



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:** Acting Specialist Prosecutor

**Date:** 3 April 2023

**Language:** English

**Classification:** Public

---

Public redacted version of 'Prosecution submission of amended exhibit list and related submissions with strictly confidential and *ex parte* Annexes 1, 4-5 and confidential Annexes 2 -3', KSC-BC-2020-06/F00896, dated 25 July 2022

---

**Specialist Prosecutor's Office**

Alex Whiting

**Counsel for Victims**

Simon Laws

**Counsel for Hashim Thaçi**

Gregory Kehoe

**Counsel for Kadri Veseli**

Ben Emmerson

**Counsel for Rexhep Selimi**

David Young

**Counsel for Jakup Krasniqi**

Venkateswari Alagendra

1. Pursuant to the Decision<sup>1</sup> and Rule 95(4) of the Rules,<sup>2</sup> the Specialist Prosecutor's Office ('SPO') hereby: (i) files an amended exhibit list ('Amended List');<sup>3</sup> and (ii) identifies the additional relevant information contained in statements [REDACTED].<sup>4</sup> Pursuant to the Framework Decision,<sup>5</sup> Articles 23, 35(2)(f), and 39(1), (3) and (11) of the Law<sup>6</sup> and Rules 80, 95(2)(h), and 108, the SPO also requests authorisation to apply a further non-standard redaction to document [REDACTED], which is necessary to give effect to existing protective measures for [REDACTED].
2. The Amended List includes the following modifications:
  - a. addition<sup>7</sup> of: (i) the Further Material,<sup>8</sup> as authorised in the Decision;<sup>9</sup> and (ii) other language versions of documents already on the Exhibit List;<sup>10</sup>
  - b. certain corrections to ERNs, descriptions, and metadata;<sup>11</sup> and

---

<sup>1</sup> Decision on Specialist Prosecutor's Request to Amend its Exhibit List and to Authorise Related Protective Measures, KSC-BC-2020-06/F00876, 8 July 2022, Strictly Confidential and *Ex Parte* ('Decision'), para.107.

<sup>2</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>3</sup> Annex 1 includes the strictly confidential and *ex parte* version and Annex 2 includes the confidential redacted version. An amended exhibit list was previously filed on 29 April 2022. *See* Annex 1 to Prosecution submission of amended exhibit list, KSC-BC-2020-06/F00788/A01 ('Exhibit List').

<sup>4</sup> The additional relevant information is set out in Annex 3. *See* Decision, KSC-BC-2020-06/F00876, paras 32, 34, 43-44, 67, 69, 107(c).

<sup>5</sup> Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2020-06/F00099, 23 November 2020 ('Framework Decision').

<sup>6</sup> Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

<sup>7</sup> Additions to the Amended List begin at item number 18005.

<sup>8</sup> This term is defined in paragraph 19 of the Decision.

<sup>9</sup> Decision, KSC-BC-2020-06/F00876, para.107(b). They are listed as items 18020-18056 in Annexes 1 and 2. With the exception of [REDACTED], the Further Material was disclosed in Disclosure Package 365.

<sup>10</sup> *See* Decision, KSC-BC-2020-06/F00876, para.94. These other language versions include translations and original language versions of documents previously disclosed. *See* Disclosure Packages 201, 226, 363 and 364. The SPO notes that Disclosure Package 364 also includes certain videos underlying the surrogate sheet at 083184 contained in 083094-083196 RED2 (Disclosure Package 137). These videos were provided by W04745 to the SPO and are referenced in his SPO interview. *See* 083217-TR-ET Part 9 Revised, p.10; 083217-TR-ET Part 10, p.2; 083217-TR-ET Part 12, p.13; 083217-TR-ET Part 14 Revised, p.7; 083217-TR-ET Part 19 Revised, p.17. The videos were not used in questioning the witness and, at this time, the SPO does not intend to rely upon them.

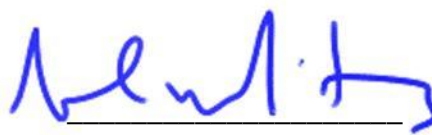
<sup>11</sup> The ERNs of items 3189 and 3190 on the Amended List were corrected. The description of four items or their metadata have been revised, consistent with related disclosures (Disclosure Package 218; *see*

c. removal of four duplicate entries.<sup>12</sup>

3. In the Decision, the Pre-Trial Judge authorised the SPO to apply non-standard redactions to [REDACTED].<sup>13</sup> Upon closer review of [REDACTED], including against the typed transcript,<sup>14</sup> the SPO has identified one additional sentence which requires non-standard redactions.<sup>15</sup> This sentence relates to information which is contained in the following portion of the document and for which non-standard redactions have already been authorised in the Decision. The proposed additional non-standard redaction is therefore necessary to give effect to existing protective measures.

4. This filing and Annexes 2 and 3 are confidential and Annexes 1, 4 and 5 are strictly confidential and *ex parte* pursuant to Rule 82(4).

**Word count: 726**



**Alex Whiting**

**Acting Specialist Prosecutor**

Monday, 3 April 2023

At The Hague, the Netherlands.

---

Amended List, Items 2, 3997, 3998, 6872). Finally, in certain cases, descriptions and metadata were revised given that, *inter alia*, redacted or unredacted versions of previously withheld items, or lesser redacted versions of previously disclosed items have been disclosed since the filing of the Exhibit List.

<sup>12</sup> See Exhibit List, Items 6768, 16653, 17741, 18003 (being the duplicates, respectively, of Items 6769, 16652, 17440 and 6525). As a result of the removal of these four duplicate entries, there has also been a corresponding change in item numbers for exhibits which followed the relevant duplicate entries.

<sup>13</sup> Decision, KSC-BC-2020-06/F00876, paras 100-103.

<sup>14</sup> In addition to the summary provided at Annex 3, the SPO has also produced a typed transcript ([REDACTED]) of the handwritten notes ([REDACTED]), which will be disclosed promptly after resolution of the additional protective measures request herein.

<sup>15</sup> For ease of reference, the relevant sentence has been highlighted in yellow on [REDACTED] of Annexes 4-5.