

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: Defence Counsel for Jakup Krasniqi

Date: 10 December 2021

Language: English

Classification: Confidential

Krasniqi Defence Request

for Extension of Time for Submissions on Third Detention Review

Specialist Prosecutor

Jack Smith

Counsel for Victims

Simon Laws QC

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

Ben Emmerson QC

Counsel for Rexhep Selimi

David Young

Counsels for Jakup Krasniqi

Venkateswari Alagendra, Aidan Ellis

1. On 26 November 2021, the Pre-Trial Judge ordered Mr. Krasniqi's continued detention and ordered Mr. Krasniqi, if he so wishes, to file submissions for the next review of detention by no later than 17 December 2021.¹
2. On 9 December 2021, the Defence for Jakup Krasniqi ("Defence") submitted an appeal against the Decision.²
3. The Defence hereby requests an extension of time to file submissions for the next review of detention, if necessary, until 10 days following the Appeals Chamber's determination of the above appeal.
4. Rule 9(5)(a) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers ("Rules") provides that any time limit may be extended upon showing of good cause. Good cause exists for the extension because the Defence submissions would benefit from receipt and consideration of the Appeals Chamber's Decision on the pending appeal. The Defence notes that extensions of time for detention review submissions have previously been granted on precisely this basis.³
5. The Specialist Prosecutor's Office has confirmed *inter partes* that it does not oppose the Defence's request.

¹ KSC-BC-2020-06, F00582, Pre-Trial Judge, *Decision on Remanded Detention Review Decision and Periodic Review of Detention of Jakup Krasniqi* ("Decision"), 26 November 2021, confidential, para. 101(b)-(c).

² KSC-BC-2020-06, IA016/F00001, Krasniqi Defence, *Krasniqi Defence Appeal Against Decision on Remanded Detention Review Decision and Periodic Review of Detention of Jakup Krasniqi* ("Appeal"), 9 December 2021, confidential, with Annex 1, public.

³ KSC-BC-2020-06, F00206, Pre-Trial Judge, *Decision on Joint Defence Request for Extension of Time Limit*, 24 February 2021, public, paras 5-6; In Court – Oral Order, *Order on the Timeline for the Next Review of Detention Regarding Mr. Krasniqi*, 21 July 2021, public.

6. The Defence has filed this request shortly after filing the Appeal and 7 days before the expiry of the current deadline. In the circumstances, it is submitted that it has been made in good time.

7. Insofar as it is necessary to do so, the Defence hereby confirms that on this occasion Mr. Krasniqi waives his right to have his detention reviewed every two months pursuant to Article 41(10) of Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Rule 57(2) of the Rules.

8. This filing is submitted confidentially because it refers to the Appeal which is confidential. The Defence would have no objection to this filing being reclassified as public.

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Friday, 10 December 2021

Kuala Lumpur, Malaysia.



Aidan Ellis

Friday, 10 December 2021

London, United Kingdom.