

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 Guénaël Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Counsel for Kadri Veseli

Date: 17 November 2025

Language: English

Classification: Public

**Public Redacted Version of Veseli Defence Response to Thaci Defence
Request to Admit W04760's Evidence Pursuant to Rule 155 with Confidential
Annexes 1 and 2**

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I. SUBMISSIONS

1. The Defence for Mr Veseli (the “Defence”) hereby presents its response to the Thaci Defence request for the admission of the evidence of W04760 pursuant to Rule 155 (“Request”).¹
2. In its Request, the Thaci Defence requests the addition to its exhibit list of Associated Exhibit 3. Furthermore, it proposes:
 - a. The admission of only those portions of W04760’s SPO interview set out in Confidential Annex 1 and Associated Exhibit 3; or in the alternative
 - b. The admission of the entirety of W04760’s SPO interview, with the exception of those portions set out in Confidential Annex 2 which pertain to the acts and conduct of the Accused, and Associated Exhibit 3.
3. The Defence makes no submissions in respect of the applicable test under Rule 155. Whatever the outcome of that legal issue, however, the Defence submits that having proper regard to Mr Veseli’s right to confront witnesses against him pursuant to Article 21(4)(f) requires that a very cautious approach is taken to the admission of this evidence. That would mean that the relief proposed in paragraph 2(a) above must be ordered.
4. The Defence highlights that it had forecast a substantial amount of time to conduct its cross-examination of this witness. This is because the witness falsely implicates Mr Veseli in [REDACTED], and his evidence is intertwined with

¹ F03571, *Thaçi Defence Request Pursuant to Rule 155 with Confidential Annexes 1 and 2 Specialist Prosecutor’s Office*, 10 November 2025, confidential.

three witnesses – [REDACTED], [REDACTED], and [REDACTED] - who testified for the Prosecution about the same matter, and whose evidence is unfounded, contradictory, uncorroborated, and lacking any credibility. As such, any decision to admit the witness's evidence without his being made available for cross-examination runs the clear risk of causing serious and irreparable prejudice to Mr Veseli. Considering that the least prejudicial and safest course of action would be to admit only those portions identified in paragraph 2(a), the Defence submits that this must be the preferred relief, should the Panel find the requirements of Rule 155 to be met. It would be grossly unfair to admit any evidence concerning Mr Veseli without the right to confront and challenge that evidence through cross-examination particularly where this evidence is second hand hearsay, uncorroborated, riddled with inaccuracies and not credible.

5. Should the Trial Panel decide to grant the request for relief in paragraph 2(a) the Defence has identified three further lines from the proposed tender that it would request to be excluded on the basis that it pertains to the acts and conduct of the Accused, which is set out in **Confidential Annex 1** hereto. Alternatively, should the Trial Panel grant the request for relief in paragraph 2(b), the Defence would request a few further redactions which also pertain to the acts and conduct of the Accused, as set out in **Confidential Annex 2** hereto.

II. CONCLUSION

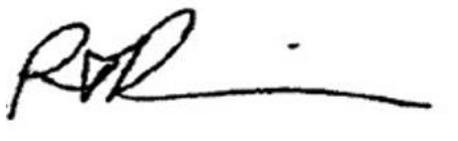
6. For the reasons set out above, should the Trial Panel decide to admit any portion of W04760's evidence, the Defence for Mr Veseli REQUESTS:

- As its primary submission, the admission is confined to the relief set out in paragraph 2(a) above and paragraph 30 of the Thaci Request, with the exclusion of the further excerpt identified in Confidential Annex 1; *or*
- Should the Trial Panel decide to grant the relief described in paragraph 2(b) above and paragraph 31 of the Thaci Request, that it further excludes the portions identified in Confidential Annex 2 to this Response.

[Word Count: 582]

Respectfully submitted on 17 November 2025,

The Hague, Netherlands



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