



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: KSC-BC-2020-06

**The 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: Fidelma Donlon

Date: 9 February 2024

Language: English

Classification: Public

**Public Redacted Version of Decision on Registry Notification in Relation to
Court-Ordered Protective Measures and Request for Guidance Pursuant to
Decision F01977**

Specialist Prosecutor's Office

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TRIAL PANEL II of the Kosovo Specialist Chambers (“Panel”), pursuant to Articles 3(2), 21, 23, 34(12), 40(2), 40(6)(d) and (f) and 41(9) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”), Rules 27, 56(6), 80, 82(6) and 116(4)(d) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), and Articles 12 and 34 of the Code of Professional Conduct for Counsel,¹ renders this decision.

I. PROCEDURAL BACKGROUND

1. The procedural background concerning the arrest and detention of Hashim Thaçi (“Mr Thaçi”), Kadri Veseli (“Mr Veseli”), and Rexhep Selimi (“Mr Selimi”) (collectively “Three Accused”), has been set out extensively in previous decisions.²

2. On 1 December 2023, following a motion from the SPO,³ the Panel imposed further restrictions on the conditions of detention of the Three Accused based on information submitted to the Panel by the SPO (“Decision”).⁴

3. On 26 January 2024, the Registrar filed a notification and request for guidance concerning the Decision (“Notification and Request”).⁵

¹ KSC-BD-07-Rev1, Registrar, *Registry Practice Direction: Code of Professional Conduct for Counsel and Prosecutors Before the Kosovo Specialist Chambers* (“Code of Professional Conduct”), 28 April 2021, art. 12.

² See e.g. F00994, Pre-Trial Judge, *Decision on Periodic Review of Detention of Hashim Thaçi*, 29 September 2022, confidential, paras 18-21. A public redacted version was issued on 6 October 2022, F00994/RED; F00802, Pre-Trial Judge, *Decision on Periodic Detention Review of Rexhep Selimi*, 13 May 2022, confidential, paras 1-12. A public redacted version was issued on 24 May 2022, F00802/RED; F00819, Pre-Trial Judge, *Decision on Periodic Detention Review of Kadri Veseli*, 26 May 2022, confidential, paras 1- 13. A public redacted version was filed 8 June 2022, F00819/RED.

³ F01933, Specialist Prosecutor, *Prosecution Urgent Request for Modification of Detention Conditions*, 17 November 2023, confidential, with Annexes 1-5, confidential.

⁴ F01977, Trial Panel, *Further Decision on the Prosecutor’s Urgent Request for Modification of Detention Conditions for Hashim Thaci, Kadri Veseli, and Rexhep Selimi*, 1 December 2023.

⁵ F02082, Registrar, *Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977*, 26 January 2024, confidential, with Annexes 1-10, confidential.

4. On 1 February 2024, the Registrar filed her first report in compliance with the Panel's Decision.⁶
5. On 7 February 2024, the Thaçi Defence filed a response to the Registrar's Notification and Request ("Thaçi Response").⁷
6. On 7 February 2024, the SPO filed a response to the Registrar's Notification and Request ("SPO Response").⁸
7. On 7 February 2024, the Selimi Defence filed a response to the Registrar's Notification and Request ("Selimi Response").⁹

II. SUBMISSIONS

8. The Registry submits that confidential information received in the context of the proceedings or elicited during testimony of witnesses who are subject to court-ordered protective measures may have been disclosed during a series of in-person visits in the Detention Facilities between July and October of 2023, including during visits involving the spouse and/or children of Mr Selimi and Mr Thaçi.¹⁰
9. The Registry has submitted summaries¹¹ and transcripts¹² of audio recordings from the visits in question for the Panel's consideration.

⁶ F02098, Registrar, *Corrected Version of First Report of the Registrar Pursuant to Decision F01977*, 1 February 2024, confidential and *ex parte*.

⁷ F02107, Specialist Counsel, *Thaçi Defence Response to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977*, 7 February 2024, confidential.

⁸ F02108, Specialist Prosecutor, *Prosecution Request Relating to Registry Filing F02092*, 7 February 2024, confidential, with Annexes 1 and 2, confidential.

⁹ F02109, Specialist Counsel, *Selimi Defence Response to "Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977 with confidential Annexes 1-10" F02082, dated 26 January 2024*, 7 February 2024, confidential.

¹⁰ Notification and Request, para. 5.

¹¹ Notification and Request, paras 7-16.

¹² See F02082/A01, Registry, *Annex 1 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977 ("Annex 1")*, 26 January 2024, confidential; F02082/A02, Registry, *Annex 2 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977 ("Annex 2")*, 26 January 2024, confidential; F02082/A03,

10. In light of the Panel's Decision, the Registry requests further guidance from the Panel with respect to the conduct of Private Visits.¹³

11. The Thaçi Defence submits that Mr Thaçi did not intend to reveal the identity of the witness he discussed and that the disclosure was inadvertent.¹⁴ The Thaçi Defence also submits that this disclosure does not warrant a modification of conditions governing Private Visits.¹⁵ The Thaçi Defence submits that any further modifications of the conditions governing Private Visits at this stage would amount to a reconsideration of the Panel's Decision. The Thaçi Defence submits that the Panel is precluded from reconsidering its Decision in light of Rule 79, which provides that the Panel may reconsider its decisions in exceptional circumstances and where clear error of reasoning has been demonstrated or where consideration is necessary to avoid injustice.¹⁶

Registry, *Annex 3 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 3"), 26 January 2024, confidential; F02082/A04, Registry, *Annex 4 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 4"), 26 January 2024, confidential; F02082/A05, Registry, *Annex 5 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 5"), 26 January 2024, confidential; F02082/A06, Registry, *Annex 6 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 6"), 26 January 2024, confidential; F02082/A07, Registry, *Annex 7 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 7"), 26 January 2024, confidential; F02082/A08, Registry, *Annex 8 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 8"), 26 January 2024, confidential; F02082/A09, Registry, *Annex 9 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 9"), 26 January 2024, confidential; F02082/A10, Registry, *Annex 10 to Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977* ("Annex 10"), 26 January 2024, confidential.

¹³ Notification and Request, paras 17-19. "Private Visits" are "in-person visits that are conducted with the Accused's spouse and/or children and take place outside the sight and hearing of Detention Officers" (Notification and Request, para. 3; *see also* Decision, para. 57; KSC-BD-09-Rev1, Registrar, *Registry Practice Direction on Detainees: Visits and Communications* ("Practice Direction on Visits and Communications"), 23 September 2020, art. 24(1)).

¹⁴ Thaçi Response, para. 7.

¹⁵ Thaçi Response, para. 7.

¹⁶ Thaçi Response, para. 8. *See* Rule 79.

12. The SPO submits that the conduct reflected in the Registrar's Notification and Request demonstrates the necessity to subject all Private Visits of Messrs Selimi and Thaçi to the same active monitoring currently utilised for non-privileged, non-consular visits.¹⁷

13. The Selimi Defence submits that the Registrar's assessment of the conduct reflected in the recordings and Registrar's interpretation of the Trial Panel's Decision are erroneous and that the recordings do not warrant any change in the conditions set to Mr Selimi's visits.¹⁸

III. APPLICABLE LAW

14. Pursuant to Article 3(2) of the Law, the Specialist Chambers shall adjudicate and function in accordance with the Constitution of the Republic of Kosovo ("Constitution") and international human rights law, including the European Convention on Human Rights ("ECHR"). Articles 3 and 8 of the ECHR protect, respectively, the right not to be subjected to torture, or inhuman or degrading treatment or punishment, and the right to respect for one's private and family life, home and correspondence.

15. Pursuant to Rules 56(6) and 116(4)(d), the Panel may rule on conditions of detention and related matters for the purpose of protecting witnesses or victims, confidential information or the integrity of the proceedings, and may impose necessary and proportionate restrictions on the communications of a detained person in order to protect those interests.¹⁹

¹⁷ SPO Response, paras 7, 14-15.

¹⁸ Selimi Response, paras 6-23.

¹⁹ *See also* Decision, para. 23.

16. The Parties and participants are under a legal obligation not to disclose to third parties any confidential documents or information linked to the proceedings.²⁰ In particular, a Party or participant, including the Accused, shall not disclose the identity of a protected witness to any third party. This could only be done in the exceptional circumstances set out by the Pre-Trial Judge,²¹ and even in such case shall not reveal to third parties that any protected witness is involved with the activities of the KSC/SPO or the nature of such involvement.²²

17. Article 23 in combination with Articles 40(2), 40(6)(d) and (f) of Law mandates the Panel to adopt such measures as might be necessary and proportionate to protect victims and witnesses and to guarantee that confidential information is not disclosed to un-authorised third parties.

18. Articles 34(12) and 41(9) of the Law, and Rule 27 of the Rules, make it clear that the Registry has the authority to adopt any such measures as are necessary and proportionate to ensure that confidential information in possession of detainees, including information regarding the identity of protected witnesses, is not communicated to unauthorised third parties.²³

19. Pursuant to Articles 12 and 34 of the Code of Professional Conduct for Counsel, counsel shall take all necessary care to protect the confidentiality of information and shall not reveal any confidential information that may reveal the identity or

²⁰ See Rule 82(6); see generally F01226/A01, Trial Panel, *Annex 1 to Order on Conduct of Proceedings*, 25 January 2023, para. 15; F00854, Pre-Trial Judge, *Decision on Framework for Handling Confidential Information During Investigations and Contact Between a Party or Participant and Witnesses of the Opposing Party or of a Participant* (“Framework Decision on Handling Confidential Information”), 24 June 2022, para. 212(I)(a).

²¹ E.g. Framework Decision on Handling Confidential Information, para. 212(I)(e).

²² Framework Decision on Handling Confidential Information, para. 212(I)(f).

²³ See Practice Direction on Visits and Communications, Arts 4(2) and 7; KSC-BD-08-Rev1, Registrar, *Registry Practice Direction: Rules on Detention* (“Rules on Detention”), 23 September 2020, Rules 1(3), 4, and 63; KSC-BD-33/Annex A, Registrar, *Annex A to Detention Management Unit Instruction: Visiting Procedures for Family Members and Other Personal Visitors* (“Annex A to DMU Instruction”), 23 September 2020, Section 6.

whereabouts of a protected witness or victim.²⁴ Counsel with direct supervisory authority shall make reasonable efforts to ensure that members of their team adheres to these provisions and may be liable for violations of this Code.²⁵

IV. DISCUSSION

A. ALLEGED DISCLOSURES OF PROTECTED TESTIMONY

20. The Panel has carefully reviewed the transcripts of trial proceedings during which the relevant protected witnesses gave testimony in closed session as well as the transcripts of detention facilities recordings provided by the Registrar. As a preliminary matter, the Panel notes that some of the transcripts of detention facilities recordings do not specifically identify the individuals to whom certain statements are attributed. Instead, speakers are in some cases identified as ‘unidentified male’ followed by a number. In some instances, the Panel was therefore unable to attribute to a given individual certain statements made during those meetings. Despite this, the Panel has been able to establish the following.

21. W04337 is an SPO witness to whom in-court protective measures were granted.²⁶ During his closed session testimony, the witness testified that he “[REDACTED]”²⁷ and that he hoped [REDACTED].²⁸ On 15 July 2023, this confidential information was discussed during a non-privileged in-person visit at the detention facilities between Mr Selimi and visitors [REDACTED].²⁹ The Panel considers that Mr Selimi, as a defendant, and [REDACTED], as a defence team member, would have been the only

²⁴ Code of Professional Conduct, art. 12.

²⁵ Code of Professional Conduct, art. 34.

²⁶ F00133/COR/CONF/RED, Pre-Trial Judge, *Confidential Redacted Version of Corrected Version of First Decision on Specialist Prosecutor’s Request for Protective Measures*, 10 December 2023, confidential (“First Decision on Protective Measures”), para. 132(q).

²⁷ Transcript of Hearing, 10 July 2023, p. 5308; Annex 1, p. 2.

²⁸ Transcript of Hearing, 11 July 2023, p. 5424; Annex 1, p. 7.

²⁹ Notification and Request, para. 8; Annex 2, pp. 2, 12-13.

participants in this conversation in possession of the disclosed information prior to the 15 July 2023 meeting. The transcript of the visit identifies the speaker of the impugned comments as “UNIDENTIFIED MALE 1”.³⁰ For this reason it is not possible for the Panel to determine with any degree of certainty whether “UNIDENTIFIED MALE 1” is Mr Selimi or [REDACTED].

22. W03879 is an SPO witness to whom in-court protective measures were granted.³¹ While testifying in closed session on 14 August 2023, the witness confirmed his surname and that of his brother.³² On 7 October 2023, Mr Selimi identified W03879 by his surname while discussing the order of recent witnesses during a non-privileged in-person visit at the detention facilities with [REDACTED] and [REDACTED].³³

23. W01602 is an SPO witness to whom in-court protective measures were granted.³⁴ While testifying in private session on 14 June 2023, he referenced his sister by her first name and stated that she had dated a [REDACTED] by the name of [REDACTED] and an [REDACTED] named [REDACTED].³⁵ W03811, another witness to whom in-court protective measures were granted,³⁶ while testifying in private session on 19 June 2023, made references to these individuals.³⁷ On 19 August 2023, these details were disclosed during a non-privileged in-person visit at the detention facilities between Mr Selimi and visitors [REDACTED] and [REDACTED].³⁸ These details appear to have been disclosed during a discussion about the testimony of two recent witnesses.³⁹

³⁰ Annex 2, pp. 2, 12-13.

³¹ First Decision on Protective Measures, para. 132(q).

³² Transcript of Hearing, 14 August 2023, pp. 6257-6258; Annex 3, pp. 2-3.

³³ Notification and Request, para. 10; Annex 4, p. 2.

³⁴ F00438/CONF/RED, Pre-Trial Judge, *Confidential Redacted Version of Eighth Decision on Specialist Prosecutor's Request for Protective Measures*, 24 August 2021, confidential (“Eighth Decision on Protective Measures”), para. 93(m).

³⁵ Transcript of Hearing 14 June 2023, pp. 4891-4896; Annex 5, pp. 2-7.

³⁶ Eighth Decision on Protective Measures, para. 93(m).

³⁷ Transcript of Hearing, 19 June 2023, p. 5098; Transcript of Hearing, 20 June 2023, pp. 5130-5131, 5173, 5179-5181; Annex 7, pp. 2-8.

³⁸ Notification and Request, paras. 12, 14; Annex 6, pp. 4-6; Annex 8, pp. 4-6.

³⁹ Annex 6, pp. 4-6; Annex 8, pp. 4-6.

While the transcript of this particular visit only identifies the individual disclosing this information as “UNIDENTIFIED MALE 1”,⁴⁰ the Panel is satisfied that this must have been Rexhep Selimi, as he was the only participant in this conversation in possession of this information, having been present during the testimony of witnesses W01602 and W03879.

24. W04421 is an SPO witness to whom in-court protective measures were granted.⁴¹ While testifying in closed session on 20 April 2023, the witness disclosed the fact that [REDACTED], could only testify about events in the “[REDACTED] region”, and that [REDACTED].⁴² On 22 September 2023, Mr Thaçi had a non-privileged in-person visit with [REDACTED], and [REDACTED].⁴³ During this meeting, when discussing recent trial testimony, an individual identified as “UNIDENTIFIED MALE 1” referenced one recent [REDACTED] witness and noted that [REDACTED].⁴⁴ The Panel is satisfied that Mr Thaçi, as a defendant in this case, was the only person present during that visit in possession of this information at the time.

25. All witnesses referenced above were granted protective measures. Each witness testified either in closed or private session in respect of the disclosed information. Information pertaining to their identity or facts that could be used to ascertain their identity was therefore protected and confidential. As such, no person was permitted to disclose or discuss this information with unauthorised third parties, including friends and members of the Accused’s families.

26. A number of the transcripts of conversations that occurred in the detention facilities fail to identify the speaker of the impugned content. The Panel has not sought to assess whether the conduct of Mr Selimi and/or Mr Thaci, as outlined above, fulfils

⁴⁰ Annex 6, pp. 4-6; Annex 8, pp. 4-6.

⁴¹ First Decision on Protective Measures, para. 132(q).

⁴² Notification and Request, para. 15; Transcript of Hearing, 20 April 2023, pp. 3275, 3288, 3299, 3331, 3333-3334, 3345, 3376, 3378, 3384, 3391; Annex 9, pp. 2-12.

⁴³ Notification and Request, para. 16; Annex 10, pp. 2-9.

⁴⁴ Notification and Request, para. 16; Annex 10, pp. 5-6.

the requirements of any criminal offence for which they could be charged before this jurisdiction. Mr Selimi mentioned confidential information about protected witnesses to two unauthorized third parties on at least two occasions and in so doing disclosed confidential information. Similarly, Mr. Thaci mentioned confidential information to two members of his family and in so doing disclosed confidential information. The Panel has not been able to establish with any degree of certainty that any other individual who visited either of the Accused engaged in similar conduct during their visit.

B. DUTIES OF THE ACCUSED REGARDING PROTECTED TESTIMONY

27. The Panel reiterates that the Accused are prohibited from disclosing or discussing with anyone other than their counsel and Defence team members confidential information obtained in these proceedings, including information that could identify witnesses subject to protective measures.⁴⁵ Such disclosure to unauthorised third parties could constitute grounds for an offence under the applicable legal regime where accompanied by the requisite state of mind.⁴⁶ The Panel is not called upon, however, to determine whether either of the Accused committed a punishable offence and whether they acted with the requisite state of mind.

28. The Panel makes it clear that any such disclosure will, if it re-occurs, be addressed with the necessary firmness and hereby reminds the Accused, Mr Selimi and Mr Thaçi, of their obligation not to disclose nor discuss confidential information related to these proceedings with unauthorised third parties, including with family members and friends. Whether a witness can be identified based on the information disclosed is not decisive. The disclosure of confidential information is itself prohibited regardless of whether that information was sufficient to enable an unauthorised

⁴⁵ Framework Decision on Handling Confidential Information, para. 212(I)(a), (e), (f); Decision, paras. 36, 84(e).

⁴⁶ See Rule 82(6) of the Rules; art. 15 of the Law; Decision, para. 36.

interlocutor to identify the witness concerned. Furthermore, up until the time confidential information is made public it remains and must continue to be treated as confidential.

29. Finally, as noted above, the Panel has not been able, on the material before it, to establish with any degree of certainty that any of the visitors engaged in unauthorised disclosure of confidential information during the recorded visits discussed above. In those circumstances, the Panel will only instruct the Registrar to remind all those participating in in-person visits, including Private Visits, that they are not authorised to discuss with the Accused any confidential information, including information that could identify witnesses who are subject to protective measures. The Panel also instructs Lead Counsel for Mr Selimi to remind members of his team of their obligations not to disclose confidential information of unauthorised third parties or to participate in discussions where confidential information is provided to such parties. Any future unauthorised disclosure of such information by or in the presence of a Defence team member will be dealt with through appropriate measures.

C. GUIDANCE REGARDING THE CONDUCT OF PRIVATE VISITS

30. The Panel recalls that, in its Decision, it declined to adopt any restrictive measures in respect of Private Visits.⁴⁷ In this regard, the Panel found that “there is no indication of these [private] visits having been used to engage in improper conduct so far” and that the Panel “will not hesitate to impose additional restrictions upon Private Visits should any party engage in improper conduct during such [private] visits.”⁴⁸

31. Regarding the SPO’s request that the facts and circumstances now before the Panel justify the active monitoring of all Private Visits to Messrs Thaçi and Selimi, the Panel notes the following. First, the Panel reiterates that whilst Private Visits are

⁴⁷ Decision, para. 80.

⁴⁸ Decision, para. 80.

particularly important from the point of view of the fundamental rights of the Accused, they can also be subject to measures of restrictions where necessary and proportionate to the need to protect a competing public interest. Secondly, none of the visits concerned by the present Decision were Private Visits. Instead, all of them were non-privileged visits, which are already subject to the restrictive measures put in place by the Panel in respect of Messrs Thaçi, Selimi and Veseli. There is, therefore, no basis at this stage for the Panel to order that similar measures be put in place in respect of Private Visits. The Panel has made it clear, however, that any abuse of privileges associated with such visits will be subject to an adequate response.

32. Insofar as the Registry seeks further guidance from the Panel with respect to the conduct of Private Visits, the Panel notes that the Registrar has the authority under Articles 34(12) and 41(9) of the Law, Rule 27, and the administrative instructions issued thereunder, to adopt any such measures as are necessary and proportionate to ensure that confidential information in possession of detainees and members of Defence teams present at the Detention Facilities, including information regarding the identity of protected witnesses, is not communicated to unauthorised third parties during visits at those facilities. The Registrar's authority to adopt such measures extend, notwithstanding Article 24(1) of the Registry Practice Direction on Detainees (Visits and Communications) (KSC-BD-09-Rev1), to Private Visits. Where, therefore, the Registrar (or the Chief Detention Officer) is in possession of information that there is a credible risk of such information being disclosed during a visit, including a Private Visit, the Registrar (or, acting on her behalf, the Chief Detention Officer) has the authority to refuse such a visit and/or to impose those measures that are proportionate and necessary to effectively addressing that risk.⁴⁹

⁴⁹ See Practice Direction on Visits and Communications, Articles 4(2) and 7; KSC-BD-08-Rev1, Registrar, *Registry Practice Direction: Rules on Detention*, 23 September 2020, Rules 1(3), 4, and 63; Annex A to DMU Instruction, Section 6(3)(c).

33. Finally, the Panel confirms that a detainee may challenge a decision concerning a Private Visit before the Panel within seven days of being notified by the Registrar in a manner consistent with Article 9(2)-(6) of the Registry Practice Direction on Detention: Complaints (KSC-BD-11-Rev1).⁵⁰ Where the Registrar has decided to impose specific restrictions on a Private Visit, or where a request for a Private Visit is denied, the Registrar shall immediately notify the Panel of her decision to that effect.

V. CLASSIFICATION

34. The Panel notes that the Registrar's Notification and Request, as well as the Responses of the SPO, the Selimi Defence, and the Thaçi Defence have been filed with a classification of confidential.⁵¹ The Panel therefore orders the Registrar, the SPO, the Selimi Defence, and the Thaçi Defence to submit a public redacted version of their respective filings or a request for their former filing to be reclassified as public by no later than Friday, 16 February 2024.

VI. DISPOSITION

35. For the above-mentioned reasons, the Panel hereby:

- (a) **REMINDS** the Accused, in particular, Messrs Thaçi and Selimi, of their obligation not to divulge to unauthorised third parties any confidential information and/or information that could lead to the identification of protected witnesses;
- (b) **ORDERS** the Registrar to remind visitors to the Detention Facilities that they must not discuss or participate in discussions of confidential

⁵⁰ Decision, para. 53.

⁵¹ See above, fns. 5, 7-9.

- information pertaining to proceedings at the KSC with a detainee, including information pertaining to the identity of protected witnesses;
- (c) **ORDERS** lead Counsel for all Accused to remind team members of their obligations regarding confidential information;
- (d) **ORDERS** the Registrar to immediately notify the Panel in the event that she issues a decision imposing restrictions on, or denying a request for, a Private Visit; and
- (e) **ORDERS** the Registrar, the SPO, the Selimi Defence, and Taçi Defence to submit a public redacted version of their respective filings or request their reclassification as public by no later than **Friday, 16 February 2024**.



Judge Charles L. Smith, III
Presiding Judge

Dated this Friday, 9 February 2024
At The Hague, the Netherlands.