



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: 3 June 2021

Language: English

Classification: Public

**Decision on Specialist Prosecutor's Request for Extension of Word Limit for the
Seventh Request for Protective Measures**

Specialist Prosecutor
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Counsel for Kadri Veseli
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THE PRE-TRIAL JUDGE,¹ pursuant to Article 39(11) and (13) of Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Articles 36(1) and (2), and 41 of the Practice Direction on Files and Filings ("Practice Direction"),² hereby renders this decision.

I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 2 June 2021, the Specialist Prosecutor's Office ("SPO") requested an extension of the word limit from 6,000 to 15,000 words for an upcoming request for protective measures ("Request").³ The SPO submits that the extension is justified as the request for protective measures concerns approximately 40 witnesses, the material is voluminous and, in order to provide the Pre-Trial Judge with the necessary information to assess the security risks, detailed submissions are necessary.⁴

II. APPLICABLE LAW

2. Pursuant to Article 41 of the Practice Direction, any motion shall not exceed 6,000 words. Pursuant to Article 36(1) of the Practice Direction, a participant may seek authorisation from the Panel to exceed a word limit prescribed in the Practice Direction, in exceptional circumstances, if good cause exists.

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, F00336, Specialist Prosecutor, *Prosecution Request for Extension of Word Limit*, 2 June 2021, public, para. 2.

⁴ Request, para. 2.

3. Pursuant to Article 36(2) of the Practice Direction, a Panel may dispose of a motion for extension of word limit without giving the other participants the opportunity to be heard if no prejudice is caused.

III. DISCUSSION

4. The Pre-Trial Judge recalls that, in order to enable him to properly assess a request for protective measures with due regard to the competing interests at stake, the SPO has a duty to elaborate properly the reasons supporting the measures sought.⁵ The Pre-Trial Judge notes that the forthcoming request for protective measures is expected to cover approximately 40 witnesses, a number higher than in previous such requests.⁶ The Pre-Trial Judge finds that good cause has been shown and that exceptional circumstances exist justifying an extension of the word limit. Further, no prejudice is caused to the Defence in issuing the present decision prior to receiving their responses.

⁵ KSC-BC-2020-06, F00133/COR/CONF/RED, Pre-Trial Judge, *Confidential Redacted Version of Corrected Version of First Decision on Specialist Prosecutor's Request for Protective Measures*, 10 December 2020, confidential, para. 17.

⁶ See KSC-BC-2020-06, F00167, Specialist Prosecutor, *Second Request for Protective Measures*, 8 January 2021, confidential; F00176/CONF/RED, *Renewed Request for Protective Measures*, 15 January 2021, confidential; F00189/CONF/RED, *Third Request for Protective Measures*, 5 February 2021, confidential; F00212/CONF/RED, *Fourth Request for Protective Measures*, 5 March 2021, confidential; F00242/CONF/RED, *Fifth Request for Protective Measures*, 6 April 2021, confidential; F00287/CONF/RED, *Sixth Request for Protective Measures*, 7 May 2021, confidential.

IV. DISPOSITION

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

GRANTS the Request.



Judge Nicolas Guillou

Pre-Trial Judge

Dated this Thursday, 3 June 2021

At The Hague, the Netherlands.