



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

In: KSC-BC-2020-06
Specialist Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor

Date: 18 November 2020

Language: English

Classification: Public

Public redacted version of 'Submission of corrected and public redacted versions of confirmed Indictment and related requests', filing KSC-BC-2020-06/F00045 dated 4 November 2020

Specialist Prosecutor's Office
Jack Smith

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David Hooper

Counsel for Kadri Veseli
Ben Emmerson

Counsel for Rexhep Selimi
David Young

Counsel for Jakup Krasniqi
Venkateswari Alagendra

1. The Specialist Prosecutor's Office ('SPO') hereby files:
 - (i) a Corrected Confirmed Indictment¹ and Corrected Redacted Indictment,² correcting certain clerical errors in previous versions thereof;³ and
 - (ii) pursuant to Rule 82(2) of the Rules⁴ and in accordance with the Decision,⁵ a Public Redacted Indictment.⁶
2. Considering the very limited and clerical nature of the corrections and to avoid any unnecessary complication of imminent, planned arrest and transfer operations, the SPO requests that the Corrected Redacted Indictment not be served on the Accused until after the transfer of all four Accused to the Detention Facility of the Specialist Chambers in The Hague.⁷
3. Further, the SPO requests reclassification of the Public Redacted Indictment as public upon confirmation of transfer of all four Accused to the Detention Facility of the Specialist Chambers in The Hague.

¹ See Annex 1 ('Corrected Confirmed Indictment'). This version corrects clerical errors (*see* fn.3 below) in the version at KSC-BC-2020-06/F00034/A01.

² See Annex 2 ('Corrected Redacted Indictment'). This version corrects clerical errors (*see* fn.3 below) in the version at KSC-BC-2020-06/F00034/A02.

³ Such corrections can be found at paragraphs 42 (date), 82 (spelling of location), 120 (spelling of location), 152 (date), and 173 (paragraph numbering), and Schedule A, items 1.1 (date) and 10.1 (spelling of location).

⁴ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). Unless otherwise indicated, all references to 'Rule(s)' are to the Rules.

⁵ Decision Authorising Temporary Redactions, KSC-BC-2020-06/F00035, 30 October 2020, Strictly Confidential and *Ex Parte* ('Decision'), paras 12, 13(e).

⁶ Annex 3 ('Public Redacted Indictment'). The Public Redacted Indictment incorporates the corrections identified at fn.3.

⁷ Considering this request, the SPO has not refiled, with corrections, the version of the Indictment to be temporarily served on Jakup KRASNIQI, pending arrest and transfer of the other Accused. *See* KSC-BC-2020-06/F00034/A03. *See also* Decision, KSC-BC-2020-06/F00035, paras 11, 13(b)-(c).

4. Additionally, consistent with the redactions applied to the Public Redacted Indictment,⁸ the SPO requests that, before the Arrest Warrants⁹ are reclassified as public, [REDACTED]:

- a. [REDACTED];
- b. [REDACTED];
- c. [REDACTED];
- d. [REDACTED];
- e. [REDACTED];
- f. [REDACTED];
- g. [REDACTED];
- h. [REDACTED];
- i. [REDACTED];
- j. [REDACTED];
- k. [REDACTED];
- l. [REDACTED];¹⁰
- m. [REDACTED];
- n. [REDACTED]; and
- o. [REDACTED].

⁸ See also Decision on the Confirmation of the Indictment Against Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, KSC-BC-2020-06/F00026, 26 October 2020, Strictly Confidential and *Ex Parte* ('Confirmation Decision'), paras 518-519, 521(c).

⁹ Arrest Warrant for Hashim Thaçi, KSC-BC-2020-06/F00027/A01, 26 October 2020, Strictly Confidential and *Ex Parte*; Arrest Warrant for Kadri Veseli, KSC-BC-2020-06/F00027/A03, 26 October 2020, Strictly Confidential and *Ex Parte*; Arrest Warrant for Rexhep Selimi, KSC-BC-2020-06/F00027/A05, 26 October 2020, Strictly Confidential and *Ex Parte*; Corrected Version of Arrest Warrant for Jakup Krasniqi, KSC-BC-2020-06/F00027/A07/COR, 26 October 2020, Strictly Confidential and *Ex Parte* (collectively, 'Arrest Warrants').

¹⁰ [REDACTED].

5. The SPO has no objection to the reclassification as public of the Arrest Warrants and Transfer Orders¹¹ as follows:

- (i) in respect of the documents relating to a particular Accused, upon confirmation of the transfer of that Accused to the Detention Facility of the Specialist Chambers in The Hague with redactions to: (i) the identities of any Accused who have not yet at that time been transferred to the Detention Facilities in The Hague; (ii) personal data of the particular Accused (i.e. the PIN and address(es)); and (iii) the Statement of Crimes section in the Arrest Warrant;¹² and/or
- (ii) upon confirmation of the transfer of all four Accused to the Detention Facility of the Specialist Chambers in The Hague with redactions to: (i) personal data of each of the Accused; and (ii) the information specified at paragraph 4 above.

6. [REDACTED].

7. This filing and its annexes are submitted as strictly confidential and *ex parte* in accordance with Rule 82(4).

Word count: 721



Jack Smith

Specialist Prosecutor

¹¹ Order for Transfer to Detention Facilities of the Specialist Chambers, KSC-BC-2020-06/F00027/A02, 26 October 2020, Strictly Confidential and *Ex Parte*; Order for Transfer to Detention Facilities of the Specialist Chambers, KSC-BC-2020-06/F00027/A04, 26 October 2020, Strictly Confidential and *Ex Parte*; Order for Transfer to Detention Facilities of the Specialist Chambers, KSC-BC-2020-06/F00027/A06, 26 October 2020, Strictly Confidential and *Ex Parte*; Corrected Version of Order for Transfer to Detention Facilities of the Specialist Chambers, KSC-BC-2020-06/F00027/A08/COR, 26 October 2020, Strictly Confidential and *Ex Parte* (collectively, 'Transfer Orders').

¹² See Submission of confirmed Indictment and related requests, KSC-BC-2020-06/F00034, 30 October 2020, Strictly Confidential and *Ex Parte*, fns 10-11; Decision, KSC-BC-2020-06/F00035, paras 10, 13(a).

Wednesday, 18 November 2020

At The Hague, the Netherlands.