



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 Guénaél Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor

Date: 23 November 2021

Language: English

Classification: Public

Submissions pursuant to the Trial Panel's Decision F00427

with confidential Annex 1

Specialist Prosecutor's Office

Jack Smith

Counsel for Mr Gucati

Jonathan Elystan Rees

Counsel for Mr Haradinaj

Toby Cadman

1. As ordered by the Trial Panel,¹ on 23 November 2021² the Specialist Prosecutor's Office ('SPO') disclosed public redacted versions of the following admitted exhibits: P00098, P00099, P00101, P00102, P00155,³ P00155ET,⁴ P00156AT,⁵ P00156ET,⁶ P00157ET,⁷ P00157,⁸ P00158AT,⁹ P00158ET,¹⁰ P00159,¹¹ P00159ET,¹² P00160AT,¹³ P00160ET.¹⁴ Redactions to names of witnesses who testified publicly in the present proceedings have been lifted¹⁵ and, consistent with the Trial Panel's previous rulings,¹⁶ an additional redaction has been applied to the name of an SPO staff member who is not being called to give evidence in these proceedings.¹⁷

2. In compliance with the Decision,¹⁸ and consistent with the redactions criteria previously approved by the Trial Panel,¹⁹ Annex 1 to the present filing includes the SPO's proposed redactions to:

- (i) the English versions of exhibits P00086, P00087, P00089, P00090 and P00091;
- and

¹ Decision on the Admissibility of Deferred Exhibits and the Classification of Certain Admitted Exhibits, KSC-BC-2020-07/F00427, 9 November 2021 ('Decision'), para.68(i)(i).

² Disclosure 63, 23 November 2021.

³ Corresponding to Item 46 in Annex 1 to Prosecution submission on associated exhibits for W04841, KSC-BC-2020-07/F00397/A01, 25 October 2021, Confidential ('F00397/A01').

⁴ Corresponding to Item 45 in F00397/A01.

⁵ Corresponding to Item 47 in F00397/A01.

⁶ Corresponding to Item 48 in F00397/A01.

⁷ Corresponding to Item 50 in F00397/A01.

⁸ Corresponding to Item 51 in F00397/A01.

⁹ Corresponding to Item 52 in F00397/A01.

¹⁰ Corresponding to Item 53 in F00397/A01.

¹¹ Corresponding to Item 55 in F00397/A01.

¹² Corresponding to Item 56 in F00397/A01.

¹³ Corresponding to Item 57 in F00397/A01.

¹⁴ Corresponding to Item 58 in F00397/A01.

¹⁵ P00098, p.3; P00099, pp.1-2; P00099AT, pp.1-2.

¹⁶ *See, e.g.*, Decision on the Classification and Public Redacted Versions of Exhibits Admitted Through the Bar Table, KSC-BC-2020-07/F00350, 5 October 2021 ('Decision on Classification'), para.24.

¹⁷ P00102, p.1 (redaction previously omitted in F00324/A01).

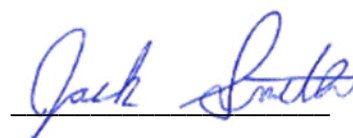
¹⁸ Decision, KSC-BC-2020-07/F00427, para.68(j).

¹⁹ Decision on Classification, KSC-BC-2020-07/F00350, paras 18, 22, 24; Decision, KSC-BC-2020-07/F00427, paras 15, 26, 34, 59.

(ii) exhibits P00092 and P00104.

3. The SPO further submits that exhibits P00088 and P00134 may be reclassified as public.

Word count: 321



Jack Smith

Specialist Prosecutor

Tuesday, 23 November 2021

At The Hague, the Netherlands