



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

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

**The Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi,
and Jakup Krasniqi**

Before: **Pre-Trial Judge**

Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Date: 4 December 2020

Language: English

Classification: **Public**

Decision on Thaçi Defence Request for Extension of the Word Limit

Specialist Prosecutor
Jack Smith

Counsel for Hashim Thaçi
David Hooper

Counsel for Kadri Veseli
Ben Emmerson

Counsel for Rexhep Selimi
David Young

Counsel for Jakup Krasniqi
Venkateswari Alagenda

THE PRE-TRIAL JUDGE,¹ pursuant to Article 39(3) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, Rule 82(5) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers ("Rules") and Article 36(1) of the Practice Direction on Files and Filings ("Practice Direction"), hereby issues the following decision.

I. PROCEDURAL BACKGROUND

1. On 2 December 2020, the Defence for Hashim Thaçi ("Thaçi Defence") requested, pursuant to Article 36(1) of the Practice Direction,² an extension of word limit in respect of the application for interim release ("Request").³

II. APPLICABLE LAW

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

3. 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.

4. Pursuant to Rule 82(5) of the Rules, the Panel may reclassify a filing upon request by any other participant or *proprio motu*.

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

² Registry Practice Direction on Files and Filings before the Kosovo Specialist Chambers (KSC-BD-15), 17 May 2019.

³ KSC-BC-2020-06, F00116, Thaçi Defence, *Thaçi Defence Application for an Extension of the Word Limit*, 2 December 2020, confidential, para. 1.

III. DISCUSSION

5. The Thaçi Defence submits that it requires an extension of the word limit up to 8,500 words in respect of the application for interim release in order to make detailed and properly reasoned submissions, both legally and factually.⁴ It also has no objections that the Request be reclassified as public.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 application for interim release. With regard to the good cause requirement, noting that the application for interim release is the first application of this kind to be lodged by the Thaçi Defence and its intention to make detailed submissions, the Pre-Trial Judge finds that in the present case good cause exists, constituting exceptional circumstances, to justify an extension of word limit. Accordingly, the Pre-Trial Judge extends the word limit to up to 10,000 words.

7. In the interest of judicial economy and given the possibility that the Defence for the other three Accused in this case may seek similar relief,⁶ the Pre-Trial Judge authorises the same extension of word limit for the other three Defence teams, should they also intend to submit applications for interim release.

⁴ Request, paras 3-5.

⁵ Request, para. 2.

⁶ See KSC-2020-06, F00087, Defence for Kadri Veseli, *Submissions on behalf of Kadri Veseli, Status Conference – Wednesday 18 November 2020*, 9 November 2020 (notified on 17 November 2020) public, para. 15; F00105, Defence for Mr Selimi, *Defence Request for Reconsideration of Decision Varying Time Limit and Request for Extension of Time and Word Limit*, 27 November 2020, confidential, para. 4; KSC-BC-2020-06, Transcript of Hearing, 18 November 2020, p. 168, lines 17-18.

IV. DISPOSITION

8. For the above-mentioned reasons, the Pre-Trial Judge hereby:

- a) **GRANTS** the Request and extends the word limit to up to 10,000 words in respect of the first application for interim release;
- b) **AUTHORISES** the same extension of word limit for the other three Defence for the other three Accused in respect of their first applications for interim release, if any; and
- c) **ORDERS** the Registrar to reclassify F00116 as public.



Judge Nicolas Guillou
Pre-Trial Judge

Dated this Friday, 4 December 2020
At The Hague, the Netherlands.