

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 Christoph Barthe
Judge Guénaél Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Kadri Veseli

Date: 4 December 2025
Language: English
Classification: Public

**Public Redacted Version of Veseli Defence Submissions Regarding Decision
F03607**

Specialist Prosecutor's Office
Kimberly P. West

Counsel for Victims
Simon Laws KC

Counsel for Hashim Thaçi
Luka Misetić

Counsel for Kadri Veseli
Rodney Dixon KC

Counsel for Rexhep Selimi
Geoffrey Roberts

Counsel for Jakup Krasniqi
Venkateswari Alagenda

1. The Defence for Mr Veseli (“Defence”) files this submission in light of the Trial Panel’s Decision of 2 December 2025, distributed 3 December 2025, in which it decided that, if the Thaci Defence maintains its request for the admission of W04760’s statement pursuant to Rule 155, it would admit the statement in its entirety without any redactions and without any cross-examination.¹
2. It is submitted that the Trial Panel’s Decision completely ignores the real potential for unfair and irreparable prejudice to Mr Veseli.² It invites no submissions from Mr Veseli to ascertain his position on the admission of the statement in full. This is despite Mr Veseli having made clear his view, in his response to the Thaci Request, that any decision to admit the evidence of W04760’s evidence absent cross-examination runs the risk of causing serious and irreparable prejudice to Mr Veseli.³ The admission of the statement in its entirety without cross-examination would be the most unfairly prejudicial outcome possible for Mr Veseli, and cannot be reconciled with the Trial Panel’s duty to ensure that admission is in the interests of justice, pursuant to Rule 155(2)(e). Accordingly, the Veseli Defence opposes the admission of the statement in full pursuant to Rule 155.
3. The remainder of W04760’s statement, which was not tendered for admission, contains numerous highly prejudicial statements concerning the witness’s purported conversations with other individuals about Mr Veseli’s alleged involvement in [REDACTED]. The prejudicial impact of admitting such statements without the ability to test their reliability and credibility in any way, including by inquiring into the circumstances of their purported making, is intolerably high and outweighs any probative value that the evidence may be

¹ F03607, *Decision on Thaçi Defence Request Pursuant to Rule 155*, 2 December 2025, confidential, para. 46.

² F03607, paras 40-41.

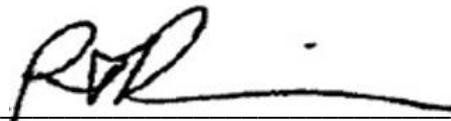
³ F03585, *Veseli Defence Response to Thaci Defence Request to Admit W04760’s Evidence Pursuant to Rule 155 with Confidential Annexes 1 and 2*, 17 November 2025, confidential, para. 4.

said to hold. The potential for unfair prejudice is particularly pertinent where, as indicated by the Trial Panel,⁴ these entirely untested hearsay allegations may be used to corroborate the statements of other witnesses in this case whose evidence suffers from serious credibility and reliability issues. Admission of W04760's statement would clearly violate the protection against unfair prejudice set out in Rule 138(1).

4. Accordingly, the Veseli Defence submits that it opposes the admission of W04760's statement in full on the basis that it clearly violates the requirements and protections of both Rule 155 and Rule 138(1), and the Veseli Defence reserves all of its rights.

Word Count: 435

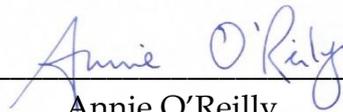
Respectfully submitted on Thursday, 4 December 2025, at The Hague



Rodney Dixon KC
Lead Counsel for Kadri Veseli



Kerrie Ann Rowan
Co-Counsel for Kadri Veseli



Annie O'Reilly
Co-Counsel for Kadri Veseli

⁴ F03607, paras 37-38.