

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

Filing Participant: Specialist Counsel for Hashim Thaçi

Date: 5 November 2021

Language: English

Classification: Public

Thaçi Defence Request for an Extension of Time for Submissions on Review of Detention

Specialist Prosecutor

Jack Smith

Counsel for Victims

Simon Laws

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

Ben Emmerson

Counsel for Rexhep Selimi

David Young

Counsel for Jakup Krasniqi

Venkateswari Alagendra

1. On 23 July 2021, the Pre-Trial Judge ordered the continued detention of Mr. Thaçi.¹
2. On 16 August 2021, the Defence for Mr. Thaçi (“Defence”) filed an appeal against the Decision on Review of Detention.²
3. On 26 August 2021, the Pre-Trial Judge, following a request from the Defence,³ ordered Mr. Thaçi to provide submissions on whether reasons for continued detention still exist by no later than ten days after notification of the decision of the Court of Appeals Panel on his pending appeal against the Decision on Review of Detention.⁴
4. On 27 October 2021, the Court of Appeals Panel issued its Decision on Hashim Thaçi’s Appeal Against Decision on Review of Detention, dismissing the Defence’s appeal.⁵
5. Any submissions on Mr. Thaçi’s continued detention are therefore due by 8 November 2021.
6. In accordance with Rule 9(5)(a) of the Rules of Procedure and Evidence of the Kosovo Specialist Chambers (“Rules”), the Defence requests a variation of the time limit set by the Pre-Trial Judge to file submissions on the review of detention in order that such submissions be provided by Tuesday, 16 November 2021.

¹ KSC-BC-2020-06/F00417, Pre-Trial Judge, Decision on Review of Detention of Hashim Thaçi, 23 July 2021 (“Decision on Review of Detention”).

² KSC-BC-2020-06/IA010/F00004, Thaçi Defence, Thaçi Defence Appeal against Decision on Review of Detention of Hashim Thaçi, 16 August 2021 (“Appeal”).

³ KSC-BC-2020-06/F00441, Thaçi Defence, Thaçi Defence Request for an Extension of Time for Submissions on Review of Detention, 25 August 2021.

⁴ KSC-BC-2020-06/F00443, Pre-Trial Judge, Decision on Thaçi Request for Extension of Time Limit, 26 August 2021.

⁵ KSC-BC-2020-06/IA010/F00008, Court of Appeals Panel, Decision on Hashim Thaçi’s Appeal Against Decision on Review of Detention, 27 October 2021.

7. Good cause exists for the requested extension. In light of the Appeals Chamber’ findings, the Defence requires further time to gather documents in support of Mr. Thaçi’s interim release, in particular with regard to the feasibility of house arrest. Such material would assist the Pre-Trial Judge in his review of the detention of Mr. Thaçi.

8. Considering the requested extension requires the waiver of Mr. Thaçi’s right to have his detention reviewed on a two-monthly basis, in accordance with Article 41(10) of the Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office and Rule 57(2) of the Rules, the Defence confirms that, exceptionally, Mr. Thaçi waives his right to review of the detention.

9. Accordingly, the Defence respectfully requests the Pre-Trial Judge to:

FIND that good cause exists pursuant to Rule 9(5)(a) of the Rules for a variation of the time limit; and

ORDER that submissions on whether reasons for continued detention still exist be filed by Tuesday, 16 November 2021.

Word count: 441 words

Respectfully submitted,



Gregory W. Kehoe

Counsel for Hashim Thaçi

Friday, 5 November 2021

At Tampa, United States