



**In:** KSC-BC-2020-07  
**Name:** The Specialist 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  
**Date:** 15 March 2022  
**Classification:** PUBLIC REDACTED

[IN COURT- REDACTION ORDER]

The TRIAL PANEL II FINDS that the Albanian recording of the proceedings taking place during the time of the blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 15 March 2022, transcript reference Page 38 Line 6 (time code 11:35:35), Page 38 Line 18 (time code 11:36:39), Page 38 Line 21-22 (time code 11:37:07 to 11:37:11).

38:3	individuals listed in the table below. Base based on our most recent	11:35:26
4	information all of these current individuals are currently residing	11:35:30
5	in Kosovo, however, in the past three years they have provided	11:35:32
6	information to MUP officials, namely ██████████ in Jagodina."	11:35:35
7	And then there is the redactions applied to that table. The	11:35:42
8	letter continues:	11:35:46
9	"In addition, the SITF kindly requests a copy of the statement	11:35:46
10	of "be redacted "2015 as well as any statements related to" redacted	11:35:49
11	"disappearance from" redacted "I look forward to continuing our	11:35:57
12	ongoing cooperation."	11:36:14
13	^ revealed in unredacted form to Mr. Berisha to the four	11:36:18
14	members of the press at the inFokus offices. Then he's applied	11:36:18
15	redactions to the details of the private persons, as he put it. But	11:36:21
16	the letter itself, not marked confidential, and he has published the	11:36:25
17	non-confidential part of that letter in full, including the details	11:36:31
18	of the Serbian public official, ██████████ from Jagodina.	11:36:39
19	And then scrolling on down again please to page 64, a further	11:36:49
20	article published in the letter this time with no redactions. And it	11:37:02
21	is the unredacted full image of a letter from we can see ██████████	11:37:07
22	████████, the chairman of the working group is the title that he's	11:37:11
23	given himself in the letter. And we can see that at the top of the	11:37:19
24	letter it is headed Republic of Serbia, National Assembly, Committee	11:37:24
25	on Kosovo and met, Working Group for Gathering Facts and Evidence in	11:37:38

Judge Charles L. Smith, III  
Presiding Judge

Registry implementation: Yes  No  Feed Terminated  Time From \_\_\_\_\_ to \_\_\_\_\_  
AV: Name \_\_\_\_\_ Signature: \_\_\_\_\_ Time From \_\_\_\_\_ to \_\_\_\_\_



**In:** KSC-BC-2020-07  
**Name:** The Specialist 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

**Date:** 15 March 2022

**Classification:** PUBLIC REDACTED

---

[IN COURT- REDACTION ORDER]

---

The TRIAL PANEL II FINDS that the Albanian recording of the proceedings taking place during the time of the blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 15 March 2022, transcript reference Page 67 Line 19 (time code 14:35:52).

67:14	there's no evidence that any of them did.	14:35:19
15	If we look at page 1793 of Mr. Jukic's evidence, at line 4, and	14:35:21
16	Your Honours will recall that I'd gone through the names previously	14:35:38
17	with Mr. Jukic.	14:35:44
18	"Of the names that were published, you can only help us with	14:35:48
19	one, and that's namely [REDACTED]. No one else?" had called in saying	14:35:52
20	they were concerned with their name being published.	14:36:15
21	And, indeed, if we go back, just to be clear about it, at page	14:36:15
22	1784 of the transcript, from line 11, through to line 5, on page	14:36:15
23	1785, you can see that he was specifically asked about those names.	14:36:27
24	The only one that he could confirm didn't was the first. The others,	14:36:31
25	couldn't say. As I say, he then went on to say that he could only	14:36:38

Judge Charles L. Smith, III  
Presiding Judge

Registry implementation: Yes  No  Feed Terminated  Time From \_\_\_\_\_ to \_\_\_\_\_  
AV: Name \_\_\_\_\_ Signature: \_\_\_\_\_ Time From \_\_\_\_\_ to \_\_\_\_\_



**In:** KSC-BC-2020-07  
**Name:** The Specialist 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

**Date:** 15 March 2022

**Classification:** PUBLIC REDACTED

[IN COURT- REDACTION ORDER]

The TRIAL PANEL II FINDS that the Albanian recording of the proceedings taking place during the time of the blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 15 March 2022, transcript reference Page 75 Line 2 (time code 14:57:27) and Page 75 Line 4 (time code 14:57:28).

74:23	And if we go back transcript page 1804.	14:56:06
24	We see there the name of that team leader, in fact. And he was	14:56:23
25	talking about what plan was formulated after the 22 September press	14:56:39
75:1	conference. And on the 24th, if we go over the page, in fact, I	14:56:45
2	think, we see that at line 9 onwards [REDACTED] Mr. Jukic knew had	14:57:27
3	been provided with a document. He didn't actually know what it was.	14:57:27
4	From from that, [REDACTED] produced a list of names. It was either	14:57:28
5	on or after 24 September, I think it was -- sorry, before or on the	14:57:28
6	24th, but he never seen that document himself.	14:57:31
7	So we don't know, actually, how that list was produced or what	14:57:34
8	was the basis of it, but it was a list of names that the witness	14:57:38
9	security and handling team were to contact. And that exercise,	14:57:43

Judge Charles L. Smith, III  
Presiding Judge

Registry implementation: Yes  No  Feed Terminated  Time From \_\_\_\_\_ to \_\_\_\_\_  
AV: Name \_\_\_\_\_ Signature: \_\_\_\_\_ Time From \_\_\_\_\_ to \_\_\_\_\_



**In:** KSC-BC-2020-07  
**Name:** The Specialist 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

**Date:** 15 March 2022

**Classification:** PUBLIC REDACTED

[IN COURT- REDACTION ORDER]

The TRIAL PANEL II FINDS that the Albanian recording of the proceedings taking place during the time of the blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 15 March 2022, transcript reference Page 76 Line 1 (time code 15:00:04).

75:22	days with the phone calls."	14:59:45
23	So nothing after the first press conference. Nothing after the	14:59:46
24	second press conference. After the third, Mr. Jukic was told, as	14:59:51
25	were other members of the team, to contact everybody on a list that	14:59:58
76:1	had been prepared by [REDACTED]. Although, we don't know on what	15:00:04
2	basis or from what. And that exercise took -- involved approximately	15:00:07
3	200 telephone calls, and the SPO were busy with that for	15:00:13
4	approximately two to three days.	15:00:18
5	And in relation to such complaints, as were received, not a	15:00:20
6	single complaint - whether true or false - not a single complaint was	15:00:41
7	needed to determine a direct threat being made to a person which	15:00:41

Judge Charles L. Smith, III  
Presiding Judge



**In:** KSC-BC-2020-07  
**Name:** The Specialist 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  
**Date:** 15 March 2022  
**Classification:** PUBLIC REDACTED

[IN COURT- REDACTION ORDER]

The TRIAL PANEL II FINDS that the Albanian recording of the proceedings taking place during the time of the blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 15 March 2022, transcript reference Page 80 Line 3 (time code 15:11:25) and Page 80 Line 17 (time code 15:12:43).

80:1	"I don't know."	15:11:20
2	So there's no evidence that he had, or she had, raised any	15:11:21
3	concerns before ██████████, some ten months after the relevant events.	15:11:25
4	And moreover, as we can see there from line 18 onwards,	15:11:36
5	Ms. Pumper, had undertaken no checks. She hadn't done any checks on	15:11:43
6	that individual's credibility. She didn't know whether anyone else	15:11:48
7	in the SPO had undertaken any checks on that individual's	15:11:51
8	credibility. And she hadn't reviewed any material confirming that	15:11:54
9	checks on his credibility had been carried out.	15:12:02
10	If we can just scroll down to the next page.	15:12:06
11	No, wasn't even whether that individual had a criminal record,	15:12:09
12	for example; or, whether he had a history of failing to attend court	15:12:17
13	proceedings for whatever reason, for example.	15:12:21
14	So of the evidence that Ms. Pumper gave about contact, not	15:12:26
15	admissible as evidence that they were true complaints. But even	15:12:32
16	then, the one said no security concerns; and the second, not spoken	15:12:38
17	to until ██████████, ten months later. No evidence of any concern	15:12:43
18	raised before then by that person, and no checks undertaken to	15:12:49
19	consider the credibility, the veracity of that complainant or his	15:12:52
20	complaint.	15:12:58
21	Mr. Jukic reported on the contacts that he said he had had with	15:12:59

Judge Charles L. Smith, III  
Presiding Judge

Registry implementation: Yes  No  Feed Terminated  Time From \_\_\_\_\_ to \_\_\_\_\_  
AV: Name \_\_\_\_\_ Signature: \_\_\_\_\_ Time From \_\_\_\_\_ to \_\_\_\_\_



**In:** KSC-BC-2020-07  
**Name:** The Specialist 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  
**Date:** 15 March 2022  
**Classification:** PUBLIC REDACTED

[IN COURT- REDACTION ORDER]

The TRIAL PANEL II FINDS that the Albanian recording of the proceedings taking place during the time of the blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 15 March 2022, transcript reference Page 90 Line 16 (time code 15:37:23).

90:12	he gave this explanation. We asked the witness security team leader	15:37:00
13	to send official notes, and he was supposed to submit them in ZyLAB.	15:37:07
14	So it wasn't to do with COVID and the pandemic. It was, although --	15:37:12
15	he did not accept that this was the effect of it, that it was an	15:37:20
16	attempt, we submit, to then blame [REDACTED]	15:37:23
17	In fact, no real alternative explanation was put forward by	15:37:26
18	Mr. Jukic because those dates in February and March were not	15:37:33
19	automatically applied to the documents. They'd been added to them,	15:37:37
20	as Mr. Jukic did, in fact, accept.	15:37:42
21	If we have a look at T1858 please	15:37:57

Judge Charles L. Smith, III  
Presiding Judge

Registry implementation: Yes  No  Feed Terminated  Time From \_\_\_\_\_ to \_\_\_\_\_  
 AV: Name \_\_\_\_\_ Signature: \_\_\_\_\_ Time From \_\_\_\_\_ to \_\_\_\_\_