



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: 23 April 2025

Language: English

Classification: Public

**Public Redacted Version of
Decision Approving Withdrawal of [REDACTED] from Participation as a Victim
in the Proceedings**

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 40(2) and 6(f) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rules 81(1)(a), 113(1), 114(1) and (4)(a) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

I. PROCEDURAL BACKGROUND

1. On [REDACTED], the Pre-Trial Judge granted [REDACTED] application and admitted the victim to participate in the proceedings.¹
2. On 17 March 2025, Victims’ Counsel filed a notification informing the Panel that [REDACTED] wished to withdraw as a victim participating in the proceedings (“Notification”).²

II. SUBMISSIONS

3. Victims’ Counsel submits that [REDACTED] no longer wishes to continue to participate as a victim in the proceedings due to safety concerns [REDACTED].³
4. Victims’ Counsel also submits that [REDACTED].⁴

III. APPLICABLE LAW

5. The Panel notes that the Rules do not expressly provide for the possibility for a victim authorised to participate in the proceedings to withdraw their

¹ [REDACTED]

² F03022, Victims’ Counsel, *Victims’ Counsel’s Notification of Withdrawal from Participation as a Victim of [REDACTED]*, 17 March 2025, strictly confidential and *ex parte*, with Annex, strictly confidential and *ex parte* (a public redacted version was filed on the same day, F03022/RED).

³ Notification, paras 1, 5, 8; Annex to the Notification.

⁴ Notification, para. 6.

participation. Nevertheless, in accordance with Rule 113(1), participation as a victim in proceedings before the Specialist Chambers must be understood as voluntary.⁵ In addition, Rule 114(4)(a) provides that, under the control of the Panel, Victims' Counsel may make oral written submissions whenever the personal interests of victims participating in the proceedings are affected.

IV. DISCUSSION

6. The Panel considers that victims should not be obliged to continue to take part in proceedings when they no longer wish to do so. The Panel notes in this regard that [REDACTED] wishes to withdraw from participation due to safety concerns [REDACTED].⁶

7. Before authorising the withdrawal of [REDACTED], the Panel will assess whether the notification of withdrawal formulated by the victim was voluntary and informed. The Panel observes in this regard that the declaration was duly signed by [REDACTED] on [REDACTED]⁷ and the Panel considers that nothing suggests that the declaration was anything but voluntary and informed.

8. The Panel also notes Victims' Counsel's request that [REDACTED].

V. DISPOSITION


9. For these reasons, the Panel hereby:

- a) **APPROVES** the withdrawal of [REDACTED] as a victim participating in the proceedings;
- b) **TERMINATES** [REDACTED] status as participating victim in the present proceedings; and
- c) **ORDERS** that [REDACTED].

⁵ [REDACTED].

⁶ Notification, para. 5 and footnote 4 and references contained therein; Annex to the Notification.

⁷ Annex to the Notification.

A handwritten signature in black ink, reading "Charles L. Smith, III". The signature is written in a cursive style with a horizontal line underneath it.

Judge Charles L. Smith, III

Presiding Judge

Dated this Wednesday, 23 April 2025

At The Hague, the Netherlands.