



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 Guénaël Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor's Office

Date: 23 October 2023

Language: English

Classification: Public

Public Redacted Version of 'Prosecution submissions on Duty Counsel's request to adjourn W04577's testimony'

Specialist Prosecutor's Office

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Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

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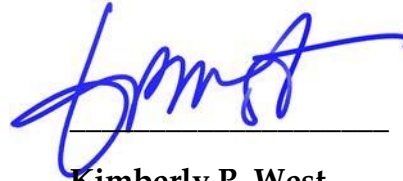
Geoffrey Roberts

Counsel for Jakup Krasniqi

Venkateswari Alagenda

1. In view of the circumstances highlighted by Duty Counsel for W04577,¹ the information contained in the Witness Protection and Support Office ('WPSO') Report² and Hospital Report,³ and the conclusion reached in the WPSO Psychological Assessment,⁴ the Specialist Prosecutor's Office ('SPO') does not oppose an adjournment of the testimony of W04577.
2. In order to obtain further clarity on the next steps to take in relation to W04577, the SPO requests that the Trial Panel order the WPSO Psychologist, subject to W04577's consent and the agreement of the [REDACTED] treating W04577, to consult the [REDACTED] treating W04577 on eventual treatment progress and any changes concerning the witness' fitness to testify,⁵ and to report to the Panel, Parties and participants thereon.
3. This filing is submitted as Strictly Confidential in accordance with Rule 82(4) of the Rules.⁶

Word count: 279



Kimberly P. West

Specialist Prosecutor

Monday, 23 October 2023

At The Hague, the Netherlands.

¹ Transcript, 18 October 2023, pp.9098-9.

² WPSO Report Regarding W04577, KSC-BC-2020-06/F01872, Strictly Confidential, 19 October 2023 (notified 20 October 2023; 'WPSO Report').

³ Email from CMU dated 18 October 2023 at 09:36 a.m. attaching an [REDACTED] 15 October 2023 report ('Hospital Report').

⁴ Annex 1 to WPSO Observations Regarding Assessment of Fitness to Testify for W04577 with on strictly confidential Annex, KSC-BC-2020-06/F01866/A01, Strictly Confidential, 18 October 2023 ('WPSO Psychological Assessment'). In particular, WPSO concluded the witness is 'not-fit to testify' [REDACTED].

⁵ See WPSO Psychological Assessment, p.4/5.

⁶ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').