



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 Guénaél Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor's Office

Date: 24 February 2025

Language: English

Classification: Public

Public Redacted Version of 'Prosecution request for protective measures in relation to items concerning [REDACTED] with strictly confidential and *ex parte* Annex 1'

Specialist Prosecutor's Office

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1. Pursuant to the Order on the Conduct of Proceedings,¹ Articles 21(6), 23, 35(2)(f), and 40(6)(f) of the Law,² and Rules 80, 102(3), 103, 108 and 116(4)(b) of the Rules,³ the Specialist Prosecutor's Office ('SPO') requests the Trial Panel to order necessary and proportionate protective measures, namely, authorisation to apply non-standard redactions to: (i) 113079-113079 ('SPO Official Note 1') and 123890-123890 ('Message to SPO'); (ii) 123891-123906 ('Intelligence Report'); (iii) [REDACTED]'s SPO Interview Transcript⁴ and SPOE00362796-SPOE00362796 ('Messages'); and (iv) 110948-110949 ('SPO Official Note 2') ('Request').⁵ Such authorisation is necessary in order not to reveal [REDACTED] location of residence and to give effect to previously authorised protective measures.⁶ In addition to being strictly necessary, the proposed protective measures are also proportionate, striking an appropriate balance between the Accused's rights and the need to ensure the protection of the Witness.

2. Consistent with the [REDACTED] Decision,⁷ the SPO conducted an interview with [REDACTED], the author of [REDACTED]. The Messages were obtained during this interview and contain exchanges between [REDACTED] and [REDACTED]. The Intelligence Report contains information concerning [REDACTED]'s background, including his criminal record. SPO Official Note 1 concerns an SPO contact with [REDACTED] following the Message to SPO; during this contact, [REDACTED] informed the SPO about [REDACTED].

3. The SPO intends to disclose these items following a further review of items related to [REDACTED] in light of the allegations contained in [REDACTED] and the

¹ Order on the Conduct of Proceedings, KSC-BC-2020-06/F01226/A01, 25 January 2023, paras 63-70.

² Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

³ 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.

⁴ [REDACTED].

⁵ Annex 1 reflects the proposed redactions.

⁶ [REDACTED].

⁷ [REDACTED].

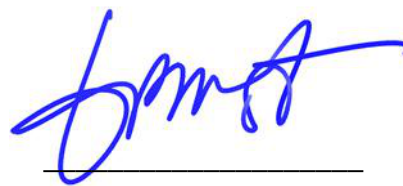
SPO's recent interview with [REDACTED].⁸ In line with the [REDACTED] Decision, the SPO seeks to redact [REDACTED]'s name and identifying information in these items, considering that information concerning [REDACTED] place of residence is still publicly available through simple open source searches.

4. SPO Official Note 2 contains information on security concerns reported by [REDACTED]. The SPO seeks to redact the names of certain individuals in this official note, as information concerning their place of residence is publicly available through open source searches, and/or potentially known by the Accused [REDACTED].⁹

5. The proposed redactions ensure that relevant information is provided to the Defence and cause no prejudice. At the same time, the proposed redactions would ensure [REDACTED]'s place of residence is not revealed to the Defence and Accused. The latter information is not subject to disclosure.¹⁰

6. This request is confidential while the Annex is strictly confidential and *ex parte* in accordance with Rules 80(3) and 82(4). A public redacted version of the request will be filed.

Word count: 595



Kimberly P. West

Specialist Prosecutor

Monday, 24 February 2025

At The Hague, the Netherlands.

⁸ Following the same review, a number of items not requiring any non-standard redactions will be added on the next Rule 102(3) list.

⁹ For the same reasons, the SPO seeks to redact the name of an individual at [REDACTED].

¹⁰ See Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2020-06/F00099, 23 November 2020, para.95(b).