



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

In: KSC-BC-2023-12
Specialist Prosecutor v. Hashim Thaçi, Bashkim Smakaj,
Isni Kilaj, Fadil Fazliu and Hajredin Kuçi

Before: Single Trial Judge
Judge Christopher Gosnell

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor's Office

Date: 7 May 2026

Language: English

Classification: Public

Prosecution supplemental Rule 102(3) notice and related submissions

with confidential Annexes 1-3

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1. Pursuant to Rule 102(3) of the Rules¹ and the Decision,² the Specialist Prosecutor's Office ('SPO') submits a supplemental Rule 102(3) notice,³ including documents falling within the Categories⁴ sought by the THAÇI Defence.
2. Rather than materials and evidence,⁵ the Categories primarily seek narrative descriptions and other information that fall outside the scope of Rule 102(3), and/or are unduly vague.⁶ Nonetheless, in the light of the Decision and considering available information concerning this aspect of the Defence case, the SPO, in good faith, has reviewed its records and provides the following information falling within the scope of the Categories.
3. *Categories 1, 2, 4(i), and 4(iii)*. While it was not obliged to do so, the SPO has, in the interest of fair and expeditious proceedings, compiled certain information requested under Categories 1, 2, 4(i), and 4(iii) from confidential internal documents.⁷ This information includes, for each Detention Centre recording: (i) the dates that the transcription/translation process began and concluded;⁸ and (ii) the codes⁹ and status (contractor or staff) of the language assistants assigned to translate/transcribe each

¹ Rules of Procedure and Evidence before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' are to the Rules.

² Decision on Thaçi Request for Disclosure of Information Regarding Transcription/Translation Process, KSC-BC-2023-12/F00884, 28 April 2026 ('Decision'), paras 22, 29(b).

³ See Annexes 1-3.

⁴ The requested categories of information are referred to herein collectively as the 'Categories' and individually as Categories 1-5. See Thaçi Defence Request for Disclosure of information concerning SPO Transcriptions, KSC-BC-2023-12/F00794, 16 March 2026 ('Request'), para.17.

⁵ *Specialist Prosecutor v. Thaçi et al.*, Public Redacted Version of the Decision on Thaçi, Veseli and Krasniqi Defence Request for Disclosure, KSC-BC-2020-06/F03370/RED, 25 July 2025, para.25 ('The Panel does not consider that Rule 102(3) requires the SPO to provide information which is not 'material and evidence' in the SPO's possession').

⁶ Decision, KSC-BC-2023-12/F00884, para.16.

⁷ See Annex 1, item 484.

⁸ This followed an initial internal screening/prioritisation process.

⁹ Their identities are protected under the Disclosure Framework Decision. See Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2020-06/F00100, 20 December 2024 ('Disclosure Framework Decision'), para.100 (A.2.1).

recording,¹⁰ including, where applicable, the individual assigned to conduct the final review of each full transcript.¹¹

4. *Categories 4(ii)-(iv)*. The notice includes the curricula vitae of the language assistants involved.¹²

5. *Categories 4(v)-(vi)*. Annex 2 lists, by ERN and description, Case 12-disclosed records of witness interviews and contacts that were interpreted by the language assistants involved in the Detention Centre recording translation/transcription process. Annex 3 lists, by witness code and type, other SPO interviews, preparation sessions, and witness contacts relevant to Case 6¹³ that were interpreted by the same language assistants.¹⁴ These witness interviews, preparation sessions, and contacts were conducted before or during the Detention Centre recording translation/transcription process.

6. In addition, LA-1 was involved in search and seizure operations in Case 12,¹⁵ and the relevant language assistants have all been involved in transcription and translation of witness and/or documentary evidence in both Cases 6 and 12. This information is recorded in confidential internal documents. While it is not obliged to do so, the SPO will – in an effort to facilitate fair and expeditious proceedings, and upon request – compile and provide information concerning the language assistants

¹⁰ The same individuals both transcribed and translated the recordings.

¹¹ This SPO previously provided this final review information to the Defence in Case 12. *See* Prosecution request for transcription/verification deadline, KSC-BC-2023-12/F00666, 14 January 2026, Confidential, para.8.

¹² *See* Annex 1, items 477-483. If requested, redacted/extracted versions will be disclosed, removing identifying information.

¹³ The Single Trial Judge found Category 4(vi) – concerning, *inter alia*, Cases 7 and 10 – unduly vague. *See* Decision, KSC-BC-2023-12/F00884, para.16. Further, to the extent such information is not relevant to Cases 6 or 12, no reasonable claim of relevance can be made for such materials. *See* Decision, KSC-BC-2023-12/F00884, para.11.

¹⁴ This information is recorded in the relevant SPO interview transcripts, preparation notes, or official contact notes.

¹⁵ *See* 117373-117380; 117457-117462; 117524-117532; 120706-120710.

who translated or transcribed materials of witnesses directly concerned by the Detention Centre recordings.

7. The SPO has not identified any other materials, evidence, or information subject to its disclosure obligations. To the extent any such information is identified in future, including considering evolving information concerning the Defence case, it shall be promptly noticed and/or disclosed.

8. Annexes 1-2 are confidential consistent with the classification of the referenced materials and to give full effect to applicable protective measures.

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Kimberly P. West
Specialist Prosecutor

Thursday, 7 May 2026

At The Hague, the Netherlands.