



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

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 Prosecutor

Date: 29 September 2021

Language: English

Classification: Public

Prosecution request for extension of time limit

Specialist Prosecutor's Office
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1. Pursuant to Rule 9(5)(a) of the Rules,¹ the Specialist Prosecutor's Office ('SPO') requests a two-week extension of applicable time limits to respond to two Rule 102(3) requests submitted by the Thaci defence and the Selimi defence.
2. On 21 September 2021, by way of e-mail,² the Thaci defence requested disclosure pursuant to Rule 102(3) of two categories of materials from the SPO's Rule 102(3) notice, amounting to 464 items in total ('Thaci Request'). On 24 September 2021, the Selimi defence requested disclosure pursuant to Rule 102(3) of materials from the SPO's Rule 102(3) notice, amounting to 122 items in total ('Selimi Request') (together the 'Requests').
3. The Requests thus amount to a substantial overall volume of nearly 600 items. These items also encompass a variety of different types and lengths of the documents, consequently requiring careful review. Additionally, and significantly, applicable deadlines for review and processing of the Requests overlap with other concurrent Rule 102(3) deadlines for large volumes of items.³ As such, good cause⁴ exists for the extension requested. Following assessment of materiality, and the possible need to prepare a submission challenging materiality for certain items, time will be needed to complete a careful protective measures review. In addition to applying any necessary standard redactions, in the event non-standard redactions are required, adequate time would be necessary to prepare the relevant protective measures motion. The requested extension

¹ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). Unless indicated otherwise, all references to 'Rule' or 'Rules' are to the Rules.

² Email dated 21 September 2021 at 23:14.

³ Up until 1 October 2021]the SPO anticipates still being occupied completing its review for any potential challenge of materiality and preparing disclosure of a Rule 102(3) request from the Thaci Defence which amounts to 3,466 items in total (*see* Prosecution request for extension of time limit, KSC-BC-2020-06/F00485, 23 September 2021, Public and Decision on Prosecution Request for Extension of Time Limit, KSC-BC-2020-06/F00487, 24 September 2021, Public); at the same time, the processing for disclosure of material relating to a Krasniqi Defence request due on 30 September 2021 is currently ongoing.

⁴ Rule 9(5)(a) provides that '[t]he Panel may, *proprio motu* or upon showing of good cause [,] extend or reduce any time limit prescribed by the Rules or set by the Panel'.

would also facilitate *inter partes* communications aimed at avoiding unnecessary litigation in relation to the Requests.

4. No prejudice arises from ruling on this request, noting the limited nature of the extension being sought.

5. For the above-stated reasons, the SPO respectfully asks the Pre-Trial Judge to grant (i) in relation to any materiality challenge, a two-week extension to 15 October 2021 for the Thaci Request and 20 October 2021 for the Selimi Request, respectively, and (ii) to similarly extend the related deadline for disclosure and/or any protective measures for each request by two weeks.

Word count: 480



Jack Smith

Specialist Prosecutor

Wednesday, 29 September 2021

At The Hague, the Netherlands.