

In: KSC-SC-2023-01

The Prosecutor v. Hysni Gucati and Nasim Haradinaj

Before: A Panel of the Supreme Court Chamber

Judge Ekaterina Trendafilova, Presiding

Judge Christine van den Wyngaert,

Judge Daniel Fransen

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Hysni Gucati

Date: 4 July 2023

Language: English

Classification: Public

**Public Redacted Version of Gucati Reply re Request for Sixth Custodial Visit on
Compassionate Grounds**

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I. SUBMISSIONS

1. Further to the order from Presiding Judge Ekaterina Trendafilova to do so¹, there are no further submissions made, in relation to the Registrar's submissions and the SPO response. Additionally, there is no further medical evidence relied on.
2. The Registry has confirmed the feasibility of a compassionate temporary transfer of Mr Gucati to Kosovo for one day (on approximately 1-2 working days` notice), which would allow Mr Gucati to [REDACTED]².
3. There are a range of conditions that have previously been imposed to such an order for temporary release to address any risks of flight, obstruction of the progress of proceedings, or the commission of further offences during the period of temporary release³. The Panel is invited to consider the same and, if deemed necessary, impose any such conditions as required. Mr Gucati will comply with the same as he has done previously.

¹ Order for Submissions on Requests for Temporary Release, KSC-CA-2023-01/F00011, Panel of the Supreme Court Chamber, 30 June 2023, Confidential at paragraph 8

²Submissions on the Gucati Request for Temporary Release on Compassionate Grounds, KSC-CA-2023-01/CR001/F00013, Registrar, 3 July 2023, Confidential at paragraphs 17-20

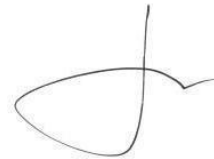
³ *Public Redacted Version of Decision on Veseli Defence Request for Temporary Release on Compassionate Grounds*, KSC-BC-2020-06/F00271/RED, Pre-Trial Judge, 30 April 2021, Public at paragraph 18; *Public Redacted Version of Decision on Veseli Defence Request for Modification of Decision* KSC-BC-2020-06/F00271, KSC-BC-2020-06/F00276/RED, Pre-Trial Judge, 4 May 2021, Public at paragraph 12; *Decision on First Custodial Visit*, at paragraph 20; *Decision on Second Custodial Visit*, at paragraph 24; *Third Custodial Visit*, at paragraph 18; *Decision on Fourth Custodial Visit*, at paragraph 23

4. Accordingly, the Panel is requested in the circumstances to direct that the place of detention be transferred to Kosovo on a temporary basis pursuant to Rule 56(3) of the Rules [REDACTED].

CLASSIFICATION

5. This filing is classified as confidential and ex parte as it refers to [REDACTED].

Word count: 402 words



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4 July 2023

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