



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

**In:** KSC-BC-2020-06  
**Specialist Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi**

**Before:** Pre-Trial Judge  
Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Specialist Prosecutor

**Date:** 27 January 2022

**Language:** English

**Classification:** Public

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**Public Redacted Version of 'Prosecution request for extension of time'**

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**Specialist Prosecutor's Office**

Jack Smith

**Counsel for Victims**

Simon Laws

**Counsel for Hashim Thaçi**

Gregory Kehoe

**Counsel for Kadri Veseli**

Ben Emmerson

**Counsel for Rexhep Selimi**

David Young

**Counsel for Jakup Krasniqi**

Venkateswari Alagendra

1. Pursuant to Rule 9(5)(a) of the Rules,<sup>1</sup> the Specialist Prosecutor's Office ('SPO') requests an extension of time<sup>2</sup> to disclose a limited number of Rule 102(1)(b) items, namely: (i) audio-visual records, including the Albanian audio records, corresponding to the previously disclosed [REDACTED] ('[REDACTED] Records');<sup>3</sup> and (ii) two exhibits subject to Rule 107 conditions, which are associated with SPO witness interviews ('Rule 107 Documents'). Good cause for the requested variation exists considering that disclosure of these items is dependent on third party entities, with whom the SPO has been diligently engaging, and as outlined below, minimal, if any, prejudice arises in the circumstances.

2. *[REDACTED] Records.* [REDACTED]. The SPO has been actively engaged with [REDACTED] in relation to such records, but was only informed on 20 January 2022 of the nature and implications of certain [REDACTED] impacting provision of the records. [REDACTED]. The SPO has consistently emphasised the urgency of the matter, remains actively engaged with the [REDACTED] in relation to these records, and will promptly take any further steps that may be necessary to secure them consistent with the [REDACTED].

3. *Rule 107 Documents.* The Rule 107 Documents include an associated exhibit previously identified,<sup>4</sup> as well as an additional associated exhibit which was identified as not having previously been disclosed in the course of preparing the Rule 95(4) and Rule 109(c) materials. Having initiated clearance requests for both these items in a timely manner, the SPO remains engaged in consultations with the relevant providers to secure

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<sup>1</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules')

<sup>2</sup> The current deadline for remaining Rule 102(1)(b) materials is 31 January 2022. *See* Transcript, 29 October 2021, pp.753-754.

<sup>3</sup> These records pertain to [REDACTED] nine protected witnesses [REDACTED], namely, W01473, W04431, W04432, W04433, W04590, and W04591, and [REDACTED], namely, W01505, W04569, and W04871.

<sup>4</sup> *See* Prosecution submissions for eighth status conference and request for extension of deadline, KSC-BC-2020-06/F00549, 27 October 2021, para.12(a). *See also* Transcript, 29 October 2021, pp.753-754.

clearance. Currently, it cannot be guaranteed that such clearance will be obtained in time for disclosure by 31 January 2022.

4. Minimal, if any, prejudice arises from this request considering: (i) the limited extent of the materials concerned; (ii) in respect of the [REDACTED] Records, the fact that the [REDACTED] to which they correspond have already been disclosed; and (iii) in respect of the two Rule 107 Documents, the interviews to which they are associated have already been disclosed.

5. This filing is confidential because it references confidential information, including in relation to protected witnesses, and ongoing consultations with information providers. A public redacted version will be filed.

**Word count: 436**



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**Jack Smith**

**Specialist Prosecutor**

Thursday, 27 January 2022

At The Hague, the Netherlands.