

**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 Rexhep Selimi

**Date:** 14 December 2021

**Language:** English

**Classification:** Public

---

**Public Redacted Version of Selimi Defence Expert Notice pursuant to Rule 149(2),  
KSC-BC-2020-06/F00585, dated 1 December 2021**

---

**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. Pursuant to Rule 149 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”),<sup>1</sup> the Defence for Mr. Selimi (“Defence”) hereby files this Notice in relation to potential SPO Expert witnesses.
2. According to Rule 149(2):

“(2) Within seven (7) days of disclosure of the report of an expert witness, or as directed by the Panel, the opposing Party shall file a notice indicating whether: (a) it challenges the qualifications of the witness as an expert or the relevance of all or parts of the expert witness report and, if so, which parts; (b) it accepts the expert witness report or parts thereof; or (c) it wishes to cross-examine the expert witness.”
3. On 24 November 2021, the SPO disclosed Batch 117, which included the reports of the following three putative experts:
  - a. [REDACTED]
  - b. [REDACTED]
  - c. [REDACTED]
4. All three witnesses also figure among the SPO’s preliminary witness list of 327 witnesses which was filed on 22 October 2021.<sup>2</sup>
5. At the present juncture, when the Pre-Trial Brief pursuant to Rule 95 has not been filed by the SPO and will not be filed until 17 December 2021,<sup>3</sup> it is premature to require the Defence to file a notice pursuant to Rule 149(2). The Defence therefore reserves the right to do so, by a date fixed by the Pre-Trial Judge after having received the Pre-Trial Brief. It is suggested that this may be done concomitantly with the filing of the Defence Pre-Trial Brief.
6. However, if the Pre-Trial Judge requires the production of a Rule 149(2) expert notice at the current time, the Defence: (a) challenges the qualifications of the witness as an expert and relevance of the report; (b) does not accept the expert witness report; and (c) wishes to cross-examine; in relation to each of the three proposed experts set out in

---

<sup>1</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 (“Rules”). All references to ‘Rule’ or ‘Rules’ herein refer to the Rules, unless otherwise specified.

<sup>2</sup> KSC-BC-2020-06, F00542, Annex 2 to Prosecution submission of preliminary witness list with strictly confidential and *ex parte* Annex 1 and confidential redacted Annex 2, 22 October 2021 (“Preliminary Witness List”).

<sup>3</sup> KSC-BC-2020-06, Oral Order of the Pre-Trial Judge on SPO’s pre-trial brief and related material according to Rule 95(4)(a), 29 October 2021, Public Transcript at page 752 line 20 to page 753 line 5.

paragraph 3 above. This notice may be updated in light of the information provided in the Prosecution Pre-Trial Brief.

**Word Count: 420**

Respectfully submitted on 14 December 2021,



---

DAVID YOUNG  
Lead Counsel for Rexhep Selimi



---

GEOFFREY ROBERTS  
Co-counsel for Rexhep Selimi