



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

In: KSC-CA-2022-01/CR002
Before: Single Judge
Judge Nicolas Guillou
Registrar: Dr Fidelma Donlon
Filing Participant: Acting Specialist Prosecutor
Date: 3 March 2023
Language: English
Classification: Confidential

**Prosecution response to Haradinaj Request for Temporary Release on
Compassionate Grounds**

Specialist Prosecutor's Office

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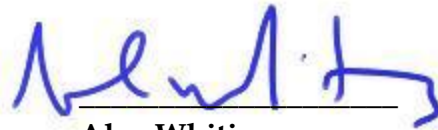
Counsel for Mr Haradinaj

Toby Cadman

1. In view of the circumstances set out in the Request,¹ the SPO would not object to HARADINAJ being authorised to undertake a one-day visit to Kosovo, which would be proportional to the grounds for which the temporary release is sought.² Conditions comparable to those imposed by Trial Panel II in similar circumstances³ should be adopted. In light of the necessary consideration of security and logistical matters, the SPO defers to the Registrar in relation to whether and when such visit would be most appropriate.

2. This filing is submitted as Confidential in accordance with Rule 82(4) of the Rules.⁴ Once the Request is resolved and after the conclusion of any visit, the SPO has no objection to reclassifying this filing as public.

Word count: 274



Alex Whiting
Acting Specialist Prosecutor

Friday, 3 March 2023

At The Hague, the Netherlands.

¹ Haradinaj Defence Request for Temporary Release on Compassionate Grounds, KSC-CA-2022-01/CR002/F00001, 3 March 2023, Confidential ('Request'). Following the Request, the Single Judge was appointed to adjudicate it, Decision Assigning a Single Judge, KSC-CA-2022-01/CR002/F00002, 3 March 2023, Confidential.

² Public Redacted Version of Decision on Second Gucati Defence Request for Temporary Release on Compassionate Grounds, KSC-BC-2020-07/F00618/RED, 27 May 2002 ('Gucati Decision'), para.26.

³ Gucati Decision, KSC-BC-2020-07/F00618/RED, paras 24-25. The SPO is confident that the Registry will ensure that these conditions are implemented in a manner respectful of the circumstances. In the event that HARADINAJ's presence in Kosovo should become known, the SPO requests that the SPO, Registrar and/or EULEX, as appropriate and to the extent necessitated in the circumstances, be authorised to provide any public clarification or statement which may be needed, including for the purposes of maintaining operational security.

⁴ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').