



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

In: KSC-CC-2019-07
Before: **The Specialist Chamber of the Constitutional Court**
Judge Vidar Stensland
Judge Roland Dekkers
Judge Antonio Balsamo

Registrar: Dr Fidelma Donlon
Filing Participant: Specialist Prosecutor
Date: 18 November 2019
Language: English
Classification: Public

Public redacted version of

**'Prosecution request for reclassification of filing KSC-CC-2019-07/F00001', dated
15 November 2019**

Specialist Prosecutor's Office
Jack Smith

Specialist Counsel for Mr
Driton Lajci
Mr Toby Cadman

1. Pursuant to Article 35(2)(f) of the Law¹ and Rule 11 of the Rules,² the Specialist Prosecutor's Office ('SPO') requests reclassification of the Referral³ from public to confidential to protect the confidentiality and integrity of an ongoing investigation.
2. The Referral discloses information which should not have been made public at this time, including: (i) [REDACTED] by the SPO;⁴ (ii) the [REDACTED];⁵ (iii) certain content of an interview conducted by the SPO;⁶ and (iv) *inter partes* communications.⁷
3. Reclassification of the Referral is warranted as publication of this information could affect the integrity, security and confidentiality of the SPO's ongoing investigation.
4. This filing is submitted as confidential to protect the confidentiality of the investigation at this stage of the proceedings. The filing should not be reclassified until either the SPO confirms that [REDACTED].

Word count: 212



Jack Smith
Specialist Prosecutor

Monday, 18 November 2019

At The Hague, the Netherlands

¹ Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

² Rules of Procedure for the Specialist Chamber of the Constitutional Court, KSC-BD-03/Rev1/2017 ('Rules').

³ Referral to the Constitutional Court Panel on the Legality of the Interview Procedure, KSC-CC-2019-07/F00001, 13 November 2019, distributed on 14 November 2019 ('Referral').

⁴ See, for example, Referral, KSC-CC-2019-07/F00001, para.2.9.

⁵ See, for example, Referral, KSC-CC-2019-07/F00001, paras 1.1, 2.9.

⁶ See, for example, Referral, KSC-CC-2019-07/F00001, paras 2.16 -2.18.

⁷ See, for example, Referral, KSC-CC-2019-07/F00001, paras 2.3-2.9.