

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

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

Before: **Court of Appeals Panel**

Judge Michèle Picard

Judge Emilio Gatti

Judge Nina Jørgensen

Registrar: Dr Fidelma Donlon

Filing Participant: Counsel for Rexhep Selimi

Date: 13 October 2021

Language: English

Classification: Public

Defence Request for Extension of Word Limit

Specialist Prosecutor

Jack Smith

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Victims

Simon Laws

Counsel for Kadri Veseli

Ben Emmerson

Counsel for Rexhep Selimi

David Young

Counsel for Jakup Krasniqi

Venkateswari Alagendra

1. On 22 July 2021 the Pre-Trial Judge has issued his Decision on Motions Challenging the Jurisdiction of the Specialist Chambers.¹ The Defence for Mr. Rexhep Selimi (“Defence”) filed its Appeal against the Impugned Decision on 27 August 2021.² The Special Prosecutor’s Office (“SPO”) responded to the Appeal on 30 September 2021.³ Pursuant to the Panel of the Court of the Appeals Chamber’s Decision on Requests for Variation of Time Limits dated 28 July 2021, the Defence was ordered to file its reply to the SPO’s Response by 18 October 2021.⁴ The Defence hereby requests an extension of the word limit for its reply to the SPO’s Response. In light of the significance and complexity of the issues, the Defence seeks to extend the word limit to 8,000 words (an extension of 5,000 words).
2. Pursuant to Article 46(3) of the Registry’s Practice Direction on Files and Filings before the Kosovo Specialist Chambers (“Practice Direction”), the word limit for a reply to a response to the interlocutory appeal against a decision on a preliminary motion is 3,000 words.
3. In accordance with Article 36(1) of the Practice Direction, a participant in exceptional circumstances may seek authorisation from the Panel sufficiently in advance to exceed the word limit. The word extension request must “provide an explanation of the good cause that necessitates exceeding the word limit”.
4. Good cause exists for an extension of the word limit for this reply. The significance and complexity of certain issues raised by the SPO in the Response and the general importance of the jurisdictional challenge require the Defence to address the above comprehensively and in full.
5. In addition, the Defence notes that extensions of the word limits have been previously granted in relation to filings concerning the appeals against the Impugned Decision. In particular, on 19 August 2021, the Panel of the Court of Appeals Chamber granted the Defence requests for extensions of the appeal word limit⁵ and on 24 September 2021, the Panel of the Court of Appeals Chamber granted the SPO’s request for variation of word

¹ KSC-BC-2020-06, F00198, Decision on Motions Challenging the Jurisdiction of the Specialist Chambers, 22 July 2021 (“Impugned Decision”).

² KSC-BC-2020-06/IA009/F00011, Selimi Defence Appeal against the “Decision on Motions Challenging the Jurisdiction of the Special Chambers”, 27 August 2021 (“Appeal”).

³ KSC-BC-2020-06/IA009/F00022, Prosecution response on JCE to Selimi Defence appeal against the ‘Decision on Motions challenging the jurisdiction of the Specialist Chambers’, 30 September 2021 (“Response”).

⁴ KSC-BC-2020-06/IA009/F00005, Decision on Requests for Variation of Time Limits, 28 July 2021.

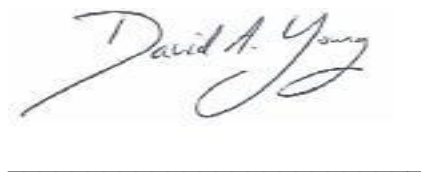
⁵ KSC-BC-2020-06/IA009/F00009, Decision on Requests for Variation of Word Limits, 19 August 2021.

limits for its responses.⁶ The Defence hereby submits that the same reasons that justified extensions of the word limits with regards to the Defence appeals and SPO's responses also justify extending the word limit in relation to the Defence reply to certain issues raised by the SPO in the Response.


6. Therefore, the Defence respectfully requests an extension of the word limit for the reply to the SPO's Response to 8,000 words.

Word count: 417

Respectfully submitted on 13 October 2021,



DAVID YOUNG
Lead Counsel for Rexhep Selimi



GEOFFREY ROBERTS
Co-counsel for Rexhep Selimi

⁶ KSC-BC-2020-06, IA009/F00017, Decision on Request for Variation of Word Limits, 24 September 2021.