



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

**In:** KSC-CA-2022-01  
**Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj**

**Before:** **Court of Appeals Panel**  
Judge Michèle Picard, Presiding Judge  
Judge Kai Ambos  
Judge Nina Jørgensen

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Acting Specialist Prosecutor

**Date:** 12 January 2023

**Language:** English

**Classification:** Public

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**Public Redacted Version of Request for Protective Measures  
with Confidential and *Ex Parte* Annexes 1-2**

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**Specialist Prosecutor's Office**

Alex Whiting

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Jonathan Elystan Rees

**Counsel for Mr Haradinaj**

Toby Cadman

1. In light of the Appeals Panel's Decision,<sup>1</sup> pursuant to Articles 23 and 35(2)(f) of the Law,<sup>2</sup> and Rules 80, 81, and 108 of the Rules,<sup>3</sup> the Specialist Prosecutor's Office ('SPO') requests authorisation not to disclose the identity of W04730 by redacting identifying information in his [REDACTED] ('First Interview') and [REDACTED] ('Second Interview') SPO interviews.<sup>4</sup>
2. Such authorisation is necessary [REDACTED],<sup>5</sup> [REDACTED].<sup>6</sup>
3. [REDACTED]<sup>7</sup> [REDACTED].<sup>8</sup>
4. [REDACTED]. [REDACTED].<sup>9</sup>
5. [REDACTED]. [REDACTED].
6. [REDACTED]. [REDACTED].<sup>10</sup>
7. This filing is submitted as strictly confidential and *ex parte* and the annexes are submitted as confidential and *ex parte* pursuant to Rule 82(3) and (4), and in light of the sensitivity of the information involved.<sup>11</sup> The SPO will file a confidential redacted version of the filing if so ordered.

**Word count: 263**

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<sup>1</sup> Decision on Prosecution Notifications, KSC-CA-2022-01/F00044, 15 September 2022, Confidential and *Ex Parte* ('Decision').

<sup>2</sup> Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

<sup>3</sup> 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.

<sup>4</sup> Annex 1 contains the proposed redactions in relation to the First interview while Annex 2 contains proposed redactions in relation to the Second Interview. The clarification on translation of an excerpt in the Second Interview (106868-106868) is considered part thereof and included in Annex 2.

<sup>5</sup> The SPO has also applied 'standard redactions' in accordance with the Framework Decision on Disclosure of Evidence and Related Matters, 22 January 2021, KSC-BC-2020-07/F00104 ('Framework Decision on Disclosure').

<sup>6</sup> [REDACTED] [REDACTED].

<sup>7</sup> [REDACTED].

<sup>8</sup> [REDACTED].

<sup>9</sup> [REDACTED].

<sup>10</sup> [REDACTED].

<sup>11</sup> See also Decision, para.16.



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**Alex Whiting**  
**Acting Specialist Prosecutor**

Thursday, 12 January 2023

At The Hague, the Netherlands.