



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: 18 March 2022

Language: English

Classification: Public

Prosecution submission of amended exhibit list

with strictly confidential and *ex parte* Annex 1 and confidential Annex 2

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 Alagenda

1. Pursuant to the Decision,¹ Rule 95(4) of the Rules,² and Article 27 of the Practice Direction,³ the Specialist Prosecutor's Office ('SPO') hereby files an amended exhibit list ('Amended List').⁴
2. The Amended List includes the following modifications:
 - a. addition⁵ of: (i) the Further Materials,⁶ as authorised in the Decision;⁷ (ii) Rule 102(1)(b) items disclosed, within applicable time limits, following the Initial List;⁸ and (iii) one Rule 102(1)(b) item withheld from the Defence with the Pre-Trial Judge's authorisation and inadvertently not included on the Initial List;⁹
 - b. removal of six items that the SPO does not intend to present at trial;¹⁰ and
 - c. correction of clerical errors in one ERN and certain other metadata.¹¹

¹ Decision on Specialist Prosecutor's Request to Amend its Exhibit List and to Authorise Related Protective Measures, KSC-BC-2020-06/F00727, 8 March 2022, Strictly Confidential and *Ex Parte* ('Decision'), para.54(c).

² 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.

³ Registry Practice Direction: Files and Filings before the Kosovo Specialist Chambers, KSC-BC-15, 17 May 2019 ('Practice Direction').

⁴ Annex 1 includes the strictly confidential and *ex parte* version and Annex 2 includes the confidential redacted version. The Initial List was filed on 17 December 2021. *See* Annex 3 to Submission of Pre-Trial Brief, with witness and exhibit lists, KSC-BC-2020-06/F00631/A03 ('Initial List').

⁵ Additions to the Amended List begin at item number 16299.

⁶ *See* Prosecution notice of Rule 102(1)(b) disclosure and related requests, KSC-BC-2020-06/F00670, 31 January 2022, Strictly Confidential and *Ex Parte*, para.1 and fn.5 (defining the 'Further Materials', which were disclosed in Disclosure Package 157).

⁷ Decision, KSC-BC-2020-06/F00727, para.54(b).

⁸ Such items include: (i) items disclosed after the filing of the Initial List (*see* Disclosure Packages 154 and 155); and (ii) the items subject of the Extension Decision, which will be disclosed before 31 March 2022 (*see* Decision on Specialist Prosecutor's Request for Extension of Time, KSC-BC-2020-06/F00667, 31 January 2022, Confidential ('Extension Decision')). While the SPO has also updated the list to include translations and revised translations of items disclosed thus far (for example, the translations in Disclosure Packages 156, 158-159, and 183), the SPO notes that the Amended List is intended to include all (revised) translations, even if not expressly listed.

⁹ *See* Amended List, Item 16538; KSC-BC-2020-06/F00407, Strictly Confidential and *Ex Parte*, para.148(f).

¹⁰ These include documents that were incorrectly included on the Initial List (*see* Initial List, Items 50, 864, 1031, and 2055-2056) or were subject of pending litigation that has been resolved since the filing of the Initial List (*see* Initial List, Item 11843; KSC-BC-2020-06/F00719, Confidential, para.10).

¹¹ The ERN of Item 6776 on the Initial List was corrected. Further, when the Initial List was generated from the SPO's evidence databases, certain characters were automatically changed to '[deleted object]' and certain characters (for example, 'ë') or incomplete dates were automatically changed to '?'. Such

Word count: 507



Jack Smith

Specialist Prosecutor

Friday, 18 March 2022

At The Hague, the Netherlands.

errors in the document description, related items, and date fields have been corrected in the Amended List, as have certain clerical errors in the Language field.