



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: Trial Panel II
Judge Charles L. Smith, III, Presiding Judge
Judge Christoph Barthe
Judge Guénaél Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Acting Specialist Prosecutor

Date: 19 April 2023

Language: English

Classification: Public

Public Redacted Version of 'Prosecution submissions on the classification of items admitted through the bar table', KSC-BC-2020-06/F01431, dated 6 April 2023

Specialist Prosecutor's Office

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David Young

Counsel for Jakup Krasniqi

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1. Pursuant to the Decision,¹ as well as Rules 83-84 of the Rules² and Article 23 of the Practice Direction,³ the Specialist Prosecutor's Office requests to maintain the confidential classification of the following items admitted through the bar table, along with their corresponding translations: U001-8967-U001-9121, 031096-031112 RED, SITF00069026-0069029 RED. The remaining admitted exhibits⁴ and corresponding translations can be reclassified as public.
2. U001-8967-U001-9121⁵ is a notebook that shows a record of transits through the Vlore/Vlora KLA checkpoint from June to August 1998, and includes a list of individuals that were to be arrested. This item should remain confidential because it contains references to the identity of innocent third parties with no connection to these proceedings and could therefore impact on their right of privacy. Although none of the individuals listed are SPO witnesses, having their names exposed in public could increase the risk to their safety and physical and psychological well-being.
3. 031096-031112 RED⁶ and SITF00069026-0069029 RED should remain confidential to give effect to existing protective measures. Both exhibits are related to, and proposed to be used during the testimony of, W04421, who was granted pseudonym and closed session.⁷ W04421 is the [REDACTED] of victim [REDACTED],

¹ Decision on Specialist Prosecutor's Bar Table Motion, KSC-BC-2020-06/F01409, 31 March 2023 ('Decision'), para.64(g).

² 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.

³ Registry Practice Direction, Files and Filings before the Kosovo Specialist Chambers, KSC-BD-15, 17 May 2019 ('Practice Direction').

⁴ SITF00249197-00249201; SITF00249805-00249814; SPOE00061029-00061032; SITF00180469-00180502, pp.SITF00180469-00180473, SITF00180476-00180481, SITF00180482-SITF00180482, SITF00180485-00180486, SITF00180488-00180500; 057924-058024, pp.052924-057924, 057944-0957945, 057947-057947, 057953-057956, 057967-057967, 057981-057981, 057998-058001, 058009-058011, 058013-058015, and 058022-058022; 069164-069165; U000-0445-U000-0461 (U000-0445-U000-0461-ET); U000-5395-U000-5395; and IT-03-66 P149 (IT-03-66 P149a).

⁵ And related translation U001-8967-U001-9121-ET.

⁶ And related translation 031096-031112-AT RED.

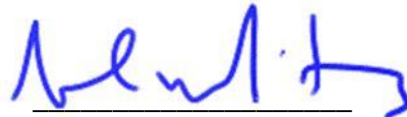
⁷ See, for example, Corrected Version of First Decision on Specialist Prosecutor's Request for Protective Measures, KSC-BC-2020-06/F00133/COR, 10 December 2020, paras 120, 132. See also Request for Protective Measures with strictly confidential and *ex parte* Annexes 1 to 13, KSC-BC-2020-06/F00094,

whose name remains redacted in the public redacted version of the Indictment.⁸ In addition, both exhibits contain references to the identity of innocent third parties with no connection to these proceedings and could therefore impact on their right to privacy.

4. These submissions are filed as confidential pursuant Rule 82(4). A public redacted version will be filed.

5. For the foregoing reasons, the Panel should maintain the confidential classification for U001-8967-U001-9121, 031096-031112 RED, and SITF00069026-0069029 RED.

Word count: 439



Alex Whiting

Acting Specialist Prosecutor

Wednesday, 19 April 2023

At The Hague, the Netherlands.

19 November 2020, Annex 13, p.4 (In-Court Measures requested for W04421: pseudonym, closed session).

⁸ Public Lesser Redacted Version of Amended Indictment, KSC-BC-2020-06/F01323/A01, 27 February 2023, p.[REDACTED] (Known Victim No. [REDACTED]).