



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:** 12 May 2021

**Language:** English

**Classification:** **Public**

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**Decision on Thaçi Request for Extension of Time Limit**

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**Specialist Prosecutor**  
Jack Smith

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David Hooper

**Counsel for Kadri Veseli**  
Ben Emmerson

**Counsel for Rexhep Selimi**  
David Young

**Counsel for Jakup Krasniqi**  
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**THE PRE-TRIAL JUDGE**,<sup>1</sup> pursuant to Articles 39(1) and (13) and 41(10) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ("Law"), and Rules 9(5)(a) and (6) and 57(2) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"), hereby renders this order.

## I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 24 February 2021, the Pre-Trial Judge varied the time limit for submissions on whether reasons for continued detention still exist until ten days after notification of a decision by the Court of Appeals Panel on Hashim Thaçi's ("Mr Thaçi's") appeal against the Pre-Trial Judge's decision denying him interim release.<sup>2</sup>
2. On 30 April 2021, the Court of Appeals Panel denied Mr Thaçi's appeal against the Pre-Trial Judge's decision denying him interim release.<sup>3</sup>
3. On 7 May 2021, Mr Thaçi filed a request to vary the time limit to allow for submissions on whether reasons for continued detention still exist by Monday, 31 May 2021, so that further information could be provided ("Request").<sup>4</sup>

## II. APPLICABLE LAW

4. Pursuant to Rule 9(5)(a) of the Rules, the Pre-Trial Judge may *proprio motu* reduce any time limit prescribed by the Rules or set by the Panel.

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

<sup>2</sup> KSC-BC-2020-06, F00206, Pre-Trial Judge, *Decision on Joint Defence Request for Extension of Time Limit*, 24 February 2021, public, para. 6.

<sup>3</sup> KSC-BC-2020-06/IA004, F00005/RED, Court of Appeals Panel, *Public Redacted Version of Decision on Hashim Thaçi's Appeal Against Decision on Interim Release*, 30 April 2021, public, para. 91.

<sup>4</sup> KSC-BC-2020-06, F00284, Defence for Mr Thaçi, *Request for Extension of the Time Limit in Relation to Submissions on Mr Thaçi's Continued Detention* ("Request"), 7 May 2021, confidential, paras 3, 6.

5. Pursuant to Rule 9(6) of the Rules, where no prejudice is caused to the opposing Party, a motion for variation of time may be disposed of without giving the opposing Party the opportunity to be heard.

6. Article 41(10) of the Law and Rule 57(2) of the Rules provide that, upon expiry of two (2) months from the last ruling on detention on remand, the Pre-Trial Judge or Panel seized with the case shall examine whether reasons for detention on remand still exist and render a ruling by which detention on remand is extended or terminated.

### III. DISCUSSION

7. Having considered the reasons put forward by Mr Thaçi, in particular that he is in the process of obtaining additional information in support of his submissions, which could not be obtained earlier, the Pre-Trial Judge finds that good cause has been shown, warranting the requested extension of time. In this context, the Pre-Trial Judge notes Mr Thaçi has waived his right to have his detention reviewed before the expiry of the two-month time limit set out in Article 41(10) the Law and Rule 57(2) Rules.<sup>5</sup>

### IV. DISPOSITION

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

- a. **GRANTS** the Request; and
- b. **ORDERS** Mr Thaçi to provide submissions on whether reasons for continued detention still exist by **Monday, 31 May 2021**, with

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<sup>5</sup> KSC-BC-2020-06, F00205, Defence, *Joint Defence Request for an Extension of Time*, 23 February 2021, public, para. 5; Request, para. 4.

responses and replies following the timeline set out in Rule 76 of the Rules.



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**Judge Nicolas Guillou**  
**Pre-Trial Judge**

Dated this Wednesday, 12 May 2021  
At The Hague, the Netherlands.