



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:** 4 December 2023

**Language:** English

**Classification:** Public

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**Public Redacted Version of 'Prosecution request for protective measures for one item containing Rule 103 Information with strictly confidential and *ex parte***

**Annex 1'**

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**Specialist Prosecutor's Office**

Kimberly P. West

**Counsel for Victims**

Simon Laws

**Counsel for Hashim Thaçi**

Gregory Kehoe

**Counsel for Kadri Veseli**

Ben Emmerson

**Counsel for Rexhep Selimi**

Geoffrey Roberts

**Counsel for Jakup Krasniqi**

Venkateswari Alagendra

1. Pursuant to the Order on the Conduct of Proceedings,<sup>1</sup> Articles 21(6) 23, 35(2)(f), and 40(6)(f) of the Law,<sup>2</sup> and Rules 80, 103, 108 and 116(4)(b) of the Rules,<sup>3</sup> the Specialist Prosecutor's Office ('SPO') requests the Trial Panel to order necessary and proportionate protective measures, namely authorisation to apply non-standard redactions to item 116952-116955<sup>4</sup> ('Request'). Such authorisation is necessary in order not to reveal [REDACTED]. In addition to being strictly necessary, the proposed protective measures are also proportionate, striking an appropriate balance between the Accused's rights and the need to ensure the protection of the Witness.
2. 116952-116955 is [REDACTED]. Although the author does not identify the subject of his communication by name, it appears he may be referring to [REDACTED], in particular considering certain details provided, and the timing of the communication.
3. Accordingly, out of an abundance of caution, since information concerning the [REDACTED] is publicly available through simple open source searches, the SPO seeks to redact his identity. The proposed redactions do not impact any of the potentially exculpatory information and do not unduly prejudice the Defence. The proposed redactions would ensure [REDACTED] is not revealed to the Defence and Accused. The latter information is not subject to disclosure.<sup>5</sup>
4. This request is confidential and the Annex is strictly confidential and *ex parte* in accordance with Rules 80(3) and 82(3). This classification is necessary for the same reasons given for the Request.

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<sup>1</sup> Order on the Conduct of Proceedings, KSC-BC-2020-06/F01226/A01, 25 January 2023, paras 63-70.

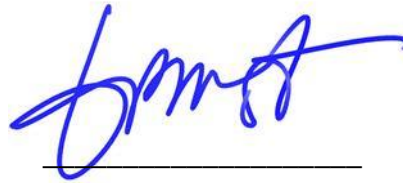
<sup>2</sup> Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

<sup>3</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>4</sup> Annex 1 reflects the proposed redactions. The SPO also requests that the 'Originator' field be redacted when disclosing the document, as it would reveal the [REDACTED].

<sup>5</sup> See Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2020-06/F00099, 23 November 2020, para.95(b).

**Word count: 345**



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**Kimberly P. West**

**Specialist Prosecutor**

Monday, 4 December 2023

At The Hague, the Netherlands.