



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: **KSC-CA-2022-01**

Before: **A Panel of the Court of Appeals Chamber**
Judge Michèle Picard
Judge Kai Ambos
Judge Nina Jørgensen

Registrar: Fidelma Donlon

Date: 2 February 2023

Original language: English

Classification: **Public**

**Annex 2 to the Appeal Judgment – Defined Terms and
Cited Materials in the Appeal Judgment**

Specialist Prosecutor’s Office:
Alex Whiting

Counsel for Hysni Gucati:
Jonathan Elystan Rees

Counsel for Nasim Haradinaj:
Toby Cadman

I. DEFINED TERMS

Appeal Hearing	Hearing held by the Appeals Panel on 1 and 2 December 2022
Batch 1	Remnants of the First Set, seized by the SPO representatives at the KLA WVA premises during the First Seizure
Batch 2	Remnants of the Second Set, seized by the SPO representatives at the KLA WVA premises during the Second Seizure
Batch 3	Remnants of the Third Set, seized by the SPO representatives at the KLA WVA premises during the Third Seizure
Batch 4	Material obtained by <i>Gazeta Infokus</i> at the First Press Conference, which <i>Gazeta Infokus</i> voluntarily handed over to the SPO on 9 September 2020
Batches	Batches 1, 2, 3 and 4 collectively
Charts	The three charts produced by Ms Pumper describing, per page number(s), each document contained in the related Batches, by providing the language, type, title, description and origin/author of the document as well as indicia suggesting the confidential nature of the document and whether any names of (potential) witnesses are mentioned
ECHR	Convention for the Protection of Human Rights and Fundamental Freedoms
ECtHR	European Court of Human Rights
EEAS	European External Action Service
EULEX	European Union Rule of Law Mission in Kosovo
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICC Rules	ICC Rules of Procedure and Evidence
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
ICTY Rules	ICTY Rules of Procedure and Evidence
IRMCT	International Residual Mechanism for Criminal Tribunals

Item 206	Communication received by the SPO and which the Appeals Panel decided that it is not subject to disclosure to the Defence
KLA	Kosovo Liberation Army
KLA WVA	Kosovo Liberation Army War Veterans' Association
Potential Witnesses	Persons from whom the SPO sought to obtain, including through other organisations, information, including in the form of an interview
Protected Information	SITF Requests and WCPO Responses contained in Batches 1, 2 and 4 and the documents in Batch 3
Rome Statute	Rome Statute of the International Criminal Court
SCSL	Special Court for Sierra Leone
Serbia	Republic of Serbia
SITF	Special Investigative Task Force
SITF Requests	Requests for assistance addressed by the SITF to the competent Serbian authorities between 2013 and 2015, mostly composed of a cover letter and confidential annexes
SPO	Specialist Prosecutor's Office
STL	Special Tribunal for Lebanon
STL Rules	STL Rules of Procedure and Evidence
Three Deliveries	The three occasions on which material was delivered to the premises of the KLA WVA in Prishtinë/Priština on 7 September 2020, 16 September 2020, and 22 September 2020
Three Press Conferences	Press conferences hosted and held by the Accused at the premises of the KLA WVA on 7 September 2020, 16 September 2020, and 22 September 2020
Three Sets	Material delivered at the KLA WVA premises during the Three Deliveries
WCPO	Serbian War Crimes Prosecution Office
WCPO Responses	Responses from the Serbian War Crimes Prosecution Office to the SITF Requests
Witnesses	Persons whom the SITF/SPO had met and had obtained information from, including in the form of an interview

Witnesses at Risk	The two Witnesses who were relocated, the Witnesses who were subject to emergency risk planning, and the person identified in the confidential version of the Judgment who was publicly named as a Witness
-------------------	--

II. CITED MATERIALS

A. SPECIALIST CHAMBERS

1. Filings and Jurisprudence

Annex 1 to Gucati Appeal Brief	F00036/RED/A01/RED, Public Redacted Version of Annex 1 to Gucati Appeal Brief Pursuant to Rule 179(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), 22 August 2022 (confidential version filed on 22 August 2022)
Annex 2 to Gucati Appeal Brief	F00036/RED/A02, Annex 2 to Gucati Appeal Brief Pursuant to Rule 179(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), 22 August 2022
Annex 2 to SPO Response Brief	F00047/A02, Annex 2 to Prosecution Brief in Response to Defence Appeals, 21 September 2022
Annex 2 to Trial Judgment	KSC-BC-2020-07, F00611/RED/A02, Annex 2 to the Trial Judgment, 18 May 2022
Annex 3 to Gucati Appeal Brief	F00036/A03, Annex 3 to Gucati Appeal Brief Pursuant to Rule 179(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), 22 August 2022
Appeal Decision Clarifying Appeal Timescale	F00005, Decision on Haradinaj’s Request for Clarification on Appeal Timescale, 25 May 2022
Appeal Decision on Appeal Brief and Notice of Appeal	F00021, Decision on Haradinaj’s Request for Variation of Word Limit to File Appeal Brief and SPO’s Request for Order to Re-File Haradinaj’s Notice of Appeal, 1 July 2022

Appeal Decision on Defence Applications on SPO Failure to Comply with Rule 179	F00057/RED, Public Redacted Version of Decision on Defence Applications for a Formal Decision that the Specialist Prosecutor's Office Failed to Comply with Rule 179(5) of the Rules, 6 October 2022 (confidential version filed on 6 October 2022)
Appeal Decision on Defence Motions for Alternate Relief Relating to Rule 103 Disclosure Violations	F00083/RED, Public Redacted Version of Decision on Defence Motions for Alternate Relief Relating to Rule 103 Disclosure Violations, 31 January 2023 (confidential version filed on 7 November 2022)
Appeal Decision on Defence Requests for an Extension of Time to File a Motion for Additional Evidence	F00090/RED, Public Redacted Version of Decision on Defence Requests for Extension of Time to File Potential Motions Pursuant to Rule 181, 31 January 2023 (confidential version filed on 9 November 2022)
Appeal Decision on Defence Requests for Reconsideration of Decision F00064	F00082/RED, Public Redacted Version of Decision on Defence Applications for Reconsideration of "Decision on Defence Requests to Amend the Notices of Appeal Pursuant to Rule 176(3) of the Rules", 3 November 2022 (confidential version filed on 3 November 2022)
Appeal Decision on Defence Requests for Variation of Word Limit of Reply Briefs	F00063, Decision on Defence Requests for Variation of Word Limit of Briefs in Reply, 12 October 2022
Appeal Decision on Defence Requests to Amend their Notices of Appeal	F00064/RED, Public Redacted Version of Decision on Defence Requests to Amend the Notices of Appeal Pursuant to Rule 176(3) of the Rules, 13 October 2022 (confidential version filed on 13 October 2022)
Appeal Decision on Defence Requests to Interview Witnesses	F00094/RED, Public Redacted Version of Decision on Defence Requests to Interview Witnesses, to Order an Updated Rule 102(3) Notice and to Adjourn the Appeal Hearing, 31 January 2023 (confidential version filed on 28 November 2022)
Appeal Decision on Defence Witnesses	KSC-BC-2020-07, IA006/F00006, Decision on Nasim Haradinaj's Appeal Against Decision on

	Prosecution Requests in Relation to Proposed Defence Witnesses, 7 January 2022
Appeal Decision on Disclosure	KSC-BC-2020-07, IA005/F00008/RED, Public Redacted Version of Decision on the Appeals Against Disclosure Decision, 29 July 2021 (confidential version filed on 29 July 2021)
Appeal Decision on Gucati Application for Reclassification of Court of Appeals Decisions	F00103, Decision on Gucati Application for Reclassification or Public Redacted Versions of Court of Appeals Panel Decision, 9 January 2023
Appeal Decision on Gucati Fourth Compassionate Release Request	F00043/RED, Public Redacted Version of Decision on Gucati's Fourth Request for Temporary Release on Compassionate Grounds, 22 September 2022 (confidential and <i>ex parte</i> version filed on 13 September 2022)
Appeal Decision on Gucati Request for Appeal Brief Word Limit Variation	F00033, Decision on Gucati's Request for Variation of Word Limit to File Appeal Brief, 5 August 2022
Appeal Decision on Gucati Request for Full Disclosure of the Knowledge of the Court of Appeals Panel regarding Defence Investigations	F00096/RED, Public Redacted Version of Decision on Gucati Request for Full Disclosure of the Knowledge of the Court of Appeals Panel Regarding Defence Investigations, 31 January 2023 (confidential version filed on 30 November 2022)
Appeal Decision on Gucati Request for Notice of Appeal Word Limit Variation	F00023, Decision on Gucati's Request for Variation of Word Limit to Re-File Notice of Appeal, 5 July 2022
Appeal Decision on Gucati Third Compassionate Release Request	F00020/RED, Public Redacted Version of Decision on Gucati's Third Request for Temporary Release on Compassionate Grounds, 4 July 2022 (confidential and <i>ex parte</i> version filed on 30 June 2022)
Appeal Decision on Gucati's Arrest and Detention	KSC-BC-2020-07, IA001/F00005, Decision on Hysni Gucati's Appeal on Matters Related to Arrest and Detention, 9 December 2020
Appeal Decision on Haradinaj Request for SPO Disclosure of Rule 102(3) or Rule 103 Material	F00105, Decision on Haradinaj Request to Order the SPO to Disclose Material under Rule 102(3) or Rule 103 of the Rules, 16 January 2023

Appeal Decision on Haradinaj Appeals on Review of Detention	KSC-BC-2020-07, IA007 & IA008/F00004, Consolidated Decision on Nasim Haradinaj's Appeals Against Decisions on Review of Detention, 6 April 2022
Appeal Decision on Haradinaj Request for Temporary Release on Compassionate Grounds	F00092/RED, Public Redacted Version of Decision on Haradinaj's Request for Temporary Release on Compassionate Grounds, 23 November 2022 (confidential and <i>ex parte</i> version filed on 16 November 2022)
Appeal Decision on Preliminary Motions	KSC-BC-2020-07, IA004/F00007, Decision on the Defence Appeals Against Decision on Preliminary Motions, 23 June 2021
Appeal Decision on SPO Notifications	F00044/RED, Public Redacted Version of Decision on Prosecution Notifications, 31 January 2023 (confidential and <i>ex parte</i> version filed on 15 September 2022, confidential redacted version filed on 26 September 2022)
Appeal Decision on SPO Request for Protective Measures	F00049/RED, Public Redacted Version of Decision on Specialist Prosecutor's Office Request for Protective Measures, 31 January 2023 (strictly confidential and <i>ex parte</i> version filed on 23 September 2022, confidential redacted version filed on 26 September 2022)
Appeal Decision on SPO Request Regarding Item 206	F00075/RED, Public Redacted Version of Decision on the Specialist Prosecutor's Office's Request Regarding Item 206, 31 January 2023 (confidential version filed on 21 October 2022)
Appeal Decision on SPO Request to Maintain Detention	F00031, Decision on Specialist Prosecutor's Office Request to Maintain Detention, 28 July 2022
Appeal Decision on Variation of Notice of Appeal Word Limit	F00007, Decision on Haradinaj's Request for Variation of Word Limit to File Notice of Appeal, 15 June 2022
Application for Disqualification	KSC-BC-2020-07, F00268/COR/RED, Publicly Redacted Version of the Corrected Version of Application for the Recusal of the President of the Specialist Chambers, Judge Ekterina Trendifilova, and the Vice President of the Specialist Chambers, Judge Charles L. Smith III,

	Presiding Judge of Trial Pane II, 23 August 2021 (uncorrected confidential version filed on 26 July 2021, corrected confidential version filed on 28 July 2021, uncorrected public redacted version filed on 28 July 2021)
Bar Table Decision	KSC-BC-2020-07, F00334, Decision on the Prosecution Request for Admission of Items Through the Bar Table, 29 September 2021
Confirmation Decision	KSC-BC-2020-07, F00074/RED, Public Redacted Version of the Decision on the Confirmation of the Indictment, 22 December 2020 (strictly confidential and <i>ex parte</i> version filed on 11 December 2020, reclassified as strictly confidential on 22 December 2020, reclassified as confidential on 24 February 2021)
Constitutional Court Judgment on Referral of Rules	KSC-CC-PR-2017-01, F00004, Judgment on the Referral of the Rules of Procedure and Evidence Adopted by Plenary on 17 March 2017 to the Specialist Chamber of the Constitutional Court Pursuant to Article 19(5) of Law no. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 26 April 2017
Constitutional Court Judgment on Revised Rules	KSC-CC-PR-2017-03, F00006/COR, Judgment on the Referral of Revised Rules of the Rules of Procedure and Evidence Adopted by Plenary on 29 May 2017 to the Specialist Chamber of the Constitutional Court Pursuant to Article 19(5) of the Law no. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 25 July 2017 (uncorrected version filed on 28 June 2017)
Decision on Admissibility of Deferred Exhibits	KSC-BC-2020-07, F00427, Decision on the Admissibility of Deferred Exhibits and the Classification of Certain Admitted Exhibits, 9 November 2021
Decision on Assignment	F00011, Decision Assigning a Court of Appeals Panel, 21 June 2022
Decision on Batches 1-3	KSC-BC-2020-07, F00141/RED, Public Redacted Version of Decision on Disclosure of Certain Documents Seized from the KLA War Veterans

	Association, 15 July 2021 (confidential version filed on 23 February 2021)
Decision on Defence Motions to Dismiss Charges	KSC-BC-2020-07, F00450, Decision on the Defence Motions to Dismiss Charges, 26 November 2021
Decision on Defence Requests for Further Submissions	KSC-BC-2020-07, F00610, Decision on the Defence Requests for Permission to Make Further Submissions on Disclosure, 17 May 2022
Decision on Defence Witnesses	KSC-BC-2020-07, F00470, Decision on Prosecution Requests in Relation to Proposed Defence Witnesses, 3 December 2021
Decision on Non-Disclosure	KSC-BC-2020-07, F00171/CONF/RED2, Lesser Redacted Version of Decision on the Non-Disclosure of Information Requested by the Defence, 22 June 2021 (strictly confidential and <i>ex parte</i> version filed on 1 April 2021, confidential redacted version filed on 1 April 2021)
Decision on Notice Item 201	KSC-BC-2020-07, F00435/RED, Public Redacted Version of Decision on the Prosecution Request Related to Rule 102(3) Notice Item 201, 16 December 2021 (confidential version filed on 15 November 2021)
Decision on Preliminary Motions	KSC-BC-2020-07, F00147/RED, Public Redacted Version of Decision on Defence Preliminary Motions, 8 March 2021 (confidential version filed on 8 March 2021)
Decision on Reconsideration of Decision on Disqualification	KSC-BC-2020-07, F00278, Decision on the Request for Reconsideration of the Decision on Recusal or Disqualification, 20 August 2021
Decision on Reconsideration of Order on Rule 117 Defence Motions	KSC-BC-2020-07, F00353, Decision on the Defence Requests for Reconsideration of Decision F00328, 7 October 2021
Decision on Updated Rule 102(3) Disclosure	KSC-BC-2020-07, F00413/RED, Public Redacted Version of Decision on the Prosecution Challenges to Disclosure of Items in the Updated Rule 102(3) Notice, 16 December 2021 (confidential version filed on 3 November 2021)

Defence Motion under Rule 130	KSC-BC-2020-07, F00440/RED, Publicly Redacted Defence Motion under Rule 130 'Dismissal of Charges', 13 December 2021 (confidential version filed on 17 November 2021)
Defence Submissions on Elements of Crimes and Modes of Liability	KSC-BC-2020-07, F00342, Defence Submissions on Elements of Crimes and Modes of Liability, 30 September 2021
Disqualification Decision	KSC-BC-2020-07, F00272, Decision on the Application for Recusal or Disqualification, 6 August 2021
First Appeal Decision on Haradinaj's Detention	KSC-BC-2020-07, IA002/F00005, Decision on Nasim Haradinaj's Appeal Against Decision Reviewing Detention, 9 February 2021
Further Appeal Decision on Gucati Application for Reclassification	F00108, Further Decision on Gucati Application F00097 and Decision on Requests to Reclassify F00088 and F00089, 31 January 2023
Gucati Appeal Brief	F00036/RED, Public Redacted Version of Gucati Appeal Brief Pursuant to Rule 179(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers ("Rules"), 19 August 2022 (distributed on 22 August 2022) (confidential version filed on 19 August 2022, distributed on 22 August 2022)
Gucati Application for Reclassification of Court of Appeals Decisions	F00097, Defence Application for Reclassification/Public Redacted Versions of Court of Appeal Panel Decisions, 2 December 2022
Gucati Application for Reply Brief Word Limit Extension	F00061, Application for the Extension of the Word Limit of Gucati Brief in Reply pursuant to Rule 179(3), 7 October 2022
Gucati Application for Appeal Brief Word Limit Extension	F00032, Gucati Application for Extension of the Word Limit for the Appeal Brief, 1 August 2022
Gucati Application for Notice of Appeal Word Limit Extension	F00022, Gucati Application for Extension of the Word Limit for the Re-Filed Notice of Appeal, 3 July 2022

Gucati Application for Reconsideration of Decision F00064	F00066/RED, Public Redacted Version of Gucati Application for Reconsideration of Decision F00064, 10 November 2022, (confidential version filed on 17 October 2022)
Gucati Application on SPO Failure to Comply with Rule 179	F00052/RED, Public Redacted Version of Gucati Application for a Formal Decision that the Prosecution has Failed to File a Brief in Response which complies with Rule 179, 3 October 2022 (confidential version filed on 3 October 2022)
Gucati Final Trial Brief	KSC-BC-2020-07, F00567/RED, Public Redacted Version of Final Trial Brief on behalf of Hysni Gucati, 7 April 2022 (confidential version filed on 4 March 2022)
Gucati Motion for Alternate Relief	F00068/RED, Public Redacted Version of Gucati Motion for Alternate Relief relating to Disclosure Violations, namely, An Order Overturning the Convictions, with the Imposition of a Stay or Order for Re-Trial, 20 January 2023 (confidential version filed 17 October 2022)
Gucati Motion on Admissibility Challenge	KSC-BC-2020-07, F00317/RED, Public Redacted Version of Motion to challenge the admissibility of evidence pursuant to Rule 138(1), 27 September 2021 (confidential version filed on 17 September 2021)
Gucati Notice of Appeal	<p>The Gucati Notice of Appeal refers to the following filing: F00030/RED, Public Redacted Version of Re-Filed Gucati Notice of Appeal re Trial Judgment KSC-BC-2020-07/F00611 ("Judgment") Pursuant to Art.46(1)(a), (b) and (c) of the Law on Specialist Chambers and Specialist Prosecutor's Office ("Law") and Rule 176(2) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers ("Rules"), 11 July 2022 (confidential version filed on 11 July 2022)</p> <p>A prior version of the notice was filed as follows: F00009/RED, Public Redacted Version</p>

	of Gucati Notice of Appeal re Trial Judgment KSC-BC-2020-07/F00611 (“Judgment”) Pursuant to Art.46(1)(a), (b) and (c) of the Law on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rule 176(2) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), 17 June 2022 (distributed on 20 June 2022) (confidential version filed on 17 June 2022, distributed on 20 June 2022)
Gucati Pre-Trial Brief	KSC-BC-2020-07, F00258/RED, Public Redacted Version of Defence Pre-Trial Brief on behalf of Hysni Gucati, 2 September 2021 (confidential version filed on 12 July 2021)
Gucati Reply Brief	The Gucati Reply Brief refers to the following filing: F00067/RED, Public Redacted Version of Re-Filed Gucati Brief in Reply pursuant to Rule 179(3), 21 October 2022 (confidential version filed on 17 October 2022) A prior version of the brief was filed as follows: F00060, Gucati Brief in Reply pursuant to Rule 179(3), 7 October 2022 (confidential)
Gucati Reply to SPO Response to Defence Admissibility Challenge	KSC-BC-2020-07, F00349, Reply to Prosecution Consolidated Response to Defence Admissibility Challenge, 4 October 2021
Gucati Request for an Extension of Time to File a Motion for Additional Evidence	F00087/RED, Public Redacted Version of Application for an Extension of Time to File any Motion to Present Additional Evidence before the Court of Appeals Panel Pursuant to Rule 181, 19 January 2023 (confidential version filed on 7 November 2022)
Gucati Request for Full Disclosure of the Knowledge of the Court of Appeals Panel regarding Defence Investigations	F00095/RED2, Public Redacted Version of Urgent Request for Full Disclosure as to Knowledge of the Court of Appeals Panel as to Defence Investigations, 30 January 2023 (confidential version filed on 29 November 2022)
Gucati Request for Further Submissions	KSC-BC-2020-07, F00605, Gucati Request for Permission to Make Further Submissions re

	Disclosure, 12 May 2022 (confidential, reclassified as public on 17 May 2022)
Gucati Request to Amend Notice of Appeal	F00053/RED, Public Redacted Version of Gucati Application to Amend the Notice of Appeal pursuant to Rule 176(3) of the Rules, 4 October 2022 (confidential version filed on 3 October 2022)
Gucati Request to Interview Witnesses	F00081/RED, Public Redacted Version of Gucati Request for (i) a Declaration that Rule 102(3) applies to Appeal Proceedings; and (ii) an Order for Disclosure of Witness Contact Details, 20 January 2023 (confidential version filed on 2 November 2022)
Gucati Response to SPO Request Regarding Item 206	F00050/RED, Public Redacted Version of Gucati Response to Prosecution Notice of Additional Item 206 and Challenge to Disclosure, 20 January 2023 (confidential version filed on 29 September 2022)
Haradinaj Appeal Brief	<p>The Haradinaj Appeal Brief refers to the following filing: F00035/COR2, Further Corrected Version of Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, 2 September 2022 (confidential, reclassified as public on 2 September 2022) (uncorrected version filed on 19 August 2022, first corrected version filed on 31 August 2022)</p> <p>Prior versions of the brief were filed as follows: F00035, Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, 19 August 2022 (confidential, reclassified as public on 2 September 2022)</p> <p>F00035/COR, Corrected Version of Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, 31 August 2022 (confidential, reclassified as public on 2 September 2022) (uncorrected version filed on 19 August 2022)</p>

Haradinaj Application for Appeal Brief Word Limit Extension	F00013, Haradinaj Defence Application to Extend Word Limit for Appeal Brief, 23 June 2022
Haradinaj Application for Notice of Appeal Word Limit Variation	F00006, Haradinaj Defence Application for an Extension of Word Limit for the Notice of Appeal of Trial Judgement, 14 June 2022
Haradinaj Application for Reconsideration of Decision F00064	F00071/RED, Public Redacted Version of Haradinaj Application for Reconsideration of Decision F00064, 11 November 2022 (confidential version filed on 18 October 2022)
Haradinaj Application on SPO Failure to Comply with Rule 179	F00054/RED, Publicly Redacted Version of Haradinaj Application for a Ruling on the Prosecution Failure to Comply with Rule 179, 6 October 2022 (confidential version filed on 3 October 2022)
Haradinaj Application to Adjourn the Oral Appeal Hearing	F00093/RED, Public Redacted Version of Haradinaj Application to Adjourn the Oral Appeal Hearing, 24 January 2023 (confidential version filed on 28 November 2022)
Haradinaj Motion for Alternate Relief	F00073/RED, Public Redacted Version of Haradinaj Motion for Relief for Violations of Rule 103, 20 January 2023 (confidential version filed on 18 October 2022)
Haradinaj Notice of Appeal	The Haradinaj Notice of Appeal refers to the following filing: F00029, Haradinaj Defence Re-Filed Notice of Appeal of Trial Judgement, 10 July 2022 A prior version of the notice was filed as follows: F00008, Haradinaj Defence Notice of Appeal of Trial Judgement, 17 June 2022 (distributed on 20 June 2022)
Haradinaj Pre-Trial Brief	KSC-BC-2020-07, F00260/RED, Public Redacted Submission of Interim Pre-Trial Brief on behalf of the Defence of Nasim Haradinaj, 2 September 2021 (confidential version filed on 12 July 2021)
Haradinaj Reply Brief	The Haradinaj Reply Brief refers to the following filing: F00065, Haradinaj Re-filed

	<p>Reply to SPO Brief in Response to Defence Appeal Brief, 16 October 2022</p> <p>A prior version of the brief was filed as follows: F00062, Haradinaj Reply to SPO Brief in Response to Defence Appeal Brief, 7 October 2022 (confidential)</p>
Haradinaj Request for Adjournment of Appeal Hearing	F00093/RED, Public Redacted Version of Haradinaj Application to Adjourn the Oral Appeal Hearing, 24 January 2023 (confidential version filed on 28 November 2022)
Haradinaj Request for an Extension of Time to File a Motion for Additional Evidence	F00088, Haradinaj Application to Join Gucati Filing KSC-CA-2022-01/F00087, 8 November 2022 (confidential, reclassified as public on 31 January 2023)
Haradinaj Request for Appeal Timescale Clarification	F00001, Haradinaj Request for Clarification on Appeal Timescale, 23 May 2022
Haradinaj Request for SPO Disclosure of Rule 102(3) or Rule 103 Material	F00098/RED, Public Redacted Version of Haradinaj Request for Order to the SPO to Release Video Recordings, 11 December 2022 (confidential version filed on 11 December 2022)
Haradinaj Request for Further Submissions	KSC-BC-2020-07, F00606, Haradinaj Request for Permission to Make Further Submissions re: Disclosure, 12 May 2022 (confidential, reclassified as public on 17 May 2022)
Haradinaj Request to Amend Notice of Appeal	F00055/RED, Publicly Redacted Version Haradinaj Application to Amend the Notice of Appeal pursuant to Rule 176(3), 5 October 2022 (confidential version filed on 4 October 2022)
Haradinaj Request to Interview Witnesses	F00079/RED, Public Redacted Version of Defence Request for an Order for Disclosure of Witness Contact Details, 19 January 2023 (confidential version filed on 2 November 2022)
Haradinaj Request to Reclassify F00088	F00107, Haradinaj Defence Request to reclassify KSC-CA-2022-01/F00088, 19 January 2023
Haradinaj Response to SPO Request Regarding Item 206	F00051/RED, Public Redacted Version of Haradinaj Defence Response to 'Prosecution notice of additional item 206 and challenge to

	disclosure', 19 January 2023 (confidential version filed on 29 September 2022)
Indictment	KSC-BC-2020-07, F00251/A01/RED, Lesser Redacted Indictment, 4 October 2021 (confidential version filed on 5 July 2021)
Order for the Preparation of the Appeal Hearing	F00084, Order for the Preparation of the Appeal Hearing, 7 November 2022
Order on Rule 117 Defence Motions	KSC-BC-2020-07, F00328, Order on Rule 117 Defence Motions, 27 September 2021
Order on Updated Rule 102(3) Notice	KSC-BC-2020-07, F00304, Order on the Updated Rule 102(3) Detailed Notice, 7 September 2021
Request for Reconsideration on Disqualification	KSC-BC-2020-07, F00274, Request for Reconsideration of the Decision on Recusal or Disqualification, 12 August 2021
Scheduling Order for Appeal Hearing	F00074, Order Scheduling an Appeal Hearing, 20 October 2022
Scheduling Order for Appeal Judgment	F00106, Order Scheduling the Pronouncement of the Appeal Judgment, 16 January 2023
Scheduling Order for Pre-Appeal Conference	F00012, Order Scheduling a Pre-Appeal Conference and on Related Matters, 22 June 2022
<i>Selimi</i> Appeal Decision on Interim Release	KSC-BC-2020-06, IA003/F00005/RED, Public Redacted Version of Decision on Rexhep Selimi's Appeal Against Decision on Interim Release, 30 April 2021 (confidential version filed on 30 April 2021)
<i>Selimi</i> Appeal Decision on Review of Detention	KSC-BC-2020-06, IA015/F00005/RED, Public Redacted Version of Decision on Rexhep Selimi's Appeal Against Decision on Remanded Detention Review and Periodic Review of Detention, 25 March 2022 (confidential version filed on 25 March 2022)
<i>Shala</i> Appeal Decision on Jurisdiction	KSC-BC-2020-04, IA002/F00010, Decision on Pjetër Shala's Appeal Against Decision on Motion Challenging the Establishment and Jurisdiction of the Specialist Chambers, 11 February 2022

Shala Appeal Decision on Provisional Release	KSC-BC-2020-04, IA001/F00005/RED, Public Redacted Version of Decision on Pjetër Shala's Appeal Against Decision on Provisional Release, 20 August 2021 (confidential version filed on 20 August 2021)
Shala Defects in the Indictment Decision	KSC-BC-2020-04, IA004/F00008/RED, Public Redacted Version of Decision on Pjetër Shala's Appeal against Decision on Motion Challenging the Form of the Indictment, 22 February 2022 (confidential version filed on 22 February 2022)
SPO Final Trial Brief	KSC-BC-2020-07, F00565/RED, Public Redacted Version of 'Prosecution Final Brief', 4 March 2022 (confidential version filed on 3 March 2022)
SPO First Notification on Communication Received by the SPO	F00028/RED, Public Redacted Version of Notification on W04730 telephone contact, 12 January 2023 (confidential and <i>ex parte</i> filed on 7 July 2022, confidential redacted version filed on 23 September 2022)
SPO Notice and Request Regarding Item 206	F00046/RED, Public Redacted Version of Prosecution notice of additional item 206 and challenge to disclosure, 12 January 2023 (strictly confidential and <i>ex parte</i> version filed on 19 September 2022, confidential redacted version filed on 19 September 2022)
SPO Notification on Appeal	F00010, Prosecution notification and request to maintain detention, 17 June 2022 (distributed on 20 June 2022)
SPO Request for Protective Measures	F00045/RED, Public Redacted Version of Request for Protective Measures, 12 January 2023 (strictly confidential and <i>ex parte</i> version filed on 19 September 2022, confidential redacted version filed on 23 September 2022)
SPO Request on Haradinaj Notice of Appeal	F00014, Prosecution request for order to Haradinaj Defence to refile its Notice of Appeal and related matters, 27 June 2022
SPO Request to Reclassify F00089	F00104, Prosecution Request to reclassify KSC-CA-2022-01/F00089, 12 January 2023

SPO Response Brief	F00047, Prosecution Brief in Response to Defence Appeals, 21 September 2022 (confidential, reclassified as public on 30 September 2022)
SPO Response to Applications for Extension of Time to File Motions for Additional Evidence on Appeal	F00089, Prosecution Response to Applications for Extension of Time to File Motions for Additional Evidence on Appeal, 8 November 2022 (confidential, reclassified as public on 31 January 2023)
SPO Second Notification on Communication Received by the SPO	F00038/RED, Public redacted version of Notification on communication received by the SPO, 12 January 2023 (confidential and <i>ex parte</i> version filed on 7 September 2022, confidential redacted version filed on 23 September 2022)
SPO Submissions on Applicable Law	KSC-BC-2020-07, F00341, Prosecution submissions on the applicable law, 30 September 2021
SPO Submissions on the Term "Witness"	KSC-BC-2020-07, F00281, Prosecution submissions on use of the term 'witness', 23 August 2021
Statement of Witness DW1250 on Disqualification	KSC-BC-2020-07, F00268/COR/A06, Annex 6 to Corrected Version of Application for the Recusal of the President of the Specialist Chambers, Judge Ekterina Trendifilova, and the Vice President of the Specialist Chambers, Judge Charles L. Smith, Presiding Judge of Trial Pane II, 28 July 2021 (confidential) (uncorrected version filed on 26 July 2021)
<i>Thaçi</i> Appeal Decision on Interim Release	KSC-BC-2020-06, IA004/F00005/RED, Public Redacted Version of Decision on Hashim <i>Thaçi</i> 's Appeal Against Decision on Interim Release, 30 April 2021 (confidential version filed on 30 April 2021)
<i>Thaçi et al.</i> Appeal Decision on Jurisdiction	KSC-BC-2020-06, IA009/F00030, Decision on Appeals Against "Decision on Motions Challenging the Jurisdiction of the Specialist Chambers", 23 December 2021
<i>Thaçi et al.</i> Defects in the Indictment Decision	KSC-BC-2020-06, IA012/F00015/RED, Public Redacted Version of Decision on Defence

	Appeals Against Decision on Motions Alleging Defects in the Form of the Indictment, 22 August 2022 (confidential version filed on 22 August 2022)
Trial Judgment	KSC-BC-2020-07, F00611/RED, Public Redacted Version of the Trial Judgment, 18 May 2022 (confidential version filed on 18 May 2022)
<i>Veseli</i> Appeal Decision on Interim Release	KSC-BC-2020-06, IA001/F00005, Decision on Kadri Veseli's Appeal Against Decision on Interim Release, 30 April 2021

2. Oral Orders

Oral Order on Admission of Exhibits Tendered Through W04841	KSC-BC-2020-07, Order on the admission of exhibits tendered through Witness W04841, Transcript, 5 November 2021, pp. 1912-1914
Oral Order on Request for Further Cross-Examination of W04841 and W04842	KSC-BC-2020-07, Oral Order on Defence Request to Further Cross-Examine SPO Witnesses W04841 and W04842, Transcript, 10 December 2021, p. 2608
Oral Order on Haradinaj Request for Adjournment of Appeal Hearing	Order on Request of Haradinaj Defence for Adjournment of Hearing, Transcript, 1 December 2022, pp. 14-15

3. Other Documents

Code of Professional Conduct for Counsel and Prosecutors Before the Kosovo Specialist Chambers	KSC-BD-07-Rev1, Registry Practice Direction, Code of Professional Conduct – for Counsel and Prosecutors Before the Kosovo Specialist Chambers, 28 April 2021
Practice Direction on Filings	KSC-BD-15, Registry Practice Direction, Files and Filings before the Kosovo Specialist Chambers, 17 May 2019

B. INTERNATIONAL JURISPRUDENCE

1. European Court of Human Rights

<i>Akbay and Others</i> Judgment	ECtHR, <i>Akbay and Others v. Germany</i> , nos 40495/15, 40913/15, 37273/15, Judgment, 15 October 2020
<i>Alленet de Ribemont</i> Judgment	ECtHR, <i>Alленet de Ribemont v. France</i> , no. 15175/89, Judgment, 10 February 1995
<i>Bajić</i> Judgment	ECtHR, <i>Bajić v. North Macedonia</i> , no. 2833/13, Judgment, 10 June 2021
<i>Bannikova</i> Judgment	ECtHR, <i>Bannikova v. Russia</i> , no. 18757/06, Judgment, 4 November 2010
<i>Bédát</i> Judgment	ECtHR, <i>Bédát v. Switzerland</i> , no. 56925/08, Judgment, 29 March 2016
<i>Bladet Tromsø and Stensaas</i> Judgment	ECtHR, <i>Bladet Tromsø and Stensaas v. Norway</i> , no. 21980/93, Judgment, 20 May 1999
<i>Brandstetter</i> Judgment	ECtHR, <i>Brandstetter v. Austria</i> , nos 11170/84, 12876/87, 13468/87, Judgment, 28 August 1991
<i>Butkevičius</i> Judgment	ECtHR, <i>Butkevičius v. Lithuania</i> , no. 48297/99, Judgment, 26 March 2002
<i>Campos Dâmaso</i> Judgment	ECtHR, <i>Campos Dâmaso v. Portugal</i> , no. 17107/05, Judgment, 24 April 2008
<i>Castells</i> Judgment	ECtHR, <i>Castells v. Spain</i> , no. 11798/85, Judgment, 23 April 1992
<i>Daktaras</i> Judgment	ECtHR, <i>Daktaras v. Lithuania</i> , no. 42095/98, Judgment, 10 October 2000
<i>Delcourt</i> Judgment	ECtHR, <i>Delcourt v. Belgium</i> , no. 2689/65, Judgment, 17 January 1970
<i>Dimović</i> Judgment	ECtHR, <i>Dimović v. Serbia</i> , no. 24463/11, Judgment, 28 June 2016
<i>Dombo Beheer B.V.</i> Judgment	ECtHR, <i>Dombo Beheer B.V. v. The Netherlands</i> , no. 14448/88, Judgment, 27 October 1993
<i>Dupuis and Others</i> Judgment	ECtHR, <i>Dupuis and Others v. France</i> , no. 1914/02, Judgment, 7 June 2007

<i>Fatullayev</i> Judgment	ECtHR, <i>Fatullayev v. Azerbaijan</i> , no. 40984/07, Judgment, 22 April 2010
<i>Filat</i> Judgment	ECtHR, <i>Filat v. Republic of Moldova</i> , no. 11657/16, Judgment, 7 December 2021
<i>Jasper</i> Judgment	ECtHR, <i>Jasper v. United Kingdom</i> , no. 27052/95, Judgment, 16 February 2000
<i>July and SARL Libération</i> Judgment	ECtHR, <i>July and SARL Libération v. France</i> , no. 20893/03, Judgment, 14 February 2008
<i>Karakaş and Yeşilirmak</i> Judgment	ECtHR, <i>Karakaş and Yeşilirmak v. Turkey</i> , no. 43925/98, Judgment, 28 June 2005
<i>Kaufman</i> Decision	ECtHR, <i>Kaufman v. Belgium</i> , no. 10938/84, Decision, 9 December 1986
<i>Leempoel</i> Judgment	ECtHR, <i>Leempoel & S.A. ED. Ciné Revue v. Belgium</i> , no. 64772/01, Judgment, 9 November 2006
<i>M. v. The Netherlands</i> Judgment	ECtHR, <i>M. v. The Netherlands</i> Judgment, no. 2156/10, 25 July 2017
<i>Matanović</i> Judgment	ECtHR, <i>Matanović v. Croatia</i> , no. 2742/12, Judgment, 4 April 2017
<i>Monnat</i> Judgment	ECtHR, <i>Monnat v. Switzerland</i> , no. 73604/01, Judgment, 21 September 2006
<i>Murray</i> Judgment	ECtHR, <i>Murray v. The Netherlands</i> , no. 10511/10, Judgment, 26 April 2016
<i>Paci</i> Judgment	ECtHR, <i>Paci v. Belgium</i> , no. 45597/09, Judgment, 17 April 2018
<i>Ramanauskas</i> Judgment	ECtHR, <i>Ramanauskas v. Lithuania</i> , no. 74420/01, Judgment, 5 February 2008
<i>Ramos Nunes de Carvalho e Sá</i> Judgment	ECtHR, <i>Ramos Nunes de Carvalho e Sá v. Portugal</i> , nos 55391/13, 57728/13 and 74041/13, Judgment, 6 November 2018
<i>Rowe and Davis</i> Judgment	ECtHR, <i>Rowe and Davis v. United Kingdom</i> , no. 28901/95, Judgment, 16 February 2000
<i>Satakunnan Markkinapörssi Oy and Satamedia Oy</i> Judgment	ECtHR, <i>Satakunnan Markkinapörssi Oy and Satamedia Oy v. Finland</i> , no. 931/13, Judgment, 27 June 2017

<i>Standard Verlags (No. 2) Judgment</i>	ECtHR, <i>Standard Verlags GmbH v. Austria (No. 2)</i> , no. 21277/05, Judgment, 4 June 2009
<i>Stoll Judgment</i>	ECtHR, <i>Stoll v. Switzerland</i> , no. 69698/01, Judgment, 10 December 2007
<i>Von Hannover Judgment</i>	ECtHR, <i>Von Hannover v. Germany</i> , no. 59320/00, Judgment, 24 June 2004
<i>Von Hannover (No. 2) Judgment</i>	ECtHR, <i>Von Hannover v. Germany (No. 2)</i> , nos. 40660/08, 60641/08, Judgment, 7 February 2012

2. International Criminal Court

<i>Bemba et al. Appeal Judgment</i>	ICC, <i>Prosecutor v. Bemba et al.</i> , ICC-01/05-01/13-2275-Red, Public Redacted Judgment on the appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the decision of Trial Chamber VII entitled “Judgment pursuant to Article 74 of the Statute”, 8 March 2018
<i>Bemba et al. Re-Sentencing Decision</i>	ICC, <i>Prosecutor v. Bemba et al.</i> , ICC-01/05-01/13-2312, Decision Re-sentencing Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba and Mr Jean-Jacques Mangenda Kabongo, 17 September 2018
<i>Bemba et al. Sentencing Appeal Judgment</i>	ICC, <i>Prosecutor v. Bemba et al.</i> , ICC-01/05-01/13-2276-Red, Public Redacted Judgment on the appeals of the Prosecutor, Mr Jean-Pierre Bemba Gombo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the decision of Trial Chamber VII entitled “Decision on Sentence pursuant to Article 76 of the Statute”, 8 March 2018
<i>Bemba et al. Sentencing Decision</i>	ICC, <i>Prosecutor v. Bemba et al.</i> , ICC-01/05-01/13-2123-Corr, Decision on Sentence pursuant to Article 76 of the Statute, 22 March 2017
<i>Bemba et al. Trial Judgment</i>	ICC, <i>Prosecutor v. Bemba et al.</i> , ICC-01/05-01/13-1989-Red, Public Redacted Version of Judgment

	pursuant to Article 74 of the Statute, 19 October 2016
<i>Bemba</i> Sentencing Decision	ICC, <i>Prosecutor v. Bemba</i> , ICC-01/05-01/08-3399, Decision on Sentence pursuant to Article 76 of the Statute, 21 June 2016
<i>Bemba</i> Trial Judgment	ICC, <i>Prosecutor v. Bemba</i> , ICC-01/05-01/08-3343, Judgment pursuant to Article 74 of the Statute, 21 March 2016
<i>Gaddafi and Al-Senussi</i> Decision on Disqualification	ICC, <i>Prosecutor v. Gaddafi and Al-Senussi</i> , ICC- 01/11-01/11-175, Decision on the Request for Disqualification of the Prosecutor, 12 June 2012
<i>Katanga and Ngudjolo</i> Bar Table Decision	ICC, <i>Prosecutor v. Katanga and Ngudjolo</i> , ICC- 01/04-01/07-2635, Decision on the Prosecutor's Bar Table Motions, 17 December 2010
<i>Katanga and Ngudjolo</i> Decision on Postponement of Hearings	ICC, <i>Prosecutor v. Katanga and Ngudjolo</i> , ICC- 01/04-01/07-1603-tENG, Decision on the Application by the Defence of Mathieu Ngudjolo for Postponement of the Commencement Date for the Hearings on the Merits (Rule 132(1) of the Rules of Procedure and Evidence), 5 November 2009
<i>Katanga</i> Trial Judgment	ICC, <i>Prosecutor v. Katanga</i> , ICC-01/04-01/07- 3436-tENG, Judgment pursuant to article 74 of the Statute, 7 March 2014
<i>Kenyatta</i> Appeal Decision on Non-Compliance	ICC, <i>Prosecutor v. Kenyatta</i> , ICC-01/09-02/11- 1032, Judgment on the Prosecutor's appeal against Trial Chamber V(B)'s "Decision on Prosecution's application for a finding of non- compliance under Article 87(7) of the Statute", 19 August 2015
<i>Lubanga</i> Sentencing Appeal Judgment	ICC, <i>Prosecutor v. Lubanga</i> , ICC-01/04-01/06- 3122, Judgment on the appeals of the Prosecutor and Mr Thomas Lubanga Dyilo against the "Decision on Sentence pursuant to Article 76 of the Statute", 1 December 2014
<i>Lubanga</i> Sentencing Decision	ICC, <i>Prosecutor v. Lubanga</i> , ICC-01/04-01/06- 2901, Decision on Sentence pursuant to Article 76 of the Statute, 10 July 2012

<i>Ntaganda</i> Appeal Judgment	ICC, <i>Prosecutor v. Ntaganda</i> , ICC-01/04-02/06-2666-Red, Public redacted version of Judgment on the appeals of Mr Bosco Ntaganda and the Prosecutor against the decision of Trial Chamber VI of 8 July 2019 entitled 'Judgment', 30 March 2021
<i>Ntaganda</i> Decision on Expert Witnesses	ICC, <i>Prosecutor v. Ntaganda</i> , ICC-01/04-02/06-1159, Decision on Defence preliminary challenges to Prosecution's expert witnesses, 9 February 2016
<i>Ongwen</i> Appeal Judgment	ICC, <i>Prosecutor v. Ongwen</i> , ICC-02/04-01/15-2022-Red, Public Redacted Judgment on the appeal of Mr Ongwen against the decision of Trial Chamber IX of 4 February 2021 entitled "Trial Judgment", 15 December 2022
<i>Ruto and Sang</i> Decision on Expert Report	ICC, <i>Prosecutor v. Ruto and Sang</i> , ICC-01/09-01/11-844, Decision on Sang Defence Application to exclude Expert Report of Mr Hervé Maupeu, 7 August 2013
<i>Ruto et al.</i> Confirmation Decision	ICC, <i>Prosecutor v. Ruto et al.</i> , ICC-01/09-01/11-373, Decision on the Confirmation of Charges Pursuant to Article 61(7)(a) and (b) of the Rome Statute, 23 January 2012

3. International Criminal Tribunal for the Former Yugoslavia

<i>Beqaj</i> Trial Judgement	ICTY, <i>Prosecutor v. Beqaj</i> , IT-03-66-T-R77, Judgement on Contempt Allegations, 27 May 2005
<i>Boskoški and Tarčulovski</i> Decision on Notice of Appeal	ICTY, <i>Prosecutor v. Boškoski and Tarčulovski</i> , IT-04-82-A, Decision on Johan Tarčulovski's Motion for Leave to Present Appellate Arguments in Order Different from that Presented in Notice of Appeal, to Amend the Notice of Appeal, and to File Sur-Reply, and on Prosecution Motion to Strike, 26 March 2009
<i>Brđanin and Talić</i> Decision on Oral Hearing	ICTY, <i>Prosecutor v. Brđanin and Talić</i> , IT-99-36-PT, Decision on Prosecution Application for Oral Hearing of Rule 66(c) Motion, 1 June 2001

Čelebići Appeal Judgement	ICTY, <i>Prosecutor v. Delalić et al.</i> (“Čelebići case”), IT-96-21-A, Judgement, 20 February 2001
Deronjić Sentencing Appeal Judgement	ICTY, <i>Prosecutor v. Deronjić</i> , IT-02-61-A, Judgement on Sentencing Appeal, 20 July 2005
Gotovina et al. Appeal Decision on Jurisdiction	ICTY, <i>Prosecutor v. Gotovina et al.</i> , IT-06-90-AR72.1, Decision on Ante Gotovina’s Interlocutory Appeal Against Decision on Several Motions Challenging Jurisdiction, 6 June 2007
Hadžihasanović and Kubura Appeal Judgement	ICTY, <i>Prosecutor v. Hadžihasanović and Kubura</i> , IT-01-47-A, Judgement, 22 April 2008
Halilović Appeal Judgement	ICTY, <i>Prosecutor v. Halilović</i> , IT-01-48-A, Judgement, 16 October 2007
Haraqija and Morina Trial Judgement	ICTY, <i>Prosecutor v. Haraqija and Morina</i> , IT-04-84-R77.4, Judgement on Allegations of Contempt, 17 December 2008
Hartmann Appeal Judgement	ICTY, <i>Prosecutor v. Hartmann</i> , IT-02-54-R77.5-A, Judgement, 19 July 2011
Hartmann Trial Judgement	ICTY, <i>Prosecutor v. Hartmann</i> , IT-02-54-R77.5, Judgement on Allegations of Contempt, 14 September 2009
Jović Trial Judgement	ICTY, <i>Prosecutor v. Jović</i> , IT-95-14 & IT-95-14/2-R77, Judgement, 30 August 2006
Karadžić Transcript	ICTY, <i>Prosecutor v. Karadžić</i> , IT-95-5/18-T, Transcript, 28 June 2012
Kordić and Čerkez Decision on Judgement for Acquittal	ICTY, <i>Prosecutor v. Kordić and Čerkez</i> , IT-95-14/2-T, Decision on Defence Motions for Judgement of Acquittal, 6 April 2000
Kordić and Čerkez Appeal Judgement	ICTY, <i>Prosecutor v. Kordić and Čerkez</i> , IT-95-14/2-A, Judgement, 17 December 2004
Krajišnik Appeal Judgement	ICTY, <i>Prosecutor v. Krajišnik</i> , IT-00-39-A, Judgement, 17 March 2009
Kupreškić et al. Trial Judgement	ICTY, <i>Prosecutor v. Kupreškić et al.</i> , IT-95-16-T, Judgement, 14 January 2000
Margetić Trial Judgement	ICTY, <i>Prosecutor v. Margetić</i> , IT-95-14-R77.6, Judgement on Allegations of Contempt, 7 February 2007

<i>Marijačić and Rebić Appeal Judgement</i>	ICTY, <i>Prosecutor v. Marijačić and Rebić</i> , IT-95-14-R77.2-A, Judgement, 27 September 2006
<i>Marijačić and Rebić Trial Judgement</i>	ICTY, <i>Prosecutor v. Marijačić and Rebić</i> , IT-95-14-R77.2, Judgement, 10 March 2006
<i>Martić Appeal Decision on Witness Evidence</i>	ICTY, <i>Prosecutor v. Martić</i> , IT-95-11-AR73.2, Decision on Appeal Against the Trial Chamber's Decision on the Evidence of Witness Milan Babić, 14 September 2006
<i>Martić Appeal Judgement</i>	ICTY, <i>Prosecutor v. Martić</i> , IT-95-11-A, Judgement, 8 October 2008
<i>Milošević Appeal Decision on Admissibility</i>	ICTY, <i>Prosecutor v. Milošević</i> , IT-02-54-AR73.2, Decision on Admissibility of Prosecution Investigator's Evidence, 30 September 2002
<i>Milošević Appeal Judgement</i>	ICTY, <i>Prosecutor v. Milošević</i> , IT-98-29/1-A, Judgement, 12 November 2009
<i>Milutinović et al. Appeal Decision on Witness Evidence</i>	ICTY, <i>Prosecutor v. Milutinović et al.</i> , IT-05-87-AR73.1, Decision on Interlocutory Appeal Against Second Decision Precluding the Prosecution from Adding General Wesley Clark to its 65 th Witness List, 20 April 2007
<i>Milutinović et al. Decision on Certification of Appeal of Decision on Admission of Expert Witness</i>	ICTY, <i>Prosecutor v. Milutinović et al.</i> , IT-05-87-T, Decision on Prosecution Request for Certification of Interlocutory Appeal of Decision on Admission of Witness Philip Coo's Expert Report, 30 August 2006
<i>Orić Appeal Judgement</i>	ICTY, <i>Prosecutor v. Orić</i> , IT-03-68-A, Judgement, 3 July 2008
<i>Perišić Decision on Witness Testimony</i>	ICTY, <i>Prosecutor v. Perišić</i> , IT-04-81-T, Decision on Defence Motion <i>In Limine</i> for Prosecution Witness Bretton Randall, 11 February 2009
<i>Popović et al. Appeal Judgement</i>	ICTY, <i>Prosecutor v. Popović et al.</i> , IT-05-88-A, Judgement, 30 January 2015
<i>Popović et al. Decision on Admissibility of Testimony</i>	ICTY, <i>Prosecutor v. Popović et al.</i> , IT-05-88-T, Decision on Joint Defence Motion Requesting Determination as to the Admissibility of the Testimony of Jean René Ruez, 6 September 2006

<i>Prlić et al.</i> Appeal Decision on Admission of Evidence	ICTY, <i>Prosecutor v. Prlić et al.</i> , IT-04-74-AR73.13, Decision on Jadranko Prlić's Consolidated Interlocutory Appeal Against the Trial Chamber's Orders of 6 and 9 October 2008 on Admission of Evidence, 12 January 2009
<i>Rašić</i> Appeal Judgement	ICTY, <i>Prosecutor v. Rašić</i> , IT-98-32/1-R77.2-A, Judgement, 16 November 2012
<i>Šešelj</i> Appeal Judgement	ICTY, <i>Prosecutor v. Šešelj</i> , IT-03-67-R77.4-A, Public Redacted Version of "Judgement" Issued on 30 May 2013, 30 May 2013
<i>Šešelj</i> Sentencing Appeal Judgement	ICTY, <i>Prosecutor v. Šešelj</i> , IT-03-67-R77.3-A, Judgement, 28 November 2012
<i>Stakić</i> Appeal Judgement	ICTY, <i>Prosecutor v. Stakić</i> , IT-97-24-A, Judgement, 22 March 2006
<i>Stanišić and Simatović</i> Appeal Judgement	ICTY, <i>Prosecutor v. Stanišić and Simatović</i> , IT-03-69-A, Judgement, 9 December 2015
<i>Stanišić and Župljanin</i> Appeal Judgement	ICTY, <i>Prosecutor v. Stanišić and Župljanin</i> , IT-08-91-A, Judgement, 30 June 2016
<i>Strugar</i> Appeal Judgement	ICTY, <i>Prosecutor v. Strugar</i> , IT-01-42-A, Judgement, 17 July 2008
<i>Tadić</i> Appeal Judgement	ICTY, <i>Prosecutor v. Tadić</i> , IT-94-1-A, Judgement, 15 July 1999
<i>Tolimir</i> Appeal Decision on Jurisdiction	ICTY, <i>Prosecutor v. Tolimir</i> , IT-05-88/2-AR72.1, Decision on Tolimir's "Interlocutory Appeal Against the Decision of the Trial Chamber on the part of the Second Preliminary Motion Concerning the Jurisdiction of the Tribunal", 25 February 2009

4. International Criminal Tribunal for Rwanda

<i>Bagosora et al.</i> Decision on Admission of Binder	ICTR, <i>Prosecutor v. Bagosora et al.</i> , ICTR-98-41-T, Decision on Admission of Tab 19 of Binder Produced in Connection with Appearance of Witness Maxwell Nkole, 13 September 2004
<i>Bagosora et al.</i> Appeal Decision on Exclusion of Evidence	ICTR, <i>Prosecutor v. Bagosora et al.</i> , ICTR-98-41-AR93 and ICTR-98-41-AR93.2, Decision on

	Prosecutor's Interlocutory Appeals Regarding Exclusion of Evidence, 19 December 2003
<i>Bizimungu et al.</i> Transcript	ICTR, <i>Prosecutor v. Bizimungu et al.</i> , ICTR-99-50-T, Transcript, 8 October 2004
<i>Kajelijeli</i> Appeal Judgement	ICTR, <i>Kajelijeli v. Prosecutor</i> , ICTR-98-44A-A, Judgement, 23 May 2005
<i>Kanyarukiga</i> Decision on OTP Witness List	ICTR, <i>Prosecutor v. Kanyarukiga</i> , ICTR-02-78-I, Decision on Prosecutor's Motion to Vary his Witness List, 11 August 2009
<i>Karemera et al.</i> Decision on Witness Withdrawal	ICTR, <i>Prosecutor v. Karemera et al.</i> , ICTR-98-44-T, Decision on "Requête de la Défense de M. Ngirumpatse en Retrait de la Déposition du Témoin GFJ et des Pièces Afférentes", 6 August 2008
<i>Kayishema and Ruzindana</i> Appeal Judgment	ICTR, <i>Prosecutor v. Kayishema and Ruzindana</i> , ICTR-95-1-A, Judgment (Reasons), 1 June 2001
<i>Musema</i> Appeal Judgement	ICTR, <i>Musema v. Prosecutor</i> , ICTR-96-13-A, Judgement, 16 November 2001
<i>Nahimana et al.</i> Appeal Judgement	ICTR, <i>Nahimana et al. v. Prosecutor</i> , ICTR-99-52-A, Judgement, 28 November 2007
<i>Ndindiliyimana et al.</i> Decision on Defence Witness Testimony	ICTR, <i>Prosecutor v. Ndindiliyimana et al.</i> , ICTR-00-56-T, Decision on the Prosecutor's Motion Opposing the Testimony of Witness DE4-30 as a Factual Witness, 16 May 2007
<i>Nshogoza</i> Appeal Judgement	ICTR, <i>Nshogoza v. Prosecutor</i> , ICTR-07-91-A, Judgement, 15 March 2010
<i>Ntagerura et al.</i> Appeal Judgement	ICTR, <i>Prosecutor v. Ntagerura et al.</i> , ICTR-99-46-A, Judgement, 7 July 2006
<i>Ntawukulilyayo</i> Appeal Judgement	ICTR, <i>Ntawukulilyayo v. Prosecutor</i> , ICTR-05-82-A, Judgement, 14 December 2011
<i>Nyiramasuhuko et al.</i> Appeal Judgement	ICTR, <i>Prosecutor v. Nyiramasuhuko et al.</i> , ICTR-98-42-A, Judgement, 14 December 2015
<i>Nyiramasuhuko et al.</i> Oral Decision on Defence Expert Witness	ICTR, <i>Prosecutor v. Nyiramasuhuko et al.</i> , ICTR-98-42-T, Oral Decision on the Qualification of Mr. Edmond Babin as Defence Expert Witness, 13 April 2005

<i>Rutaganda</i> Appeal Judgement	ICTR, <i>Rutaganda v. Prosecutor</i> , ICTR-96-3-A, Judgement, 26 May 2003
<i>Simba</i> Appeal Judgement	ICTR, <i>Simba v. Prosecutor</i> , ICTR-01-76-A, Judgement, 27 November 2007

5. International Residual Mechanism for Criminal Tribunals

<i>Fatuma et al.</i> Appeal Judgement	IRMCT, <i>Prosecutor v. Fatuma et al.</i> , MICT-18-116-A, Judgement, 29 June 2022
<i>Karadžić</i> Appeal Judgement	IRMCT, <i>Prosecutor v. Karadžić</i> , MICT-13-55-A, Judgement, 20 March 2019
<i>Mladić</i> Appeal Judgement	IRMCT, <i>Prosecutor v. Mladić</i> , MICT-13-56-A, Judgement, 8 June 2021
<i>Mladić</i> Appeal Decision on Provisional Release	IRMCT, <i>Prosecutor v. Mladić</i> , MICT-13-56-A, Public Redacted Version of the “Decision on a Motion for Reconsideration and Certification to Appeal Decision on a Request for Provisional Release” Filed on 22 May 2018, 8 June 2018
<i>Ngirabatware</i> Appeal Judgement	IRMCT, <i>Ngirabatware v. Prosecutor</i> , MICT-12-29-A, Judgement, 18 December 2014
<i>Nzabonimpa et al.</i> Trial Judgement	IRMCT, <i>Prosecutor v. Nzabonimpa et al.</i> , MICT-18-116-T, Judgement, 25 June 2021
<i>Stanišić and Simatović</i> Trial Judgement	IRMCT, <i>Prosecutor v. Stanišić and Simatović</i> , MICT-15-96-T, Judgement, 30 June 2021

6. Special Court for Sierra Leone

<i>Sesay</i> Decision on Counsel Code of Conduct	SCSL, <i>Prosecutor v. Sesay</i> , SCSL-04-15-CCC32, Decision on Complaint Pursuant to Article 32 of the Code of Professional Conduct for Counsel with the Right of Audience Before the Special Court for Sierra Leone, 20 February 2006
<i>Taylor</i> Appeal Judgment	SCSL, <i>Prosecutor v. Taylor</i> , SCSL-03-01-A, Judgment, 26 September 2013
<i>Taylor</i> Decision on Exclusion of Evidence	SCSL, <i>Prosecutor v. Taylor</i> , SCSL-03-01-T, Decision on Defence Application to Exclude the Evidence of Proposed Prosecution Expert

	Witness Corinne Dufka or, in the Alternative, to Limit its Scope and on Urgent Prosecution Request for Decision, 19 June 2008
--	---

7. Special Tribunal for Lebanon

<i>Akhbar and Al Amin</i> Trial Judgment	STL, <i>In the Case Against Akhbar Beirut S.A.L. and Al Amin</i> , STL-14-06/T/CJ, Public Redacted Version of the Judgment, 15 July 2016
<i>Akhbar and Al Amin</i> Sentencing Judgment	STL, <i>In the Case Against Akhbar Beirut S.A.L. and Al Amin</i> , STL-14-06/S/CJ, Reasons for Sentencing Judgment, 5 September 2016
<i>Al Jadeed and Al Khayat</i> Appeal Judgment	STL, <i>In the Case Against Al Jadeed [Co.] S.A.L./New T.V. S.A.L. (N.T.V.) and Al Khayat</i> , STL-14-05/A/AP, Public Redacted Version of Judgment on Appeal, 8 March 2016
<i>Al Khayat</i> Sentencing Judgment	STL, <i>In the Case Against Karma Mohamed Tahsin Al Khayat</i> , STL-14-05/S/CJ, Reasons for Sentencing Judgment, 6 October 2015

C. KOSOVO

1. Jurisprudence

Kosovo Appeal Judgment of 15 September 2016	Kosovo, Court of Appeals, <i>B.J.</i> , PAKR 161/16, Judgement, 15 September 2016
Kosovo Appeal Judgment of 25 April 2013	Kosovo, Court of Appeals, <i>K.P. et al.</i> , PAKR 1122/2012, Judgment, 25 April 2013
Kosovo Appeal Judgment of 28 May 2014	Kosovo, Court of Appeals, <i>M.I. et al.</i> , PAKR 513/2013, Judgment, 28 May 2014
Kosovo Appeal Judgment of 4 August 2016	Kosovo, Court of Appeals, <i>R.K.</i> , PAKR 147/16, Judgment, 4 August 2016
Kosovo Appeal Judgment of 7 December 2017	Kosovo, Court of Appeals, <i>R.R. and M.V.</i> , PAKR 158/17, Judgment, 7 December 2017
Kosovo Basic Court Judgment of 10 June 2020	Kosovo, Basic Court of Ferizaj/Uroševac, <i>K.S. and R.B.</i> , PKR. 36/19, Judgment, 10 June 2020

	(see English translation in Annex 2 to SPO Response Brief, pp. 13-49)
Kosovo Basic Court Judgment of 12 February 2021	Kosovo, Basic Court of Gjilan/Gnjilane, <i>L.T.</i> , P. 873/2020, Judgment, 12 February 2021 (see English translation in Annex 2 to SPO Response Brief, pp. 2-12)
Kosovo Basic Court Judgment of 21 November 2016	Kosovo, Basic Court of Mitrovicë/Mitrovica, <i>R.R. and M.V.</i> , P. 61/2016, Judgment, 21 November 2016
Kosovo Basic Court Judgment of 23 October 2015	Kosovo, Basic Court of Mitrovicë/Mitrovica, <i>S.S. et al.</i> , P. 122/2014, Judgment, 23 October 2015
Kosovo Basic Court Judgment of 29 February 2016	Kosovo, Basic Court of Mitrovicë/Mitrovica, <i>S.V.</i> , P. 127/2015, Judgment, 29 February 2016
Kosovo District Court Judgment of 24 May 2012	Kosovo, District Court of Peja/Peć, <i>K.P. et al.</i> , P. 477/11, Judgment, 24 May 2012

2. Legislation

2012 KCC	Criminal Code of the Republic of Kosovo, Code No. 04/L-082, 20 April 2012
KCC	Criminal Code of the Republic of Kosovo, Code No. 06/L-074, 14 January 2019
KCPC	Kosovo Criminal Procedure Code, Code No. 04/L-123, 13 December 2012
Kosovo Constitution	Constitution of the Republic of Kosovo
Kosovo Law on the Classification of Information and Security Clearances	Kosovo, Law No. 03/L-178 on Classification of Information and Security Clearances, 1 July 2010
Kosovo Law on Witness Protection	Kosovo, Law No. 04/L-015 on Witness Protection, 29 July 2011
PCCK	UNMIK/REG/2003/25, Provisional Criminal Code of Kosovo, 6 July 2003

D. MISCELLANEOUS

<i>Ambos Rome Statute Commentary</i>	Ambos, K. (ed.), <i>The Rome Statute of the International Criminal Court: Article-by-Article Commentary</i> (Fourth Edition), C. H. Beck, Hart, Nomos 2022
<i>Ambos Treatise ICL I</i>	Ambos, K., <i>Treatise on International Criminal Law: Volume I: Foundations and General Part</i> (Second Edition), Oxford University Press 2021
<i>Ambos Treatise ICL II</i>	Ambos, K., <i>Treatise on International Criminal Law: Volume II: The Crimes and Sentencing</i> (Second Edition), Oxford University Press 2022
<i>Blockburger Judgment</i>	United States, Supreme Court, <i>Blockburger v. United States</i> , 284 U.S. 299, Judgment, 4 January 1932
<i>Eser Defences in War Crime Trials</i>	Eser, A., "Defences in War Crime Trials" in Dinstein, Y., and Tabory, M. (eds), <i>War Crimes in International Law</i> , Martinus Nijhoff Publishers 1996
<i>EU Directive on Presumption of Innocence</i>	EU, Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings, 9 March 2016 (entered into force on 31 March 2016)
<i>Fernández-Pacheco Estrada The ICC and the Čelebići Test</i>	Fernández-Pacheco Estrada, C., "The International Criminal Court and the Čelebići Test" (2017) 15 <i>Journal of International Criminal Justice</i> 689
<i>Guide on Article 6 of the ECHR</i>	ECtHR, Guide on Article 6 of the European Convention on Human Rights – Right to a fair trial (criminal limb), https://www.echr.coe.int/

	Documents/Guide_Art_6_criminal_ENG.pdf (updated on 31 August 2022)
ICTY and ICTR Code of Professional Conduct for Prosecution Counsel	International Criminal Tribunal for the Former Yugoslavia, Prosecutor's Regulation No 2 (1999), Standards of Professional Conduct for Prosecution Counsel, 14 September 1999
<i>Kokott Burden of Proof</i>	Kokott, J., <i>The Burden of Proof in Comparative and International Human Rights Law: Civil and Common Law Approaches with Special Reference to the American and German Legal Systems</i> , Kluwer Law International 1998
<i>Morais v. Angola</i>	UNHRC, <i>Morais v. Angola</i> , Communication No. 1128/2002, UN Doc. CCPR/C/83/D/1128/2002, 29 March 2005
<i>Roberts Criminal Evidence</i>	Roberts, P., <i>Roberts & Zuckerman's Criminal Evidence</i> (Third Edition), Oxford University Press 2022
<i>Salihu et al. Commentary</i>	Salihu, I. et al., <i>Commentary on the Criminal Code of the Republic of Kosovo</i> , Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH 2014
SCSL Code of Professional Conduct for Counsel	Special Court for Sierra Leone, Code of Professional Conduct for Counsel with the Right of Audience before the Special Court for Sierra Leone, 14 May 2005 (amended on 13 May 2006)
<i>Stuckenberg Cumulative Charges and Cumulative Convictions</i>	Stuckenberg, C. F., "Cumulative Charges and Cumulative Convictions" in Stahn, C. (ed.), <i>The Law and Practice of the International Criminal Court</i> , Oxford University Press 2015