

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 Counsel for Nasim Haradinaj

Date: 6 January 2022

Language: English

Classification: Public

Consolidated Witness and Exhibit List of the Haradinaj Defence

With Public Annex 1

Specialist Prosecutor	Counsel for Nasim Haradinaj
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Valeria Bolici	Carl Buckley
Matthew Halling	Jonathan Worboys
James Pace	Counsel for Hysni Gucati
	Jonathan Elystan Rees QC
	Huw Bowden
	Eleanor Stephenson

I. INTRODUCTION

1. On 2 December 2021, the Defence for Mr. Haradinaj filed its List of Exhibits pursuant to Rule 119(2)(b) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”).¹
2. On 2 December 2021, the Panel ordered both Defence teams to file an updated exhibit list conforming to paragraph 60(e) on the Order on Conduct of Proceedings by 6 December 2021.² On 8 December 2021, the Panel granted an extension and ordered the Haradinaj Defence to file their updated exhibit list by Friday 10 December 2021.³
3. On 10 December 2021, the Haradinaj Defence filed an updated exhibit list and requested to add the exhibits listed in the Annex 1 to the filing.⁴
4. On 15 December 2021, in an Oral Order,⁵ the Trial Panel, in accordance with Rule 119(5) and noting that the Specialist Prosecutor’s Office (“SPO”) did not object to the addition of the new exhibits listed in the Haradinaj Defence in the attached Annex, ordered the Haradinaj Defence to file an updated consolidated exhibit list by 6

¹ KSC-BC-2020-07/F00469, *Defence Submission of List of Anticipated Witnesses with Annex 1 and Annex 2*, 2 December 2021.

² KSC-BC-2020-07, *Order on Defence to File Updated Exhibit Lists*, 2 December 2021, From page 2112, line 10 to page 2112, line 15.

³ KSC-BC-2020-07, Transcript of 8 December 2021, page 2342, lines 14-15.

⁴ KSC-BC-2020-07/F00489, *Updated List of Exhibits and Application for Leave to Add Exhibits Pursuant to Rule 119(2)(b)*, 10 December 2021.

⁵ KSC-BC-2020-07, *Order on Haradinaj Defence Updated Consolidated Exhibit List*, 15 December 2021, From page 2643, line 23 to page 2644, line 9.

January 2022, listing all the exhibits intended to be used and/or tendered during the presentation of its case indicating where exhibits are tendered through a witness.

5. Pursuant to this order, the Haradinaj Defence notifies the Trial Panel that there are no proposed amendments to the List of Witnesses submitted in the original filing KSC-BC-2020-07/461, subject to the appeal decision on leave to call DW 1250, DW 1251 and DW 1253 currently pending before the Panels of the Court of Appeals.⁶
6. The Haradinaj Defence however submits a Consolidated List of Exhibits (Annex 1 attached) noting that the following amendments have been made:
 - a) The Summary of Evidence of Mr Haradinaj has been replaced by his Witness Statement in English and Albanian (subject to the SPO's views on the admissibility); and
 - b) The six exhibits, both in English and in Albanian, already tendered, which the Defence proposes to refer to during the examination in chief of Mr. Haradinaj, have been added to the List.

II. CLASSIFICATION

7. This filing is classified as public.

Word count: 368

⁶ KSC-BC-2020-07IA006/F00003, *Haradinaj Defence Submission on Appeal in respect to decision KSC-BC-2020-07/F00470*, 16 December 2021.



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