



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: 16 April 2021

Language: English

Classification: Public

Decision on Prosecution Request for Extension of the Word Limit

Specialist Prosecutor
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THE PRE-TRIAL JUDGE,¹ pursuant to Article 39(1) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, and Article 36(1) and (2) of the Practice Direction on Files and Filings ("Practice Direction"),² hereby issues the following decision.

I. PROCEDURAL BACKGROUND

1. On 15 April 2021, the Specialist Prosecutor's Office ("SPO") requested, pursuant to Article 36(1) of the Practice Direction, an extension of the word limit in respect of two of its responses to the preliminary motions filed by the Defence ("Request").³

II. APPLICABLE LAW

2. Pursuant to Article 41 of the Practice Direction, any motion and response thereto 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 Article 36(2) of the Practice Direction, a motion for extension of word limits may be disposed of without giving the opposing Party the opportunity to be heard.

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, F00248, Specialist Prosecutor, *Prosecution Request for Extension of Word Limit on Preliminary Motions Responses* ("Request"), 15 April 2021, public.

III. DISCUSSION

5. The SPO requests an extension of the word limit for two of its responses to the preliminary motions filed by the Defence.⁴ In relation to its response to challenges on the applicability of joint criminal enterprise as a mode of liability, the SPO requests an extension of the word limit to 24,000 words.⁵ In relation to its response to KSC-BC-2020-06/F00223, the SPO seeks an extension of the word limit to 18,000 words.⁶

6. The Pre-Trial Judge considers that the request for extension of the word limit has been filed sufficiently in advance in the present circumstances as the SPO's deadline for filing responses to the preliminary motions is 23 April 2021.⁷ Furthermore, in light of the fact that (i) a consolidated response is required to address the four filings that challenge the applicability of joint criminal enterprise and (ii) KSC-BC-2020-06/F00223 is a lengthy filing consisting of 19,544 words, the Pre-Trial Judge finds that in the present circumstances good cause, constituting exceptional circumstances, exists and justifies an extension of the word limit. Accordingly, the Pre-Trial Judge extends the word limit to up to 24,000 words for the SPO's consolidated response on the applicability of joint criminal enterprise and extends the word limit up to 18,000 words for the SPO's response to KSC-BC-2020-06/F00223.

IV. DISPOSITION

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

⁴ Request, para. 1.

⁵ Request, para. 2.

⁶ Request, para. 3.

⁷ KSC-BC-2020-06, Transcript of Hearing, 24 March 2021, p. 391, lines 13-15, public.

GRANTS the Request, extending the word limit to up to (i) 24,000 words for the SPO's consolidated response on the applicability of joint criminal enterprise and (ii) 18,000 words for the SPO's response to KSC-BC-2020-06/F00223.



Judge Nicolas Guillou
Pre-Trial Judge

Dated this Friday, 16 April 2021
At The Hague, the Netherlands.