

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: Dr Fidelma Donlon

Filing Participant: Victims' Counsel

Date: 4 July 2025

Language: English

Classification: Public

Victims' Counsel's Notification pursuant to F03232 and F03305

Specialist Prosecutor's Office
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I. INTRODUCTION

1. Pursuant to the orders contained in F03232¹ and F03305,² Victims' Counsel files this notification regarding (i) an updated estimate of the duration of the Victims' Case³ and (ii) whether Victims' Counsel intends to call Dr Lozano Parra, Ms Swen-van Langen, and/or Dr Lerz to testify.⁴

II. CLASSIFICATION

2. This submission is classified as public as it contains no confidential information.

III. PROCEDURAL HISTORY

3. On 23 April 2025, the Trial Panel ordered Victims' Counsel to submit, *inter alia*, "[o]ne, a list of proposed witnesses to be called should the Panel find that there is a case to answer; two, the statements and/or reports of these witnesses, if they exist, and summaries of the witnesses' proposed evidence as well as reasonable estimates for the anticipated time needed for direct examination of each proposed witness" by 28 May 2025.⁵
4. On 2 May 2025, Victims' Counsel submitted seven expert reports relevant to the harm suffered by the victims in this case.⁶ These were prepared by the *instituut voor Mensenrechten en Medisch Onderzoek* ("iMMO") (psychiatric/psychological harm suffered by victims participating in the proceedings, "VPPs") and Dr Stefan Lerz (material harm suffered by VPPs), including reports submitted in Cases 04 and 05 as well as reports prepared for Case 06.

¹ KSC-BC-2020-06/F03232, Revised Scheduling Order, 5 June 2025, 12(b) ("Revised Scheduling Order").

² F03305, Decisions on Victims' Counsel's Submission of Expert Reports and Request to Admit Them into Evidence, 3 July 2025, para. 45(g) ("Decision on Expert Reports").

³ Revised Scheduling Order, para. 9.

⁴ Decision on Expert Reports, paras 31, 41.

⁵ Oral Order, T. 23 April 2025, 26177:2-13.

⁶ F03160, Victims' Counsel's submission of expert reports with a request to admit them into evidence with eight confidential annexes, 2 May 2025.

5. On 28 May, Victims' Counsel requested that Karin Duhne-Prinsen and Dr Catherine Nicola Black from iMMO testify at the same time, together.⁷
6. On 5 June 2025, the Panel ordered Victims' Counsel to "submit an updated estimate of the duration of his case, should the Panel deny in whole or in part the upcoming Rule 130 Motion, and taking into consideration the Defence's cross-examination estimates, no later than Friday, 4 July 2025".⁸
7. On 10 June, the Defence filed its joint response and provided its Rule 149(2) Notice.⁹ On the same day, the SPO also filed a consolidated response to Victims' Counsel's submissions relating to the presentation of the Victims' Case.¹⁰
8. Victims' Counsel replied to the Defence Response on 16 June.¹¹
9. On 3 July, the Panel granted Victims' Counsel's request to hear Ms Duhne-Prinsen and Dr Black on 16 July 2025.¹² The Panel further ordered Victims' Counsel "to notify the Panel and the Parties by Monday, 7 July 2025 if he intends to call [Ms] Lozano Parra, Ms Swen-van Langen or Dr Lerz to testify."¹³

IV. SUBMISSIONS

10. Victims' Counsel respectfully provides the following information as ordered by the Panel.

A. Updated estimate of the duration of the Victims' Case

11. The live testimony called by Victims' Counsel will comprise of two expert witnesses, Ms Duhne-Prinsen and Dr Black. They will testify at the same time. Victims' Counsel reduces his time estimate for their evidence to two hours. The

⁷ F03029, Victims' Counsel's submission of witness and exhibit lists and related requests, 28 May 2025.

⁸ Revised Scheduling Order, para. 9

⁹ F03251, Joint Defence Response to 'Victims' Counsel's Submission of Expert Reports (F03160)' and Rule 149(2) Notice, 10 June 2025 ("Defence Response").

¹⁰ F03243, Prosecution Consolidated Response to Victims' Counsel's Submissions F03160, F03206, F03207, and F03208, 10 June 2025 ("Prosecution Response").

¹¹ F03265, Victims' Counsel's Reply to the "Joint Defence Response to 'Victims' Counsel's Submission of Expert Reports (F03160)' and Rule 149(2) Notice", 16 June 2025.

¹² Decision on Expert Reports, para. 45(b)-(d).

¹³ Decision on Expert Reports, para. 45 (g).

SPO¹⁴ and the Defence¹⁵ have indicated that they will take two and five hours respectively in cross-examination. The current estimate for the duration of the oral testimony in the Victims' Case is therefore nine hours.

B. No further requests for expert testimony

12. Victims' Counsel does not request that any of the three other expert witnesses are called. So far as Dr Lerz is concerned, an updated version of his report will be submitted at the reparations stage of the proceedings, in case of conviction.

Word count: 753



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4 July 2025
At The Hague, the Netherlands.

¹⁴ Prosecution Response, para. 2. Two hours was expressed as being the maximum duration of the SPO's cross-examination on the basis that it did not wish to cross-examine the expert witnesses, but reserved its right to do so if they testified.

¹⁵ Defence Response, para. 18.