



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2020-06  
**The 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:** Registrar

**Date:** 8 February 2024

**Language:** English

**Classification:** Public

---

**Public Redacted Version of “Transmission of Rexhep Selimi’s Request for Judicial  
Review of the Registrar’s Decision of 29 January 2024, KSC/REG/IOR/6722 with  
five confidential and *ex parte* Annexes”**

---

**Specialist Prosecutor’s Office**  
Kimberly P. West

**Victims’ Counsel**  
Simon Laws

**Counsel for Hashim Thaçi**  
Luka Mišetić

**Counsel for Kadri Veseli**  
Ben Emmerson

**Counsel for Rexhep Selimi**  
Geoffrey Roberts

**Counsel for Jakup Krasniqi**  
Venkateswari Alagenda

1. Pursuant to Article 9(3)-(4) of the Practice Direction on Complaints,<sup>1</sup> the Registrar hereby files before the competent Panel a request for judicial review made by Mr Rexhep Selimi ('Mr Selimi')<sup>2</sup> regarding the Registrar's decision of 29 January 2024 on specific restrictions to visits and communications pursuant to the Trial Panel's decision of 1 December 2023 ('Registrar's Decision'<sup>3</sup> and 'Panel's Decision',<sup>4</sup> respectively), as well as transmitting all other relevant information.
2. In the Panel's Decision, the Registrar was ordered to take measures and to implement modifications to the conditions of detention for certain detainees, including Mr Selimi. On 7 December 2023, the Registrar sent a letter to the relevant detainees, including Mr Selimi, on the measures being put in place to implement the Panel's Decision.<sup>5</sup>
3. On 11 January 2024, Mr Selimi submitted a request for prior approval of visits and communications for the month of February 2024.<sup>6</sup>
4. On 26 January 2024, the Registrar filed a notification before the Panel ('Notification'), informing it that it was assessed 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 in-person visits in the Detention Facilities, including during visits with [REDACTED], and [REDACTED], with whom Mr Selimi had requested visits and communications.<sup>7</sup>

---

<sup>1</sup> Registry Practice Direction on Detainees, Complaints, KSC-BD-11-Rev1, 23 September 2020, public.

<sup>2</sup> Annex 1, confidential and *ex parte*.

<sup>3</sup> Annex 2, confidential and *ex parte*, Decision of the Registrar on Specific Restrictions Pursuant to Decision F01977, KSC/REG/IOR/6722, 29 January 2024. Mr Selimi received the written Albanian translation on 31 January 2024; see Annex 3, confidential and *ex parte*.

<sup>4</sup> KSC-BC-2020-06, F01977, Further Decision on the Prosecution's Urgent Request for modification of Detention Conditions for Hashim Thaçi, Kadri Veseli, and Rexhep Selimi, 1 December 2023, public.

<sup>5</sup> See KSC-BC-2020-06, F01989/A01, Annex 1 to Registry Update on Implementation Pursuant to Trial Panel II's Further Decision on the Prosecution's Urgent Request for Modification of Detention Conditions, 7 December 2023, confidential (Letter from the Registrar to the Three Accused and Counsel, Subject: Measures in place to implement Decision F01977, KSC/REG/IOR/6548, 7 December 2023, confidential).

<sup>6</sup> Annex 4, confidential and *ex parte*.

<sup>7</sup> KSC-BC-2020-06, F02082, Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977, 26 January 2024, confidential.

In addition, the Registrar sought further guidance from the Panel with respect to private visits.<sup>8</sup>

5. On 29 January 2024, the Registrar's Decision was issued, in which the Registrar decided, *inter alia*, to: (i) actively monitor the requested telephone calls and video visits with [REDACTED]; (ii) deny the requested telephone call with [REDACTED] in Mr Selimi's team; and (iii) defer her decision on the requested private visit with [REDACTED], pending the Panel's guidance on the conduct of private visits.<sup>9</sup> The Registrar also noted that the denial of the requested telephone call with [REDACTED] did not affect Mr Selimi's "ability to have privileged telephone calls (and visits) with Counsel and/or Co-Counsel".<sup>10</sup> In this regard, the Registrar notes that, according to the Panel's Decision, it is only when Defence team members other than Counsel or Co-Counsel are not accompanied by Counsel or Co-Counsel that the visits in question are not privileged and are subject to the restrictions set out in the Panel's Decision.<sup>11</sup>

6. On 7 February 2024, Mr Selimi responded to the Registrar's Notification, and the SPO filed a request with respect to the Notification.<sup>12</sup>

7. On 7 February 2024, Mr Selimi submitted a request for judicial review of the Registrar's Decision.<sup>13</sup>

8. On 8 February 2024, pursuant to Article 9(2) of the Practice Direction on Complaints, the Registrar acknowledged receipt of Mr Selimi's request for judicial review.<sup>14</sup>

---

<sup>8</sup> Notification, para. 19.

<sup>9</sup> Registrar's Decision, paras 1, 10-22.

<sup>10</sup> Registrar's Decision, para. 21.

<sup>11</sup> Panel's Decision, para. 60.

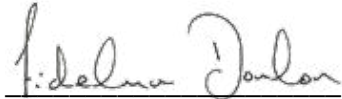
<sup>12</sup> KSC-BC-2020-06, F02109, Selimi Defence Response to "Registry's Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977 with confidential Annexes 1-10", F02082, dated 26 January 2024, 7 February 2024, confidential; KSC-BC-2020-06, F02108, Prosecution request relating to Registry Filing F02082 with confidential Annexes 1 and 2, 7 February 2024, confidential. *See also* KSC-BC-2020-06, F02107, Taçi Defence Response to Registry notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977, 7 January 2024, confidential.

<sup>13</sup> Annex 1, confidential and *ex parte*.

<sup>14</sup> Annex 5, confidential and *ex parte*.

9. Finally, pursuant to Rule 82(3) of the Rules,<sup>15</sup> the Registrar submits that this filing and its Annexes are classified as confidential and *ex parte* as they contain personal information regarding Mr Selimi's visits and communications.

**Word count: 785**

A handwritten signature in cursive script, reading "Fidelma Donlon", written in black ink on a white background.

**Dr Fidelma Donlon**  
**Registrar**

Thursday, 8 February 2024  
At The Hague, the Netherlands.

---

<sup>15</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3, 2 June 2020, public.