



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: 8 August 2022

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Prosecution reply to Veseli Defence filing F00901

Specialist Prosecutor's Office

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1. The Specialist Prosecutor's Office ('SPO') hereby replies to two issues¹ raised in the Veseli Response.²
2. First, contrary to Defence submissions,³ the SPO has clearly indicated any instance in which potentially exculpatory information was identified in the materials in question,⁴ with the remainder of the information being subject only to relevance notice requirements. Equally clearly indicated⁵ is any instance in which counterbalancing measures have been proposed.⁶
3. Second, with respect to the Defence submissions regarding footnote 4 of the Request,⁷ (i) as indicated in the Request itself,⁸ the items in question were not annexed to the electronic filing due to their classification status, which requires particular storage and handling arrangements, and (ii) copies of such documents are instead submitted to the custody of the Registry in hardcopy, under the case file number, in accordance with relevant evidence transfer procedures.
4. This reply is confidential in accordance with Rule 82(4).

¹ This reply is made pursuant to Rule 76 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.

² Veseli Defence Response to Prosecution Rule 107(2) Request (F00875), KSC-BC-2020-06/F00901, Confidential ('Veseli Response').

³ Veseli Response, KSC-BC-2020-06/F00901, paras 2, 5, 11.

⁴ Confidential Redacted Version of 'Prosecution Rule 107(2) request', KSC-BC-2020-06/F00875/CONF/RED, 18 July 2022 ('Request'), paras 10, 13, 21. *See also* paras 5, 18, 19, 22, 29, 30, 31, 34 (further expressly indicating an absence of exculpatory information).

⁵ *Contra*. Veseli Response, KSC-BC-2020-06/F00901, para.11.

⁶ Request, KSC-BC-2020-06/F00875/CONF/RED, paras 10, 13, 17, 21, 25-26. *See also* paras 18, 20, 23, 24, 28-34 (further expressly indicating an absence of need for any additional counterbalance).

⁷ Veseli Response, KSC-BC-2020-06/F00901, paras 4, 16-19.

⁸ Request, KSC-BC-2020-06/F00875/CONF/RED, fn.4.

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Specialist Prosecutor

Monday, 8 August 2022

At The Hague, the Netherlands.