

**ANNEX 1 to**

**Prosecution consolidated response to requests for protection of legality**

**Public**

**List of Authorities****I. KSC – *Gucati and Haradinaj***

1.	<a href="#">Public Redacted Version of Gucati Request for Protection of Legality pursuant to Article 48(6) to (8) of the Law and Rule 193 of the Rules</a> , KSC-SC-2023-01/F00002/RED, 3 May 2023 (Gucati Request)
2.	<a href="#">Haradinaj Defence Re-filed Request for Protection of Legality</a> , KSC-SC-2023-01/F00009, 9 May 2023 (Haradinaj Request)
3.	<a href="#">Public Redacted Version of the Decision on the Confirmation of the Indictment</a> , KSC-BC-2020-07/F00074/RED, 11 December 2020 (Confirmation Decision)
4.	<a href="#">Public Redacted Version of the Trial Judgment</a> , KSC-BC-2020-07/F00611/RED, 18 May 2022 (Trial Judgment)
5.	<a href="#">Appeal Judgment</a> , KSC-CA-2022-01/F00114, 2 February 2023 (Appeals Judgment)
6.	<a href="#">Decision Assigning a Court of Appeals Panel</a> , KSC-CA-2022-01/F00002, 24 May 2022
7.	<a href="#">Public Redacted Version of Notification on W04730 telephone contact</a> , KSC-CA-2022-01/F00028/RED, 7 July 2022 (redacted version notified 12 January 2023) (W04730 Notification)
8.	<a href="#">Public Redacted Version of Decision on Prosecution Notifications</a> , KSC-CA-2022-01/F00044/RED, 15 September 2022 (redacted version notified 31 January 2023) (Notifications Decision)
9.	<a href="#">Public Redacted Version of Decision on Specialist Prosecutor’s Office Request for Protective Measures</a> , KSC-CA-2022-01/F00049/RED, 23 September 2022 (redacted version notified 31 January 2023)
10.	<a href="#">Public Redacted Version of Decision on Defence Motions for Alternate Relief Relating to Rule 103 Disclosure Violations</a> , KSC-CA-2022-01/F00083/RED, 7 November 2022, (redacted version notified 31 January 2023) (Rule 103 Decision)
11.	<a href="#">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</a> , KSC-CA-2022-01/F00094/RED, 28 November 2022, (redacted version notified 31 January 2023) (KSC-CA-2022-01/F00094/RED)
12.	<a href="#">Public redacted version of Prosecution Consolidated Response to Defence Disclosure Requests</a> , KSC-CA-2022-01/F00091/RED, 11 November 2022 (redacted version notified 12 January 2023)
13.	<a href="#">Public Redacted Version of Prosecution Consolidated Response to Defence Rule 103 Requests and Related Reconsideration Requests</a> , KSC-CA-2022-01/F00076/RED, 27 October 2022 (redacted version notified 12 January 2023)

14.	<a href="#">Further Corrected Version of Defence Appeal Brief on Behalf of Mr. Nasim Haradinaj, KSC-CA-2022-01/F00035/COR2</a> , 2 September 2022 (Haradinaj Appeal)
15.	<a href="#">Public Redacted Version of Decision on the Prosecution Challenges to Disclosure of Items in the Updated Rule 102(3) Notice</a> , KSC-BC-2020-07/F00413/RED, 3 November 2021 (redacted version notified 16 December 2021)
16.	<a href="#">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”)</a> , KSC-CA-2022-01/F00036/RED, 22 August 2022
17.	<a href="#">ANNEX 2 to Prosecution Brief in Response to Defence Appeals</a> , KSC-CA-2022-01/F00047/A02, 21 September 2022

## II. KSC – *Thaçi et al.*

1.	<a href="#">Decision on Kadri Veseli’s Request for Protection of Legality</a> , KSC-BC-2020-06/PL001/F00008, 15 August 2022 (Veseli Legality Decision)
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## III. Kosovo Jurisprudence

1.	Kosovo Supreme Court, <i>Case of S.S.</i> , <a href="#">Judgment</a> , PmL-Kzz 42/2017, 10 May 2017
2.	Kosovo Supreme Court, <i>Case of A.B.</i> , <a href="#">Judgment</a> , PKL-Kzz 137/2011, 13 April 2012
3.	Kosovo Supreme Court, <i>Case of ZK</i> , <a href="#">Judgment</a> , PmL 125/2014, 8 July 2014
4.	Kosovo Supreme Court, <i>Case of N.M. et al.</i> , <a href="#">Judgment</a> , Pml.Kzz 8/2015, 18 February 2015
5.	Kosovo Supreme Court, <i>Case of N.V. et al.</i> , <a href="#">Judgment</a> , Pml.Kzz 178/2016, 19 December 2016
6.	Court of Appeals, <i>M.I. et al</i> , <a href="#">Judgment</a> , PAKR 513/2013, 28 May 2014 ( <i>M.I. et al.</i> )
7.	Basic Court of Ferizaj, <i>KS and RB</i> , <a href="#">Judgment</a> , PKR 36/19, 10 June 2020 ( <i>KS and RB</i> ) (See KSC-CA-2023-01/F00047/A02)
8.	Basic Court of Giljan, <i>LT</i> , <a href="#">Judgment</a> , P 873/2020, 12 February 2021 ( <i>LT</i> ) (See KSC-CA-2023-01/F00047/A02)

## IV. ECtHR

1.	ECtHR [GC], <i>Del Río Prada v. Spain</i> , <a href="#">Judgment</a> , 42750/09, 21 October 2013
2.	ECtHR [GC], <i>Vasiliauskas v. Lithuania</i> , <a href="#">Judgment</a> , 35343/05, 20 October 2015
3.	ECtHR [GC], <i>Kafkaris v. Cyprus</i> , <a href="#">Judgment</a> , 21906/04, 12 February 2008
4.	ECtHR, <i>S.W. v. United Kingdom</i> , <a href="#">Judgment</a> , 20166/92, 22 November 1995
5.	ECtHR, <i>Cantoni v. France</i> , <a href="#">Judgment</a> , 17862/91, 15 November 1996
6.	ECtHR, <i>Matanović v. Croatia</i> , <a href="#">Judgment</a> , 2742/12, 4 April 2017
7.	ECtHR, <i>Trifontsov v. Russia</i> , <a href="#">Decision</a> , 12025/02, 9 October 2012
8.	ECtHR, <i>Lyubchenko v. Ukraine</i> , <a href="#">Decision</a> , 34640/05, 31 May 2016
9.	ECtHR [GC], <i>Kyprianou v. Cyprus</i> , <a href="#">Judgment</a> , 73797/01, 15 December 2005

## V. ICC

1.	ICC, <i>Prosecutor v. Thomas Lubanga Dyilo</i> , <a href="#">Judgment on the appeal of Mr Thomas Lubanga Dyilo against his conviction</a> , ICC-04-01/06-3121-Red, 1 December 2014 ( <i>Lubanga AJ</i> )
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## VI. ICTY

1.	ICTY, <i>Prosecutor v. Hadžihasanović et al.</i> , Decision on Interlocutory Appeal Challenging Jurisdiction In Relation To Command Responsibility ( <a href="#">Partial Dissenting Opinion of Judge Shahabuddeen</a> ), IT-01-47-AR72, 16 July 2003 ( <i>Hadžihasanović et al. Decision</i> )
2.	ICTY, <i>Prosecutor v. Aleksovski</i> , <a href="#">Judgement</a> , IT-95-14/1-A, 24 March 2000 ( <i>Aleksovski AJ</i> )
3.	ICTY, <i>Prosecutor v. Brđanin</i> , <a href="#">Judgement</a> , IT-99-36-A, 3 April 2007 ( <i>Brđanin AJ</i> )
4.	ICTY, <i>Prosecutor v. Šešelj</i> , <a href="#">Judgement</a> , IT-03-67-R77.2-A, 19 May 2010 ( <i>2010 Šešelj Contempt AJ</i> )
5.	ICTY, <i>Prosecutor v. Dragomir Milošević</i> , <a href="#">Judgement</a> , IT-98-29/l-A, 12 November 2009 ( <i>Dragomir Milošević AJ</i> )
6.	ICTY, <i>Prosecutor v. Slobodan Milošević</i> , <a href="#">Decision on interlocutory appeal on Kosta Bulatović contempt proceeding</a> , IT-02-54-A-R77.4, 29 August 2005 ( <i>Bulatović Appeal Decision</i> )
7.	ICTY, <i>Prosecutor v. Margetić</i> , <a href="#">Judgement on Allegations of Contempt</a> , IT-95-14-R77.6 ( <i>Margetić TJ</i> )

**VII. ICTR**

1.	ICTR, <i>Prosecutor v. Nyiramasuhuko et al</i> , <a href="#">Judgement (Volume I)</a> and <a href="#">Judgement (Volume II)</a> , ICTR-98-42-A, 14 December 2015 ( <i>Nyiramasuhuko et al.</i> AJ)
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**VIII. IRMCT/MICT**

1.	IRMCT, <i>Prosecutor v. Fatuma et al.</i> , <a href="#">Judgement</a> , MICT-18-116-A, 29 June 2022 ( <i>Fatuma et al.</i> AJ)
2.	IRMCT, <i>Prosecutor v. Vojislav Šešelj</i> , <a href="#">Judgement</a> , MICT-16_99-A, 11 April 2018 ( <i>Šešelj</i> AJ)

**IX. STL**

1.	STL, <i>In the Case against Al Jadeed S.A.L. &amp; Ms. Al Khayat</i> , <a href="#">Public Redacted Version of Judgment on Appeal</a> , STL-14-05/A/AP, 8 March 2016 ( <i>Al Khayat</i> AJ)
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**X. Other**

1.	Kai Ambos, <i>Treatise on International Criminal Law: Volume I: Foundations and General Part (Ambos Treatise)</i>
2.	Ismet Salihu et al., <i>Commentary on the Criminal Code of the Republic of Kosovo (Salihu et al. Commentary)</i> (See KSC-BC-2020-07/F00341/A01)

**XI. Other Designated Short Forms**

	Description	Short Form
1.	Law No.06/L-074 on Criminal Code of the Republic of Kosovo, 14 January 2019	KCC
2.	Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015	Law. Unless otherwise indicated, reference to 'article' or 'articles' is in reference to the Law.
3.	Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020	Rules. Unless otherwise indicated, reference to 'rule' or 'rules' is in reference to the Rules.
4.	Appeal Judgment, Partially Dissenting Opinion of Judge Kai Ambos, KSC-CA-2022-01/F00114, 2 February 2023	Dissenting Opinion
5.	Provisional Criminal Code of Kosovo, 2004	PCCK

6.	Remnants of the documentation received by the SPO in September 2020, as defined in paragraphs 329-30 of the Trial Judgment	Batches (Batch 1, Batch 2, Batch 3, Batch 4)
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