsel for Victims**



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**Maria Radziejowska  
Co-Counsel for Victims**

13 November 2024

At The Hague, the Netherlands.