

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

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

**Before:** Pre-Trial Judge  
Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Specialist Counsel for Kadri Veseli

**Date:** 12 July 2021

**Language:** English

**Classification:** Public

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**Public Redacted Version of**

**URGENT**

**Veseli Defence Request for Modification of Decision KSC-BC-2020-06/F00386  
(F00388 dated 9 July 2021)**

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**Specialist Prosecutor's Office**

Jack Smith

**Counsel for Kadri Veseli**

Ben Emmerson

## I. INTRODUCTION

1. The Defence for Mr Kadri Veseli (“Defence”) hereby seizes the Pre-Trial Judge with a modest request to vary the conditions governing Mr Veseli’s custodial visit to Kosovo on compassionate grounds to include a graveside visit and to expand the circle of people with whom Mr Veseli may associate. The additional family members are those closely connected to Mr Veseli’s deceased father (notably Mr Veseli’s uncle and aunt who are siblings of the deceased) and the family members living in the premises where the mourning rituals are being conducted.

## II. RELEVANT PROCEDURAL BACKGROUND

2. On 8 July 2021, the Pre-Trial Judge rendered the *Second Decision on Veseli Defence Request for Temporary Release on Compassionate Grounds* (“Decision”).<sup>1</sup>

3. Paragraph 15 (c) of the Decision makes it clear that the Pre-Trial Judge intended that Mr Veseli should only leave the confines of the local detention facility in order to be taken to visit his mother at her home address.

4. Paragraph 22(d) of the Decision invited “the Parties and/or the Registry to seize the Pre-Trial Judge immediately should an amendment to the conditions set forth in paragraph 15 be required”.

## III. SUBMISSION

5. As the Pre-Trial Judge is aware, Mr Veseli was sadly unable to attend the burial of his father which took place on 7 July 2021.

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<sup>1</sup> KSC-BC-2020-06/F00271.

6. In the circumstances, Mr Veseli requests that the Pre-Trial Judge allow him to pay a visit to his father's grave in order to pay his last respects.
7. It goes without saying that such a request is both understandable and an essential part of the grieving process.
8. Mr Veseli has indicated that such a visit may take place at the discretion of the supervising custody officers. The location of the grave is provided at the following GPS location:  
[REDACTED]
9. In addition, Mr Veseli requests that the Pre-Trial Judge order the Registrar to extend the immediate circle of family members with whom Mr Veseli may associate during the custodial visit to include second degree relatives who are:
  - a) [REDACTED]; and
  - b) [REDACTED].
10. The Defence respectfully submits that none of the aforementioned individuals would pose any security concern. Furthermore, it would be insensitive to require these family members to leave their habitual place of residence during the mourning period.
11. Mr Veseli undertakes to comply with any additional instruction of the supervising custody officers which may be necessitated by the modification sought.
12. Confidential Annex 1 attached hereto includes copies of the passports of those family members above who are over 18.

IV. CONCLUSION

13. In light of all the aforementioned, the Pre-Trial Judge is respectfully requested to modify the Decision in accordance with the modest requests set out above.

**Word count: 451**



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**Nicholas Kaufman**

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