



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

In: KSC-BC-2020-07
The 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: 28 September 2021
Language: English
Classification: Public

Prosecution submission of updated exhibit list

with Confidential Annex 1

Specialist Prosecutor's Office

Jack Smith

Counsel for Mr Gucati

Jonathan Elystan Rees

Counsel for Mr Haradinaj

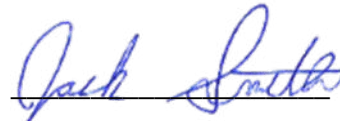
Toby Cadman

I. SUBMISSIONS

1. Pursuant to the Decision,¹ and as foreshadowed by the Specialist Prosecutor's Office ('SPO'),² Annex 1 to these submissions contains the SPO's updated Exhibit List. The only updates are: (i) the addition of the 29 items which the Trial Panel authorised the SPO to include on its Exhibit List in the Decision;³ and (ii) the removal of the nine items⁴ which the SPO noted it would remove in the SPO Response.⁵

2. Annex 1 is submitted as confidential to reflect the current classification of several items referred to therein.⁶

Word count: 324



Jack Smith

Specialist Prosecutor

Tuesday, 28 September 2021

At The Hague, the Netherlands

¹ Decision on Prosecution's Request for Leave to Amend its List of Exhibits, KSC-BC-2020-07/F00321, 23 September 2021 ('Decision'), para.39(b).

² See Prosecution consolidated response to Defence admissibility challenges, KSC-BC-2020-07/F00322, 24 September 2021 ('SPO Response'), para.3, fn.6.

³ Decision, KSC-BC-2020-07/F00321, paras 18-37, 39(a). The 29 items are set out as items 483-511 in Annex 1.

⁴ 090121-TR-ET Part 1 RED; 090125-TR-ET Part 1 RED; 090125-TR-ET Part 2 RED; 090128-TR-ET Part 1 RED; 090131-TR-ET Part 1 RED; 090134-TR-ET Part 1 RED; 090138-TR-ET Part 1 RED; 090138-TR-ET Part 2 RED; 090141-TR-ET Part 1 RED. These appear as items 274-282 in Annex 1 to Submission of updated exhibit list, KSC-BC-2020-07/F00254/A01, 6 July 2021, Confidential ('6 July 2021 Exhibit List'). In order to avoid the need to renumber the exhibits in Annex 1, in view, *inter alia*, of the fact that the SPO's pending request for admission of items through the bar table refers to the item numbering in the 6 July 2021 Exhibit List (see Annex 1 to Prosecution request for admission of items through the bar table, KSC-BC-2020-07/F00291/A01, 31 August 2021, Confidential), while the SPO has removed the information concerning items 274-282 in Annex 1, it has not deleted the rows corresponding to such numbering.

⁵ SPO Response, KSC-BC-2020-07/F00322, para.3, fn.6.

⁶ See Prosecution submissions on classification of exhibits in bar table request, KSC-BC-2020-07/F00298, 6 September 2021; Submissions pursuant to the Trial Panel's Third Oral Order of 8 September 2021, KSC-BC-2020-07/F00324, 24 September 2021.