



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

**In:** KSC-BC-2020-06  
**Before:** Pre-Trial Judge  
Judge Nicolas Guillou  
  
**Registrar:** Dr Fidelma Donlon  
**Filing Participant:** Specialist Prosecutor  
**Date:** 9 July 2021  
**Language:** English  
**Classification:** Confidential and *ex parte*

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**URGENT**

**Prosecution response to urgent VESELI request for modification**

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**Specialist Prosecutor**

Jack Smith

**Counsel for Kadri Veseli**

Ben Emmerson

1. The Specialist Prosecutor's Office ('SPO') hereby responds to the Urgent Modification Request.<sup>1</sup>
2. To the extent logistically and operationally feasible for the Registry, the SPO does not oppose the Accused's request to visit his father's grave. No other person, other than Mr VESELI and the KSC escorting officer(s), should be present there at the time of the visit.
3. The SPO does, however, oppose Mr VESELI's request to expand the list of authorised persons with whom he may interact to include 13 additional second-degree relatives. It has been held that one of the principal means by which Mr VESELI could manifest the Article 41(6)(b) risks, is through clandestine communications. These risks are significantly heightened during a transfer of custody, involving visits and multiple contacts. The ability to effectively monitor interactions would be even more compromised where a greater number of people are involved.
4. Further, the principal purpose of the authorised transport from the detention facility in Kosovo was to enable Mr VESELI to see his mother.<sup>2</sup> It is acknowledged that a degree of disruption to other persons may occur, due to the need for them to vacate the residence during Mr VESELI's visit. However, subject to operational requirements, it may be possible for the timing of the visit to be arranged so as to minimise such disruption, and it would in any event be of limited duration.<sup>3</sup>
5. This filing is submitted as confidential *ex parte* in accordance with Rule 82(4).

**Word count: 480**



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<sup>1</sup> URGENT Veseli Defence Request for Modification of Decision KSC-BC-2020-06/F00386, KSC-BC-2020-06/F00388 ('Urgent Modification Request').

<sup>2</sup> Second Decision on Veseli Defence Request for Temporary Release on Compassionate Grounds, KSC-BC-2020-06/F00386, para.15(c).

<sup>3</sup> Registry submissions had envisaged a 3 hour visit (KSC-BC-2020-06/F00385, para.21).

**Jack Smith**  
**Specialist Prosecutor**

Friday, 9 July 2021  
At The Hague, the Netherlands.