



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:** Pre-Trial Judge  
Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Specialist Prosecutor

**Date:** 12 September 2022

**Language:** English

**Classification:** Public

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**Public Redacted Version of 'Prosecution request to amend the Indictment'**

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Venkateswari Alagenda

1. Pursuant to Article 39(8) of the Law<sup>1</sup> and Rules 90(1)(b) and 91(1)(b) of the Rules,<sup>2</sup> the Specialist Prosecutor's Office ('SPO') requests leave to amend the Indictment to remove allegations of crimes committed against at least one victim between about [REDACTED] 1999 at a house in or around Ferizaj/Uroševac in Ferizaj/Uroševac municipality ('Ferizaj/Uroševac Allegations').<sup>3</sup> The SPO recently reached a final decision not to rely on the evidence of [REDACTED],<sup>4</sup> and considers that there is now insufficient evidence to prove the Ferizaj/Uroševac Allegations.<sup>5</sup> By their very nature and at this stage of proceedings, the requested amendments are not prejudicial to or inconsistent with the rights of the Accused and should be granted.<sup>6</sup>
2. Noting the 30 September 2022 deadline to file an amended Indictment,<sup>7</sup> the SPO requests, in the interests of efficiency, an expedited briefing schedule to enable the filing of one amended Indictment that also includes any amendments authorised as a result of this request.

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<sup>1</sup> Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

<sup>2</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD0-3/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

<sup>3</sup> Amended Indictment, KSC-BC-2020-06/F00789/A01, 29 April 2022, Strictly Confidential and *Ex Parte* ('Indictment'), paras 91, 133, Schedule A, p.57 (location 2.2). *See also* Indictment, KSC-BC-2020-06/F00789/A01, paras 60 and 139 (incorporating by reference, *inter alia*, the acts and omissions described in paragraphs 91 and 133). The requested amendments comprise: (i) removal of paragraphs 91, 133, and the entry in Schedule A at p.57 (location 2.2); and (ii) corresponding adjustments to cross-references, paragraph numbers, and Schedule A location numbers.

<sup>4</sup> Prosecution submission of revised witness list, KSC-BC-2020-06/F00948, 2 September 2022, para.6. *See also* ANNEX 3 to Prosecution submission of revised witness list, KSC-BC-2020-06/F00948/A03, Confidential.

<sup>5</sup> The Ferizaj/Uroševac Allegations were based primarily on the evidence of these witnesses. *See* ANNEX 2 to Request to present additional supporting materials, KSC-BC-2020-06/F00006/A02, Strictly Confidential and *Ex Parte*, pp.584-587, 593; ANNEX 1 to Prosecution submission of corrected Pre-Trial Brief and related request, KSC-BC-2020-06/F00709/A01, Strictly Confidential and *Ex Parte*, paras 649-653. *See also* Decision on the Confirmation of the Indictment Against Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, KSC-BC-2020-06/F00026, 26 October 2020, Strictly Confidential and *Ex Parte*, paras 211-213, 328-331.

<sup>6</sup> Rule 90(2). *See, similarly*, ICTY, *Prosecutor v. Perišić*, IT-04-81-PT, Decision on Prosecution's Filing of Second Amended Indictment, 17 January 2008, para.19.

<sup>7</sup> Decision on Motion Alleging Defects in the Form of the Amended Indictment, KSC-BC-2020-06/F00895, 22 July 2022, para.49(b)-(e).

3. This filing is confidential pursuant to Rule 82(4). A public redacted version will be filed.

**Word count: 432**



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**Jack Smith**

**Specialist Prosecutor**

Monday, 12 September 2022

At The Hague, the Netherlands.