

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: Counsel for Kadri Veseli

Date: 7 October 2021

Language : English

Classification : Public

**Veseli Defence Request for an Expedited Order
with Annex 1**

Specialist Prosecutor's Office
Jack Smith

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David Young

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I. INTRODUCTION

1. The Defence for Mr Kadri Veseli (“Defence”) files this request pursuant to Articles 39(13), 41(6)(12) and 53 of the Law, Rules 57 and Chapter 13, Section II of the Rules (in particular Rules 200 - 202 of the Rules), and Decision IA008/F00004,¹ for an expedited order to the competent authorities of Kosovo concerning conditions for Mr Veseli’s interim release.

II. APPLICABLE LAW

2. Pursuant to Articles 39(13) of the Law, the Pre-Trial Judge may, where necessary, at the request of a party or Victims Counsel or on his or her own motion, issue any other order as may be necessary for the preparation of a fair and expeditious trial.
3. Pursuant to Rule 200 of the Rules, decisions, orders or requests by any organ of the Specialist Chambers directed to any entity or person in Kosovo shall be complied with in accordance with Article 53 of the Law.
4. Article 53(1) of the Law specifies that entities and persons in Kosovo shall co-operate with the Specialist Chambers and Specialist Prosecutor’s Office and shall comply without undue delay with any request for assistance or an order or decision issued by Specialist Chambers. According to Article 53(2) of the Law, any order by the Specialist Chambers shall have the same force and effect as an order issued by any other Kosovo court or judge. Every natural person, corporation, authority or other entity in Kosovo shall comply with any order, decision or request issued by the Specialist Chambers. Any entity or person

¹ IA008/F00004/RED, Public Redacted Versions of Decision on Kadri Veseli’s Appeal Against Decision on Review of Detention, 1 October 2021.

executing an order of the Specialist Chambers shall comply with any direction specified in that order.

III. SUBMISSIONS

5. The Defence notes that more than three months have past since the last detention review decision and that the deadline for filing the next application is **Wednesday 13 October 2021**.
6. As set forth by the Appeals Panel, the ability of the Kosovo Police Force to enforce the list of conditions attached as Annex 1, could mitigate the risks identified by the Pre-Trial Judge. As such, any response from the Director General of the Police to the Pre-Trial Judge's questions will form a highly relevant part of both the next detention review application and the next Judicial assessment of that application.
7. In light of the urgency for this matter to be resolved before the new application for detention review is filed – *i.e.* in **six** days – the Defence now respectfully requests the Pre-Trial Judge to issue, pursuant to Articles 39 and 53 of the Law, an order on an expedited basis requesting or instructing the Police Director to provide more clarification as to the ability of the Kosovo Police Force to enforce the list of measures suggested by the Defence, and/or any other additional measures the Pre-Trial Judge deems appropriate.²

IV. CONCLUSION

8. Based on the foregoing submissions, The Pre-Trial Judge is respectfully requested to order on an expedited basis that the competent authorities of Kosovo to provide all of the information that it requires to reach a decision in


² IA008/F00004/RED, para. 54.

the upcoming detention review that comports with the Court of Appeals Panel ruling.

Word Count: 536



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