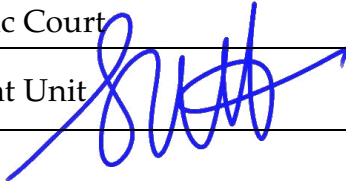




MEMORANDUM

To:	A Panel of the Court of Appeals Chamber Judge Michèle Picard, Presiding Judge Judge Kai Ambos Judge Nina Jørgensen
CC:	Alex Whiting, Acting Specialist Prosecutor Jonathan Rees, Specialist Counsel for Hysni Gucati Toby Cadman, Specialist Counsel for Nasim Haradinaj Dr Fidelma Donlon, Registrar Head, Judicial Services Division Senior Legal Officer, Court of Appeals Senior Legal Officer, Basic Court
From:	Head, Court Management Unit 
Date:	31 January 2023
File Number(s):	KSC-CA-2022-01 & KSC-BC-2020-07
Classification:	PUBLIC
Subject:	Report on the Implementation of Annex 3 to the Trial Judgment, F611/A01 issued in File Number: KSC-BC-2020-07

1. On behalf of the Registrar, I write this memorandum to summarize the actions taken by Court Management Unit ("CMU") with respect to the implementation of reclassifications of portions of the in-court records of hearings as directed in Annex 3¹ of the Trial Judgment.
2. Between 5 July and 5 August 2022, CMU reclassified portions of the transcripts in all three official languages (Albanian, English and Serbian) to PUBLIC as identified in Annex 3 of the Trial Judgment and distributed them through Kosovo Specialist Chambers ("KSC") Legal Workflow. Upon being reclassified, these transcripts were also published onto the website of the KSC.

¹ F611/A03, Annex 3 to the Trial Judgment, 18 May 2022, public.



3. CMU was not able to implement the reclassifications for some of the corresponding public versions of the audio-visual recordings, namely for: 18, 19, 20 and 26 October 2021 and 4 November 2021 hearing dates. This is because the portions to be reclassified to public and the portions that need to remain confidential are too close in time to each other and the interpreted speech from confidential portions of the audio recording on occasions continues into portions to be reclassified to public. This is due to the fact that the simultaneous interpretation, although occurring at the same time, in reality is with a delay which corresponds to the time necessary for the interpreters to process and reformulate information from one of the official languages into the other two official languages.
4. CMU has implemented reclassifications to the corresponding public version of the audio-visual recordings for 2 September 2021 and 21 October 2021 in full, and partially for 25 October 2021 (five out of seven portions have been reclassified to PUBLIC).
5. Below is the overview per hearing date:

Date of Hearing	Implementation in Transcripts (Albanian/ English, Serbian)	Implementation in Audio-Visual records	CMU notes related to PUBLIC audio-visual records
2 September 2021	Yes	Yes	<i>Reclassified</i>
18 October 2021	Yes	No	<i>Segments too short for reclassification.</i>
19 October 2021	Yes	No	<i>Segments too short for reclassification.</i>
20 October 2021	Yes	No	<i>Segments too short for reclassification.</i>
21 October 2021	Yes	Yes	<i>Reclassified</i>
25 October 2021	Yes	Yes (partially)	<i>Five out of seven segments reclassified.</i>
26 October 2021	Yes	No	<i>Segments too short for reclassification.</i>
4 November 2021	Yes	No	<i>Segments too short for reclassification.</i>

6. With the above the Registry has taken all the necessary action technically feasible to comply with the instructions of Trial Panel II contained in Annex 3 to the Trial Judgment, while at the same time striking a balance of protecting the confidential information.