

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: Counsel for Kadri Veseli

Date: 16 December 2022

Language: English

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**Further Redacted Public Redacted Version of Veseli Defence
Supplemental Submissions to Joint Defence Motion for
Disclosure Pursuant to Rule 103 (F00877/COR), With
Confidential Annexes 1-2 (F01100, dated 14 November 2022)**

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I. INTRODUCTION

1. The Defence for Mr Kadri Veseli (“Defence”) files this Request pursuant to Article 21(6) of the Law, Rules 102(3) and 103 of the Rules of Procedure and Evidence, and the Pre-Trial Judge’s oral order of 4 November 2022.¹
2. This Request supplements the Defence’s earlier request for Rule 103 disclosure, concerning evidence emanating from Serbia.²
3. In October 2022, a witness came forward to allege that [REDACTED].
4. [REDACTED] this year, the witness withdrew his allegations and claimed, not only that he had lied, but that he had been put up to lying by an informant who (i) has been in regular contact with the SPO; (ii) appears to have been their point of contact for a number of trial witnesses; and (iii) claims to have had regular, direct, contact with [REDACTED].
5. Both individuals appear to have links to [REDACTED]. It is on the foregoing basis that this Supplemental Request for disclosure is made.

II. PROCEDURAL BACKGROUND

6. On 12 July 2022, the Defence teams jointly filed a request for disclosure under Rule 103 and Rule 102(3), pertaining to the evidence emanating from Serbia. On the grounds that Serbia is a biased source with a long and documented history of fabricating evidence.³ On 3 August 2022, the SPO responded,⁴ and on 15 August 2022, the Defence replied.⁵

¹ Transcript, 4 November 2022, p. 1692.

² F00877/COR, Corrected Version of Joint Defence Motion for Disclosure Pursuant to Rule 103, With Public Annexes 1-3 and Confidential Annex 4 (F00877, dated 12 July 2022), 21 July 2022.

³ F00877/COR.

⁴ F00910, Prosecution response to ‘Joint Defence Motion for Disclosure Pursuant to Rule 103’ (F00877), 3 August 2022.

⁵ F00928, Joint Defence Reply to SPO Response to Joint Defence Motion for Disclosure Pursuant to Rule 103 (F00910), 15 August 2022.

7. On 4 November 2022, at the 15th Status Conference, the Defence addressed the recent disclosure of [REDACTED]'s interview transcripts, which revealed that he falsely implicated [REDACTED]; that both [REDACTED] and [REDACTED] appear to have ties to [REDACTED]; and that [REDACTED] also appears to act as an SPO intermediary. On the basis of these submissions, the Defence sought, and was granted, leave to file written submissions supplemental to those filed in July and August 2022.⁶
8. On 7 November 2022, Mr Veseli waived his right to have his detention reviewed until the present request for disclosure had been resolved;⁷ it being unknown to what extent the initial decision was based on evidence emanating from the tainted source, [REDACTED].
9. On 9 November 2022, the Pre-Trial Judge scheduled the next detention review for 9 December 2022.⁸

III. APPLICABLE LAW

10. The Defence incorporates by reference the applicable law as set out in F00877/COR and provides the following supplemental submissions on the law with respect to intermediaries.
11. The term “intermediary” is defined in the ICC Guidelines on Intermediaries as: “someone who comes between one person and another; who facilitates contact or provides a link between one of the organs or units of the Court or Counsel on the one hand, and victims, witnesses, beneficiaries of reparations and/or affected communities more broadly on the other.”⁹ Among the legitimate

⁶ Transcript, 4 November 2022, p. 1692.

⁷ F01091, Veseli Defence Notice of Waiver of Detention Review, 7 November 2022, para. 2.

⁸ F01094, Decision Amending the Briefing Schedule for the Seventh Detention Review of Mr Veseli, 9 November 2022, para. 13.

⁹ ICC, Section 1, [Guidelines Governing the Relations between the Court and Intermediaries](#), March 2014: “Intermediaries” are only mentioned in the Regulations of the Trust Fund for Victims (“Guidelines on Intermediaries”).

functions that intermediaries may perform are assisting a party to “conduct investigations by identifying evidentiary leads and/or witnesses and facilitating contact with potential witnesses.”¹⁰

12. In the *Lubanga* case, the Trial Chamber issued several disclosure orders relating to Prosecution’s intermediaries who were used to help identify and facilitate contact with witnesses.¹¹ These orders were made pursuant to provisions equivalent to Rules 102(3) and 103.¹² Although the Prosecution sought to address the matter *ex parte*, the Trial Chamber regarded that this “would be unfair to the accused and would undermine the fundamental principle that the trial should be held in his presence.”¹³
13. In *Lubanga*, the Prosecution’s reliance on witnesses who had been brought forward by “intermediaries” came under scrutiny¹⁴ when Prosecution witnesses¹⁵ and later Defence witnesses¹⁶ gave evidence in court that Prosecution intermediaries had coached them on what to say to Prosecution investigators. In order to establish the full scale of the issue, protect the rights of the Accused and ensure the fairness of the proceedings,¹⁷ the Trial Chamber ordered the Prosecution to: (i) disclose the names and backgrounds of intermediaries in respect of whom there was evidence of wrongdoing; (ii) provide a schedule of known contacts between **all** intermediaries, between intermediaries and witnesses, and between witnesses; and (iii) to call the those

¹⁰ ICC [Guidelines on Intermediaries](#), p. 6.

¹¹ ICC, *Prosecutor v. Lubanga*, ICC-01/04-01/06, [Redacted Decision on Intermediaries](#), 31 May 2010 (“*Lubanga* Decision on Intermediaries”), para. 150.

¹² [Lubanga Decision on Intermediaries](#), para. 134.

¹³ [Lubanga Decision on Intermediaries](#), para. 137.

¹⁴ [Lubanga Decision on Intermediaries](#); ICC, *Prosecutor v. Lubanga*, ICC-01/04-01/06, [Judgment pursuant to Article 74 of the Statute](#), 14 March 2012 (*Lubanga* Trial Judgement), paras 178-484.

¹⁵ [Lubanga Decision on Intermediaries](#), paras 7-10, 21-22.

¹⁶ [Lubanga Decision on Intermediaries](#), paras 26-29, 36-38.

¹⁷ [Lubanga Decision on Intermediaries](#), para. 137-138.

intermediaries suspected of wrongdoing to be examined in relation to the Defence's abuse of process application.¹⁸

14. In the Trial Judgement, the Chamber ultimately concluded that three of the Prosecution's intermediaries may have committed crimes falling within the ambit of Article 70 of the Rome Statute in the course of their work as intermediaries.¹⁹ Consequently, the Trial Chamber found to be unreliable the testimony of several witnesses emanating from these sources.²⁰ Additionally on account of these orchestrated misrepresentations, it was compelled to reverse earlier decisions granting these and other persons the right to participate in the proceedings as victims.²¹
15. The impact on the proceedings was grave, and the Trial Chamber assessed that:

[T]he prosecution should not have delegated its investigative responsibilities to the intermediaries in the way set out above, notwithstanding the extensive security difficulties it faced. A series of witnesses have been called during this trial whose evidence, as a result of the essentially unsupervised actions of three of the principal intermediaries, cannot safely be relied on. The Chamber spent a considerable period of time investigating the circumstances of a substantial number of individuals whose evidence was, at least in part, inaccurate or dishonest. The prosecution's negligence in failing to verify and scrutinise this material sufficiently before it was introduced led to significant expenditure on the part of the Court.²²

IV. SUBMISSIONS

A. Information Pertaining to [REDACTED]²³ and [REDACTED]²⁴ is Disclosable to the Defence

16. The Defence submits that information pertaining to [REDACTED] and [REDACTED] is disclosable for the purposes of investigating the veracity of [REDACTED]'s claim that [REDACTED] procured false testimony, and to

¹⁸ [Lubanga Decision on Intermediaries](#), para. 150.

¹⁹ [Lubanga Trial Judgement](#), para. 483.

²⁰ [Lubanga Trial Judgement](#), para. 79.

²¹ [Lubanga Trial Judgement](#), para. 484, 504.

²² [Lubanga Trial Judgement](#), para. 482.

²³ See Annex 1.

²⁴ See Annex 2.

determine the true extent of attempts by [REDACTED] to improperly influence these proceedings.

17. In order to properly contextualise the relevant events, the Defence sets out the following timeline, which goes beyond the events set out in the procedural background above.

i. Timeline

18. Between 7 and 22 September 2020, Mr Gucati and Mr Haradinaj of the KLA War Veterans' Association ("WVA") made three unauthorised disclosures of SPO documents, which had been provided to them by unknown individuals.²⁵
19. On [REDACTED], [REDACTED], to "[REDACTED]."²⁶
20. On 5 November 2020, Mr Veseli and his co-Accused were transferred to The Hague, pursuant to an arrest warrant that relied on allegations, the provenance of which, is unknown to the Defence.²⁷
21. On 7 December 2020, in a presentation to EU ambassadors, [REDACTED] expressed his conviction that [REDACTED].²⁸
22. On [REDACTED], [REDACTED] withdrew his earlier statement, confessing that he was fed the account by an individual named [REDACTED], who cooperates closely with both [REDACTED] and the SPO.²⁹

²⁵ KSC-BC-2020-07/F00611/RED, Public Redacted Version of the Trial Judgment, 18 May 2022, paras 204, 456-457; KSC-BC-2020-07/F00251/A01/RED, Lesser Redacted Indictment, 4 October 2021, paras 8-23.

²⁶ [REDACTED], p. 22.

²⁷ F00027, Decision on Request for Arrest Warrants and Transfer Orders, 26 October 2020, para. 33; F0005/CONF/RED3, Third Confidential Redacted Version of 'Request for Arrest Warrant and Related Orders,' filing KSC-BC-2020/06/F00005 dated 28 May 2020, 17 June 2021, paras 11, 15.

²⁸ F00434/A01, Annex 1 to Thaçi Defence Application for the Recusal of President Ekaterina Trendafilova from Assigning a Court of Appeals Panel to Adjudicate Mr Thaçi's Appeal on Provisional Release, 16 August 2021, p. 4.

²⁹ [REDACTED], p. 12. The material the Defence has received in disclosure shows that [REDACTED] has met with the SPO on at least **15 separate occasions**.

23. On 12 May 2022, the Defence made oral submissions before the Court that pursuant to Rule 103, the SPO was under obligation to disclose the provenance of all evidence emanating from Serbia.³⁰ This position was set out in the written pleadings referenced above, filed on 12 July and 15 August 2022.³¹
24. On 5 July 2022, the SPO requested protective measures for [REDACTED] statement.³² The Pre-Trial Judge granted the request on 9 September 2022,³³ and the statement was finally disclosed, with redactions, on 23 September 2022.³⁴

1. [REDACTED]'s First Interview

25. The SPO interviewed [REDACTED] for the first time on [REDACTED].³⁵ [REDACTED] told the SPO that he had a “[REDACTED]”³⁶ that could prove that [REDACTED].³⁷
26. [REDACTED] alleged that [REDACTED],³⁸ and [REDACTED].³⁹ He also claims that it was “[REDACTED]” who took them to the [REDACTED].⁴⁰ [REDACTED] further claims that [REDACTED] to [REDACTED] for [REDACTED].⁴¹
27. The transcript makes clear that [REDACTED] has a relationship with [REDACTED].⁴² At one point in the interview, he informed the SPO of his plan

³⁰ Transcript, 20 May 2022, pp. 1223-1255.

³¹ F00877/COR; F00928.

³² F00865, Prosecution Supplement to Filing F00861 with Strictly Confidential and *ex parte* Annexes 1-2, 5 July 2022.

³³ F00962/CONF/RED, ‘Confidential Redacted Version of Decision on the Third Prosecution Request for Protective Measures for Items Containing Rule 103 Information,’ 9 September 2022.

³⁴ See, Package 490 ([REDACTED]).

³⁵ [REDACTED].

³⁶ [REDACTED], p. 13.

³⁷ [REDACTED], p. 22, [REDACTED], pp. 3-4.

³⁸ [REDACTED], p. 21.

³⁹ [REDACTED], p. 22.

⁴⁰ [REDACTED], p. 2.

⁴¹ [REDACTED], p. 22.

⁴² [REDACTED], p. 19.

to travel [REDACTED] [REDACTED] where he would meet his source ([REDACTED]) and be able to obtain more answers for the SPO.⁴³ At another point, speaking about documents relating to [REDACTED], he commented that “[REDACTED]”⁴⁴

2. [REDACTED]’s Second Interview

28. On [REDACTED], [REDACTED] gave a second interview to the SPO [REDACTED], to confess that he was told what to say in his [REDACTED] statement by a man [REDACTED], who presented himself to the witness as a [REDACTED].⁴⁵ The lead interviewer on this occasion was [REDACTED].⁴⁶
29. [REDACTED] claimed that [REDACTED] “[REDACTED]” to the SPO,⁴⁷ and that [REDACTED] – with whom [REDACTED] had a strong relationship – was aware of the fabrication.⁴⁸ He explained that the SPO had needed more facts to detain the Accused, “[REDACTED].”⁴⁹
30. [REDACTED] claimed that he had a written contract with [REDACTED] that would corroborate part of his story.⁵⁰ He also claimed he has screenshots of messages and calls between himself and [REDACTED];⁵¹ and screenshots of contacts between [REDACTED] and [REDACTED].⁵² In response to learning the

⁴³ [REDACTED], pp. 4-5.

⁴⁴ [REDACTED], p. 2. In his second interview, [REDACTED] describes meeting various [REDACTED], through [REDACTED], such as [REDACTED], [REDACTED], and [REDACTED], who he describes as a senior official in the [REDACTED], *see* [REDACTED], pp. 12-13.

⁴⁵ [REDACTED], pp. 13-14, 18-19.

⁴⁶ [REDACTED], p. 1.

⁴⁷ [REDACTED], p. 17.

⁴⁸ [REDACTED], pp 10, 14, 17, 21.

⁴⁹ [REDACTED], p 10, 14.

⁵⁰ [REDACTED], p. 7, 21.

⁵¹ [REDACTED], p. 20.

⁵² [REDACTED], p. 21.

latter information, [REDACTED] asked no further follow-up questions and brought the interview to an immediate end.⁵³

*ii. [REDACTED]*⁵⁴

31. [REDACTED] appears to be at the centre of a network of witnesses whom he was provided, directly or indirectly, to the SPO. The Defence has records of 15 contacts that [REDACTED] has had with the SPO, which date from [REDACTED] 2017.⁵⁵ Many of these records are summaries of longer documents that have not been provided to the Defence.
32. On the Defence's count, [REDACTED] made allegations, or passed comment, on more than **60** individuals over the course of his conversations with the SPO. He has routinely offered or claimed to have put the SPO in contact with people relevant to the SPO's investigation. For instance:
- a. In [REDACTED], [REDACTED] offered his support to the SPO in making contact to members of the KLA who would have better knowledge of the inner workings of the KLA;⁵⁶
 - b. [REDACTED] claims to have introduced the SPO to very important people [REDACTED].⁵⁷ Indeed, it appears that in [REDACTED], [REDACTED] sent a letter to the Court through [REDACTED];⁵⁸
 - c. [REDACTED] suggested that the SPO meet [REDACTED], who was one of the guards in the detention centre [REDACTED];⁵⁹

⁵³ [REDACTED], p. 21.

⁵⁴ Although [REDACTED] has a witness code, his identity has been disclosed to the Defence. [REDACTED] is associated primarily with the code [REDACTED], but also [REDACTED].

⁵⁵ [REDACTED].

⁵⁶ [REDACTED], p. 2.

⁵⁷ [REDACTED], p. 1.

⁵⁸ [REDACTED], p. 1.

⁵⁹ [REDACTED], p. 6.

d. In [REDACTED], [REDACTED] informed the SPO that he was withdrawing his recommendation for a witness whose name is unknown to the Defence, and described him as an “[REDACTED]”. [REDACTED] sent a screenshot from a conversation between this person and [REDACTED] – currently redacted – to prove that the witness was trying to present a false version of war crimes.⁶⁰

33. [REDACTED] is, for all intents and purposes, an SPO intermediary. Along with the volume of statements he has made, he has (i) maintained his relationship with the SPO for the last [REDACTED] years; (ii) provided them with multiple investigative leads; (iii) facilitated introductions; and (iv) advised them on how to win over public opinion.⁶¹

34. It now appears that [REDACTED] also has a relationship with [REDACTED],⁶² and has procured false evidence which he knowingly and intentionally presented to the SPO via [REDACTED].

iii. The Allegations Made by [REDACTED] Must be Fully Disclosed and Investigated

35. The allegations made by [REDACTED] against [REDACTED] in his second statement are extraordinarily serious. At the heart of the Prosecution’s case is an apparently trusted intermediary, who has instructed a witness to come forward with lies, which the Prosecution has relied upon and repeated publicly to the detriment of the Accused.⁶³ Such allegations are potentially disastrous for the integrity of the Prosecution’s case, considering the extent of the SPO’s contacts with [REDACTED]. Any ethical prosecutor would have realised immediately upon receipt of that second contact with [REDACTED], what the

⁶⁰ [REDACTED], p. 1.

⁶¹ [REDACTED], pp. 1-2.

⁶² [REDACTED], pp. 4-5; [REDACTED], p. 12.

⁶³ F00434/A01, p. 4.

implications for its case could be, and would have immediately taken steps to investigate the extent of contamination.

36. Accordingly, the Defence must have disclosure of all materials in the SPO's possession regarding [REDACTED]'s statements, including the circumstances through which he came into contact with the SPO, and any information that the SPO has which supports the truth of his claims against [REDACTED] including, but not limited to, the screenshots and contract he claims to have, which would corroborate his allegations.
37. In that regard, the Defence recalls that the SPO has asserted that it requested the screenshots that [REDACTED] refers to in his statement but did not receive them.⁶⁴ It is important to recall that there are two sets of screenshots at issue: one featuring [REDACTED] and [REDACTED]; the other featuring [REDACTED] and [REDACTED]. The SPO did not request the screenshots that [REDACTED] claimed to have of [REDACTED] and [REDACTED]'s contacts during that interview. On the contrary, [REDACTED][REDACTED] shut down the interview immediately after this revelation, without asking any follow-up questions.⁶⁵ If a request for these screenshots was subsequently made to [REDACTED], [REDACTED], or [REDACTED], the Defence is unaware, and would welcome confirmation.
38. Moreover, the Defence recalls that the Law explicitly provides the SPO with coercive powers to require the production of evidence within Kosovo⁶⁶ and sets out a framework for ensuring assistance and cooperation with third States.⁶⁷ Considering the SPO's failure to effectively pursue these materials, the Defence requests that the Pre-Trial Judge order their production.

⁶⁴ See, Transcript, 4 November 2022, pp. 1599-1600. [REDACTED].

⁶⁵ [REDACTED], p. 21.

⁶⁶ Article 53(1)(a) of the Law.

⁶⁷ Article 55 of the Law.

iv. The Full Extent of [REDACTED]'s Involvement With SPO Investigations Must be Disclosed

39. This Request for disclosure supplements F00877/COR as it too relates to manipulation and fabrication of evidence by the Serbian State. At its core, F00877 was a request to know what the SPO had done to protect its investigations from Serbian interference, considering the clear and convincing evidence demonstrating its capacity and propensity to do so. [REDACTED]'s second statement – which the SPO had in its possession when it responded to that request – indicates that a key SPO intermediary, [REDACTED], has ties to [REDACTED].
40. [REDACTED]'s two interviews make clear that [REDACTED] and [REDACTED] both have a relationship [REDACTED].⁶⁸ The interviews include references to: (i) a meeting between [REDACTED] and [REDACTED] [REDACTED] where [REDACTED] could obtain more information for the SPO; (ii) [REDACTED] confirming his awareness that [REDACTED]; and (iii) a lunch attended by [REDACTED], [REDACTED], and [REDACTED].⁶⁹
41. The obvious concern that this gives rise to is that Serbia, [REDACTED], has been providing false testimony and evidence to the SPO. The risks that this poses for the SPO's case are severe, particularly given the apparent extent of its reliance on information, leads and introductions provided by [REDACTED].
42. In addition to full investigation and disclosure of the allegations made by [REDACTED], the Defence must know the full extent of [REDACTED]'s involvement in the SPO's investigation. In particular, the Defence must be in a position to know if any of the evidence that supported Mr Veseli's original

⁶⁸ [REDACTED], p. 19.

⁶⁹ [REDACTED], pp. 4-5; [REDACTED], p. 2; [REDACTED], pp. 12-13.

arrest warrant or subsequent detention decisions can be traced back to this tainted source.

43. As such, the Defence requests disclosure of *all* records of contact with [REDACTED], as well as disclosure of *all* SPO witnesses and evidence which can be traced back to [REDACTED], on the basis that the evidence suggests that he has clearly provided false information to the SPO via [REDACTED]. As the *Lubanga* case makes clear, such disclosure is entirely justified and necessary under circumstances where there is evidence that an intermediary relied upon by the Prosecution has attempted to procure false testimony.

B. Disclosure of Intermediaries Used by the SPO

44. As the *Lubanga* case clearly demonstrates, the use of intermediaries can pose grave risks to the integrity of the proceedings. Given [REDACTED]'s evidence regarding the SPO's intermediary, [REDACTED], the Defence submits that the SPO must be called upon to explain how it has used intermediaries in the course of its investigations. In particular, the Defence must know how the SPO selects and oversees intermediaries, how many intermediaries it has used, and which witnesses have come into contact with the SPO via which intermediaries.

C. Late and Incomplete Rule 103 Disclosure of [REDACTED]'s Statement

45. As to the late disclosure of [REDACTED], the Defence observes that his second interview was disclosed to the Defence on 7 October 2022, almost [REDACTED] after it occurred. While the SPO claims that it processed the interview in a timely manner, submitting it in a protective measures application filed in June,⁷⁰ the Defence observes that nothing would have prevented the SPO from disclosing it with the limited non-standard redactions it proposed prior to the

⁷⁰ Transcript, 4 November 2022, p. 1599. See also, F00861/CONF/RED, Confidential Redacted Version of 'Third Prosecution request for protective measures for items containing Rule 103 information', KSC-BC-2020-06/F00861, dated 30 June 2022, 1 July 2022.

Pre-Trial Judge's ruling. Moreover, as the submissions set out above make clear, the disclosure that was eventually made was far from complete.

V. CONCLUSION

46. The Defence submits that a robust order granting relief to the fullest extent is required in order to ensure that this case is ready for trial. As the *Lubanga* case clearly demonstrates, the improper use of intermediaries poses serious risks to the fairness of the proceedings, which cannot be left unchecked.
47. For the foregoing reasons, the Defence requests that the Pre-Trial Judge grant the Defence's Rule 103 motion as supplemented by these submissions and order the following relief:
- a. With respect to [REDACTED]:
 - i. Reconsideration of any applicable decisions on protective measures authorising the disclosure of redacted or summary records, so that the Defence can be provided with the full, unredacted records of all contacts that the SPO has had with [REDACTED], including any calls, messages or other exchanges between [REDACTED] and [REDACTED];
 - ii. If the SPO maintains that the latter are not in its possession, and cannot be obtained, the Defence seeks:
 1. A detailed account of all steps taken to obtain these materials; and
 2. An order from the Pre-Trial Judge for the materials to be produced;
 - iii. Disclosure of each witness who emanated from [REDACTED], whether [REDACTED] made the initial contact, suggested the SPO contact the individual, or the SPO otherwise had reason to

believe [REDACTED] was involved in the witness agreeing to speak with the SPO;

- iv. Disclosure of any further information in the SPO's possession suggesting that [REDACTED] has a relationship with [REDACTED], [REDACTED], or any other intelligence agency;
- v. Clarification of [REDACTED]'s status *vis-à-vis* the SPO, including whether he is regarded as an intermediary; whether he has entered into any agreements with the SPO; and whether he has obtained any benefits from the SPO, monetary or otherwise;

b. With respect to [REDACTED]:

- i. Reconsideration of any applicable decisions on protective measures authorising the disclosure of redacted or summary records, so that the Defence can be provided with the full, unredacted records of all contacts with [REDACTED] including, but not limited to, contacts in the run-up to his [REDACTED] interview;
- ii. The materials that [REDACTED] claims to be in possession of including:
 - 1. Notes that he brought to his [REDACTED] interview, as well as, any other notes in his possession from communications with [REDACTED], or [REDACTED], which pertain to the Accused or this case;
 - 2. Records of his conversation with [REDACTED];
 - 3. His contract with [REDACTED];

4. Screenshots sent to him by [REDACTED] of [REDACTED]'s contacts with [REDACTED], if they cannot be obtained via [REDACTED];
- iii. If the SPO maintains that the latter are not in its possession and cannot be obtained, the Defence seeks:
 1. A detailed account of all steps taken to obtain these materials; and
 2. An order from the Pre-Trial Judge for the materials to be produced;
 - iv. Disclosure of any further information in the SPO's possession suggesting that [REDACTED] has a relationship with [REDACTED], [REDACTED], or any other [REDACTED]agency;
- c. Disclosure of any information in the SPO's possession [REDACTED] the KLA WVA's leak of SPO documents, and the date on which those documents came into its possession;
 - i. With regard to SPO intermediaries generally;
 - ii. Clarification of procedures, protocols, and contractual arrangements governing the use of intermediaries by the SPO;
 - d. A list of all SPO intermediaries that have been used in this case, cross-referenced to the witnesses whose introductions they facilitated or in respect of whom they otherwise assisted;
 - e. A finding that the SPO violated its Rule 103 disclosure obligations with respect to the late and incomplete disclosure of [REDACTED]'s second statement.

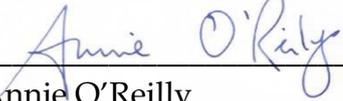
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