



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: 30 January 2025

Language: English

Classification: Public

**Public Redacted Version of
Decision on Victims' Counsel's Urgent Request on Behalf of Victim 84/06**

Specialist Prosecutor

Kimberly P. West

Counsel for Hashim Thaçi

Luka Mišetić

Counsel for Victims

Simon Laws

Counsel for Kadri Veseli

Rodney Dixon

Counsel for Rexhep Selimi

Geoffrey Roberts

Counsel for Jakup Krasniqi

Venkateswari Alagendra

TRIAL PANEL II (“Panel”), pursuant to Articles 21(2), 23 and 40(2) and (6)(f) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rules 80 and 81 of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

I. PROCEDURAL BACKGROUND

1. On 12 December 2022, the Pre-Trial Judge granted Victim 84/06’s application to participate in these proceedings and ordered the protective measure of anonymity towards the public and the Parties.¹
2. On 24 January 2025, Victims’ Counsel filed an urgent request on behalf of Victim 84/06 for partial variation of protective measures (“Request”).²
3. The Parties indicated that they do not intend to respond to the Request.³

II. SUBMISSIONS

4. Victims’ Counsel requests the Panel to vary the protective measures granted to Victim 84/06 in order to permit him to disclose his status as a participating victim to [REDACTED].⁴ Victims’ Counsel asks that the present Request be considered urgently given that Victim 84/06 [REDACTED].⁵

¹ F01152, Pre-Trial Judge, *Fourth Decision on Victims’ Participation*, 12 December 2022, strictly confidential and *ex parte*, paras 73(a) and (e) (a public redacted version was filed on the same day, F01152/RED).

² F02859, Victims’ Counsel, *Urgent Victims’ Counsel’s Request on Behalf of Victim 84/06*, 24 January 2025, strictly confidential and *ex parte*, with strictly confidential and *ex parte* Annexes 1 and 2 (a public redacted version was filed on the same day and distributed on 27 January 2025, F02859/RED).

³ The Panel varied the time limit to respond and invited the Parties to make submissions by 29 January 2025, at 16:00. The Parties responded via email, *see* KSC-BC-2020-06, CRSPD724, 29 January 2025, confidential.

⁴ Request, paras 1, 13.

⁵ Request, paras 2, 7.

III. DISCUSSION

5. The Panel recalls that Victim 84/06 has been granted anonymity *vis-à-vis* the public and the Parties.⁶ The Panel notes that, according to Victims' Counsel: (i) [REDACTED]; (ii) [REDACTED]; (iii) [REDACTED]; (iv) [REDACTED];⁷ and (v) information about Victim 84/06's status as a participating victim in the proceedings would assist [REDACTED].⁸

6. The Panel further notes that the Request is limited in scope for the purposes of [REDACTED].⁹ The Panel also notes that, if authorised, Victim 84/06 intends to provide [REDACTED] with the proposed letter in Annex 2 to the Request.¹⁰ Lastly, the Panel observes that the Request is accompanied by Victim 84/06's written consent to the disclosure of his status as a participating victim to [REDACTED].¹¹

7. In light of the foregoing, the Panel finds that the personal circumstances of Victim 84/06, as outlined in the Request, constitute compelling reasons for the Panel to vary the protective measures and authorise the disclosure of Victim 84/06's status as a participating victim in these proceedings to [REDACTED]. The Panel considers such disclosure necessary to inform [REDACTED]. Mindful of the limited variation of the victim's protective measures *vis-à-vis* the public, the Panel also finds the Request proportionate.

8. Accordingly, the Panel grants the Request.

⁶ See *Supra* para. 1.

⁷ Request, para. 7.

⁸ Request, para. 9.

⁹ Request, para. 10.

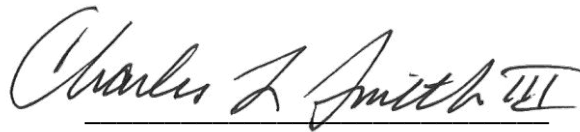
¹⁰ Request, para. 11. See also Annex 2 to the Request.

¹¹ See Annex 1 and Annex 2 to the Request.

IV. DISPOSITION

9. For the above-mentioned reasons, the Panel hereby:

- a) **GRANTS** the Request; and
- b) **VARIES** the protective measures granted to Victim 84/06 permitting him to reveal his status as a victim participating in the proceedings to [REDACTED].

A handwritten signature in black ink, reading "Charles L. Smith, III". The signature is written in a cursive style and is positioned above a horizontal line.

Judge Charles L. Smith, III

Presiding Judge

Dated this Thursday, 30 January 2025

At The Hague, the Netherlands.