



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2020-07
The Prosecutor v. Hysni Gucati and Nasim Haradinaj

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filing Participant: Dr Fidelma Donlon

Date: 26 May 2021

Language: English

Classification: Public

Registrar's Submissions for the Fifth Status Conference

with one confidential Annex

Specialist Prosecutor

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I. INTRODUCTION

1. On 20 May 2021, the Pre-Trial Judge issued an Order¹ setting the date for the fifth status conference and directing, *inter alia*, the Registrar to file submissions on (i) any follow-up given and improvement on the methods of transfer of information between Counsel and the Accused at the Detention Facilities; and (ii) the topics set forth in a confidential annex to the Order.² The Registrar hereby provides the requested information.

II. SUBMISSIONS

2. Ahead of the fourth status conference, the Registrar submitted information to the Pre-Trial Judge on the measures taken by the Registry to facilitate the sharing of documents between Counsel and the Accused at the Detention Facilities, while mitigating health and safety risks of the novel coronavirus ('COVID-19').³ The Defence also submitted observations on this matter.⁴

3. During the fourth status conference, the following topics were discussed in relation to the Accused's access to documents: (i) the Secure Electronic Data Sharing ('SEDS') system capacity; (ii) alternative means of sharing large volumes of information; and (iii) transferring documents from Legal WorkFlow ('LWF') to the SEDS system.⁵ The Registry presented observations on these issues during the fourth status conference.⁶ Additional submissions and updates are provided below.

4. The **SEDS system** continues to operate effectively. Following concerns raised by the Defence related to the capacity of the system, the Registry increased storage capacity to 100 gigabytes per user (up from 25 gigabytes per user), which represents a

¹ KSC-BC-2020-07, F00204, Order Setting the Date for the Fifth Status Conference, 20 May 2021, public, with one confidential annex ('Order').

² Order, para. 16(b).

³ F00192, Registrar's Submissions on Translations and Access to Documents, 28 April 2021, public, ('Registrar's Submissions').

⁴ F00193, Defence Submissions for the Fourth Status Conference, 28 April 2021, public, paras. 22-26; F00194-COR, Submissions for the Fourth Status Conference, 28 April 2021, public, paras. 11-12.

⁵ Transcript, 30 April 2021 ('Transcript'), pp. 241-254.

⁶ Transcript, p. 242, line 20 – p. 244, line 1.

quadrupling of the previous capacity.⁷ No additional concerns have been brought to the Registrar's attention related to the operation of the SEDS system since the fourth status conference.

5. As regards **alternative means** of sharing large volumes of information, considering the increase in the storage capacity implemented under the SEDS system referred to above, SEDS can and is being used to transmit large volumes of information between Counsel and the Accused and is the most efficient and secure method of transferring information.

6. The **LWF system** also continues to operate effectively. In terms of the process of downloading documents from LWF and copying those files to SEDS, as the Registry explained at the fourth status conference, it is possible to download multiple documents from LWF and copy them to SEDS simply by selecting multiple documents.⁸ The Defence has requested that the Registry explore whether entire folders can be clicked on and dragged from LWF to SEDS. The Registry is continuing to evaluate the technical capabilities of being able to click on a folder in LWF and move it to SEDS directly.

III. CLASSIFICATION

7. This filing is submitted as public, with a confidential Annex in accordance with Rule 82(4) of the Rules and the Order of the Pre-Trial Judge.⁹

Word count: 554



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Registrar

⁷ As also conveyed at the Fourth Status Conference. Transcript, p. 242, line 20 – p. 243, line 10.

⁸ Transcript, p. 243, lines 2-10.

⁹ Order, para. 16(b).

Wednesday, 26 May 2021
At The Hague, the Netherlands