



**In:** KSC-BC-2018-01/IA006

**Before:** Court of Appeals Panel

Judge Michèle Picard

Judge Kai Ambos

Judge Nina Jørgensen

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Specialist Prosecutor's Office

**Date:** 13 May 2025

**Language:** English

**Classification:** Confidential and *Ex Parte*

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**Prosecution request for reclassification**

**with confidential and *ex parte* Annex 1**

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**Specialist Prosecutor's Office**

Kimberly P. West

**Counsel for Hashim Thaçi**

Luka Mišetić

**Counsel for Rexhep Selimi**

Geoffrey Roberts

1. Pursuant to Rule 82(1) and (5) of the Rules,<sup>1</sup> the Specialist Prosecutor's Office ('SPO') requests the reclassification and/or lifting of *ex parte* markings for the KSC-BC-2018-01/IA006 filings identified in Annex 1 (collectively, the 'SIM Appeal') in order to make them available in the Case 12 INV Subfolder to all Accused in the KSC-BC-2023-12 proceedings ('Case 12').<sup>2</sup>
2. There are specific and legitimate purposes for the request, namely: (i) the evidence obtained as a result of the investigative measures at issue in the SIM Appeal has been disclosed in Case 12; (ii) the legal and factual basis related to the investigative measures at issue and the jurisprudential developments of the SIM Appeal are relevant to Case 12; (iii) granting equal access would preserve the equality of arms since the SPO and the Defence for Hashim THAÇI already have access to the material; and (iv) granting equal access at this stage may ultimately facilitate fair and expeditious proceedings, and avoid the need for further access requests in the future.
3. This filing is submitted as confidential and *ex parte* in accordance with Rule 82(4). The SPO requests its reclassification as either confidential or public when considered appropriate by the Panel.

**Word count: 285**



**Kimberly P. West**

**Specialist Prosecutor**

Tuesday, 13 May 2025

At The Hague, the Netherlands

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<sup>1</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').

<sup>2</sup> The SPO notes that pursuant to the Single Judge's Order the filings listed in Annex 1 have already been transferred into the Case 12 INV subfolder (*see* Order for Transfer of Documents, KSC-BC-2023-12/INV/F00003, 27 January 2025). The SPO therefore requests that the Court of Appeals Panel orders the reclassification of the SIM Appeal filings in the Case 12 INV Subfolder in order to make them available to the Case 12 Accused.