



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

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: Fidelma Donlon

Date: 12 October 2026

Language: English

Classification: Public

**Decision on Prosecution Submission of Proposed Lesser Redacted Transcripts
(W04868 and W03871)**

Specialist Prosecutor

Kimberly P. West

Counsel for Hashim Thaçi

Luka Mišetić

Counsel for Victims

Simon Laws

Counsel for Kadri Veseli

Rodney Dixon

Witness Protection and Support Office

Head of Office

Counsel for Rexhep Selimi

Geoffrey Roberts

Counsel for Jakup Krasniqi

Venkateswari Alagendra

TRIAL PANEL II (“Panel”), pursuant to Articles 21(2), 23 and 40(6)(f) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rules 80, 84(1) and 116(4)(b) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

I. PROCEDURAL BACKGROUND

1. On 7 November 2023, the Panel issued an oral order on the review of private session portions of hearing transcripts in view of their reclassification, wherein it set out the procedure to be followed by the Parties and participants.¹

2. On 19-21 August 2024, W04868 and W03871 testified in these proceedings.²

On 30 September 2024, following *inter partes* correspondence, the Specialist Prosecutor’s Office (“SPO”) filed submissions (“Submissions”) in relation to the testimony transcripts of W04868 (“W04868’s Transcript”) and W03871 (“W03871’s Transcript”) (collectively, “Transcripts”), to which it annexed consolidated proposals of public lesser redacted versions of some of the Transcripts (“Annex 1”).³

II. DISCUSSION

A. W04868

3. With respect to W04868’s Transcript, the SPO submits that the proposed redactions in Annex 1 are necessary to maintain confidentiality of materials received under conditions of confidentiality, and/or material that must remain

¹ Transcript of Hearing, 7 November 2023, p. 9444, line 14 to p. 9446, line 21.

² Transcript of Hearing, 19 August\ 2024, confidential, pp. 18557-18706; Transcript of Hearing, 20 August 2024, confidential, pp. 18707-18850; Transcript of Hearing, 21 August 2024, confidential, pp. 18851-18878.

³ F02605, Specialist Prosecutor, *Prosecution Submission of Proposed Lesser Redacted Transcripts (W04868 and W03871)*, 30 September 2024, with Annex 1, confidential.

confidential due to Rule 107 requirements.⁴ Victims' Counsel and WPSO agree with the redactions proposed by the SPO and, in addition, WPSO proposes some additional redactions.⁵ None of the Defence teams responded.⁶

4. The Panel recalls that W04868 testified in public, with no in-court protective measures, but that a portion of W04868's testimony was given in private session for the protection of confidential information.⁷

5. The Panel is of the view that, with the exception of the redaction on p. 18638, lines 5, 13, 21-22, p. 18639, line 13, p. 18640, line 25, it is unnecessary to redact the additional evidence reference number proposed by WPSO. Accordingly, with the exception of p. 18638, lines 5, 13, 21-22, p. 18639, line 13, p. 18640, line 25, which are authorised, the Panel does not authorise the remaining redactions proposed by WPSO.

6. Save for the exception specified above, the Panel considers that the remaining redactions proposed to W04868's Transcript in Annex 1 remain necessary and proportionate and consistent with the effective protection of the rights of the Accused.

7. With the exception of these necessary and proportionate redactions, the Panel orders that the remainder of W04868's Transcript be reclassified as public, in the interest of guaranteeing to the greatest possible extent the publicity of the proceedings.

B. W03871

8. With respect to W03871's Transcript, the SPO submits that the proposed redactions in Annex 1 are necessary to give effect to W03871's protective measures.⁸ Victims' Counsel and WPSO agree with the SPO's proposed redactions

⁴ Submissions, para. 1; Annex 1, p. 3, para. 1.

⁵ Submissions, para. 1; Annex 1, p. 3, paras 2-3.

⁶ Submissions, para. 1.

⁷ See above, fn. 2.

⁸ Submissions, para. 1; Annex 1, p. 4, para. 1.

and, in addition, WPSO proposes some additional redactions.⁹ The Defence for Kadri Veseli proposes to lift certain redactions, all but two of which the SPO opposes.¹⁰ The remaining Defence teams did not respond.¹¹

9. The Panel recalls that W03871 was granted the in-court protective measures of pseudonym, face and voice distortion and closed or private session for in-court discussion or testimony identifying the witness to avoid identification by the public.¹²

10. The Panel is of the view that, with the exception of the redaction on p. 18859, line 25, it is unnecessary to apply the additional redactions proposed by WPSO. Accordingly, with the exception of p. 18859, line 25, which is authorised, the Panel does not authorise the remaining redactions proposed by WPSO.

11. The Panel considers that the remaining redactions proposed to W03871's Transcripts in Annex 1, including those proposed to be lifted by the Veseli Defence, remain necessary and proportionate and consistent with the effective protection of the rights of the Accused.

12. With the exception of these necessary and proportionate redactions, the Panel orders that the remainder of W03871's Transcripts be reclassified as public, in the interest of guaranteeing to the greatest possible extent the publicity of the proceedings.

⁹ Submissions, para. 1; Annex 1, p. 4, paras 3-4.

¹⁰ Submissions, para. 1; Annex 1, pp. 4-5, paras 2, 5.

¹¹ Submissions, para. 1.

¹² F00438, Pre-Trial Judge, *Eighth Decision on Specialist Prosecutor's Request for Protective Measures*, 24 August 2021, strictly confidential and *ex parte*, para. 93(m) (a confidential redacted version was issued on the same day, F00438/CONF/RED).

III. DISPOSITION

13. For the above-mentioned reasons, the Panel hereby:

- a) **APPROVES** the proposed redactions as set out in Annex 1, subject to the changes specified in paragraphs 5 and 10 above;
- b) **RECLASSIFIES** the remainder of the Transcripts as public;
- c) **DIRECTS** the SPO to communicate to the Registry the public lesser redacted versions of the Transcripts in accordance with the redactions approved in the present decision; and
- d) **DIRECTS** the Registry to ensure, upon receipt of the public lesser redacted version of the transcripts mentioned in sub-paragraph (c) above, that the same redactions are implemented in the Albanian and Serbian versions of these transcripts as well as the respective audio-video records, to the extent technically feasible.



Judge Charles L. Smith, III
Presiding Judge

Dated this Monday, 12 October 2026

At The Hague, the Netherlands.