



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: **Trial Panel II**
Judge Charles L. Smith, III, Presiding Judge
Judge Christoph Barthe
Judge Guénaël Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor

Date: 27 August 2021

Language: English

Classification: Public

Prosecution submissions on the reclassification of filings

Specialist Prosecutor's Office

Jack Smith

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Jonathan Elystan Rees

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Toby Cadman

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

2. Having reviewed the following filings in case KSC-BC-2020-07, the SPO respectfully requests the Trial Panel to direct the Registry to reclassify them as public:

- F00107;
- F00118;
- F00127;
- F00130;
- F00149;
- F00164.

3. On 27 August 2021, pursuant to the Reclassification Order,⁵ the SPO submitted public (redacted) versions of F00110, F00181/A01 and F00252. The redactions to these filings are necessary to protect: (i) the identities of (potential) witnesses and other persons interacting with the SPO; (ii) national or international organisations or entities cooperating with the SPO for the purpose of its investigations; (iii) documents or excerpts thereof disclosed to the Defence on a confidential basis; and (iv) the content of other documents subject to confidentiality pursuant to Specialist Chambers orders.⁶

Word count: 254

¹ Order on Reclassifications and Redacted Versions, KSC-BC-2020-07/F00264, 15 July 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/F00264, paras 12, 17(b).

⁵ Reclassification Order, KSC-BC-2020-07/F00264, paras 12, 17(b).

⁶ Reclassification Order, KSC-BC-2020-07/F00264, para.10. *See also*, Public Redacted Version of Decision on the Appeals Against Disclosure Decision, KSC-BC-2020-07/IA005/F00008/RED, 29 July 2021, para.15, in relation to Public Redacted Version of the Decision on the Confirmation of the Indictment, KSC-BC-2020-07/F00074/RED, 11 December 2021, para 16.



Jack Smith

Specialist Prosecutor

Friday, 27 August 2021

At The Hague, the Netherlands.