



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: 5 January 2022

Language: English

Classification: Confidential

**Prosecution response to 'Application to Call Witnesses via Video Link', KSC-BC-
2020-07/F00508**

Specialist Prosecutor's Office

Jack Smith

Counsel for Mr Gucati

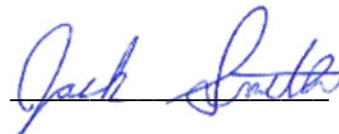
Jonathan Elystan Rees

Counsel for Mr Haradinaj

Toby Cadman

1. In relation to the Haradinaj Defence request to call DW1252 via video-link,¹ the Specialist Prosecutor's Office ('SPO') does not oppose the request so long as: (i) the logistical arrangements cause no delays in the proceedings; and (ii) the relevant technology allows, at minimum, for the parties to show documents to the witness (including those classified as confidential) and question the witness in private session as necessary.²
2. The present filing is submitted confidentially in accordance with Rule 82(4). The SPO has no objection to reclassifying this submission as public.

Word count: 156



Jack Smith

Specialist Prosecutor

Wednesday, 5 January 2022

At The Hague, the Netherlands

¹ Application to Call a Witness via Video Link, KSC-BC-2020-07/F00508, 23 December 2021, Confidential.

² Rule 144 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified. *See also* Registry Submissions Regarding Defence Application to Call Witnesses via Video Link, KSC-BC-2020-07/F00467, 1 December 2021, Confidential, paras 15-18.