



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

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

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor

Date: 21 June 2021

Language: English

Classification: Public

Prosecution submissions on the reclassification of filings

Specialist Prosecutor's Office

Jack Smith

Counsel for Hysni Gucati

Jonathan Elystan Rees

Counsel for Nasim Haradinaj

Toby Cadman

I. INTRODUCTION

1. Pursuant to the Reclassification Order,¹ Articles 21(2) and 39(6) of the Law,² and Rule 82(3) and (5) of the Rules,³ the Specialist Prosecutor's Office ('SPO') hereby provides written submissions on the reclassification of previous filings in case KSC-BC-2020-07.⁴

II. SUBMISSIONS

2. On 21 June 2021, pursuant to the Reclassification Order,⁵ the SPO submitted public (redacted) versions of F00197 and F00215.

3. Having reviewed the following filings in case KSC-BC-2020-07, the SPO respectfully requests the Pre-Trial Judge to direct the Registrar to reclassify them as public:

- F00180;
- F00202;
- F00209/A01;
- F00218;
- F00223.

4. The Reclassification Order also referred to F00180/A01,⁶ currently classified strictly confidential and *ex parte*. The classification of this annex should be maintained throughout the proceedings since it contains records of SPO contacts with witnesses or potential witnesses in other cases, with redactions marked in a manner which reveals the information which the SPO has been authorised to withhold from the

¹ Order for Submissions on the Reclassification of Filings, KSC-BC-2020-07/F00225, 10 June 2021, Public ('Reclassification Order').

² Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

³ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').

⁴ Reclassification Order, KSC-BC-2020-07/F00225, paras 11-12.

⁵ Reclassification Order, KSC-BC-2020-07/F00225, para.11.

⁶ Reclassification Order, KSC-BC-2020-07/F00225, para.11.

Defence, including information which would identify such witnesses. The SPO has disclosed the redacted versions of these records to the Defence.

Word count: 231



Jack Smith

Specialist Prosecutor

Monday, 21 June 2021

At The Hague, the Netherlands.