



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

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: Fidelma Donlon

Date: 1 October 2021

Language: English

Classification: Confidential

Scheduling Order for *Ex Parte* Hearing

Specialist Prosecutor

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TRIAL PANEL II ("Panel"), pursuant to Article 40(2) of the Law on Specialist Chambers and Specialist Prosecutor's Office ("Law") and Rule 116(4) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"), hereby renders this decision.

I. PROCEDURAL BACKGROUND

1. On 29 September 2021, the Specialist Prosecutor's Office ("SPO") filed a transmission of an official note on a strictly confidential and *ex parte* basis ("Transmission").¹

II. APPLICABLE LAW

2. Pursuant to Rule 116(4) of the Rules, the Panel may issue orders on any matter as necessary to ensure a fair and expeditious trial.

III. DISCUSSION

3. The Panel notes that the Transmission concerns information and/or material for which a ruling under Rule 102(3) of the Rules is sought. The Panel further notes that the Transmission involves highly sensitive information related to ongoing investigations and security of witnesses. The Panel considers that, for the purposes of deciding on the Transmission, an urgent *ex parte* hearing with the SPO is necessary.

4. For this reason, the Panel orders that an *ex parte* hearing with the SPO take place on 4 October 2021, at 15:30 hours. The subject matter of the hearing is set out in more detail in the strictly confidential and *ex parte* annex of this order.

¹ F00337, Specialist Prosecutor, *Prosecution Transmission of Official Note of Contact and Related Request*, 29 September 2021.



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IV. DISPOSITION

5. For these reasons, the Panel **DECIDES** to convene an *ex parte* hearing with only the SPO on **4 October 2021**, at **15:30 hours**.

Judge Charles L. Smith, III

Presiding Judge

Dated this Friday, 1 October 2021

At The Hague, the Netherlands