KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In:	**KSC-BC-2020-06**
Before:	**Pre-Trial Judge**
	Judge Nicolas Guillou
Registrar:	Dr Fidelma Donlon
Date:	27 May 2020
Language:	English
Classification:	**Public**

Public Redacted Version of Decision on Specialist Prosecutor's Request for Extension of the Word Limit

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Specialist Prosecutor
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THE PRE-TRIAL JUDGE,[1] pursuant to Article 39(3) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Article 36(1) of the Practice Direction on Files and Filings ("Practice Direction"), hereby issues the following decision.

I. PROCEDURAL BACKGROUND

1. On 25 April 2020, the Specialist Prosecutor submitted for confirmation a strictly confidential and *ex parte* indictment ("Indictment") together with evidentiary material supporting the material facts underpinning the charges and a detailed outline demonstrating the relevance of each item of evidentiary material to each allegation.[2]

2. On 22 May 2020, the Specialist Prosecutor requested, pursuant to Article 36(1) of the Practice Direction,[3] an extension of word limit up to 9,000 words, in order to make meaningful submissions on the request for the arrest and transfer of the suspects referred to in the Indictment and associated reliefs ("Request").[4]

II. APPLICABLE LAW

3. Pursuant to Article 41 of the Practice Direction, any motion shall not exceed 6,000 words.

4. Pursuant to Article 36(1) of the Practice Direction, participants to proceedings may seek, sufficiently in advance, an extension of the word limit upon showing that good cause exists constituting exceptional circumstances.

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[1] KSC-BC-2020-06, F00001, President, *Decision Assigning a Pre-Trial Judge*, 23 April 2020, public.

[2] KSC-BC-2020-06, F00002, Specialist Prosecutor, *Submission of Indictment for confirmation*, 25 April 2020, strictly confidential and *ex parte,* with Annexes 1-3, strictly confidential and *ex parte*.

[3] Registry Practice Direction on Files and Filings before the Kosovo Specialist Chambers (KSC-BD-15), 17 May 2019.

[4] KSC-BC-2020-06, F00003, Specialist Prosecutor, *Request for extension of the word limit* ("Request"), 22 May 2020, para. 2.

III. DISCUSSION

5. The Specialist Prosecutor intends to make multiple submissions regarding the arrest and transfer of the four suspects referred to in the Indictment, search and seizure, [REDACTED], and non-disclosure of the Indictment and related material.[5]

6. The Pre-Trial Judge considers that the request for extension of word limit has been filed sufficiently in advance in the present circumstances as there is no deadline for filing the requests foreshadowed by the Specialist Prosecutor in the Indictment.

7. With regard to the good cause requirement, taking into account the number of submissions to be made, the complexity of the issues at stake and related need to set out in sufficient detail the facts, arguments and evidence underpinning said submissions, as well as the number of suspects to which those submissions relate, the Pre-Trial Judge finds that in the present case good cause exists, constituting exceptional circumstances, to justify the requested extension of word limit. Accordingly, the Request is granted.

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[5] Request, para. 2. These submissions were already foreshadowed in the Indictment, para. 5.

IV. DISPOSITION

8. Pursuant to Article 36(1) of the Practice Direction, the Pre-Trial Judge hereby:

    Grants the Request.

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Judge Nicolas Guillou

Pre-Trial Judge

Dated this Wednesday, 27 May 2020
At The Hague, the Netherlands.