



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**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

**Date:** 21 January 2022

**Language:** English

**Classification:** **Public**

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**Order to the Registrar for Submissions**

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**Specialist Prosecutor**  
Jack Smith

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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 Alagenda

**THE PRE-TRIAL JUDGE**,<sup>1</sup> pursuant to Article 39(1) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ("Law"), hereby renders this order.

## I. PROCEDURAL BACKGROUND

1. On 3 December 2021, the Specialist Prosecutor's Office ("SPO") provided submissions on confidential information and contacts with witnesses ("SPO Submissions").<sup>2</sup>
2. On 10 December 2021, Victims' Counsel responded to the SPO Submissions ("Victims' Counsel Response").<sup>3</sup>
3. On 15 December 2021, the Defence for Hashim Thaçi, Rexhep Selimi, Jakup Krasniqi and Kadri Veseli responded to the SPO Submissions ("Defence Responses").<sup>4</sup>

## II. APPLICABLE LAW

4. Pursuant to Article 39(1) of the Law, the Pre-Trial Judge shall have the power to, *inter alia*, make any necessary orders or decisions to ensure the case is prepared properly and expeditiously for trial.

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<sup>1</sup> KSC-BC-2020-06, F00001, President, *Decision Assigning a Pre-Trial Judge*, 23 April 2020, public.

<sup>2</sup> KSC-BC-2020-06, F00594, Specialist Prosecutor, *Prosecution Submissions on Confidential Information and Contacts with Witnesses*, 3 December 2021, public.

<sup>3</sup> KSC-BC-2020-06, F00605, Victims' Counsel, *Victims' Counsel Response to Prosecution Submissions on Confidential Information and Contacts with Witnesses*, 10 December 2021, public.

<sup>4</sup> KSC-BC-2020-06, F00625, Specialist Counsel, *Thaçi Defence Response to Prosecution Submissions on Confidential Information and Contacts with Witnesses*, 15 December 2021, public ("Thaçi Response"); F00626, Specialist Counsel, *Selimi Defence Response to "Prosecution Submissions on Confidential Information and Contacts with Witnesses"*, 15 December 2021, public ("Selimi Response"); F00627, Specialist Counsel, *Krasniqi Defence Response to Prosecution Submissions on Confidential Information and Contacts with Witnesses*, 15 December 2021, confidential ("Krasniqi Response") (a public redacted version was submitted on 17 December 2021, F00627/RED); F00628, Specialist Counsel, *Veseli Defence Response to Prosecution Submissions on Confidential Information and Contacts with Witnesses*, 15 December 2021, public ("Veseli Response").

### III. DISCUSSION

5. The Pre-Trial Judge notes that the SPO's proposals foresee an extensive role for the Registry<sup>5</sup> and that the Defence Responses extensively address the proposed involvement of the Registry.<sup>6</sup> The SPO Submissions and the Defence Responses bring about questions as to, *inter alia*, the feasibility of the SPO's proposals for each section of the Registry that would be involved (in particular the Witness Protection and Support Office, the Court Management Unit, the Language Services Unit and the Defence Office), the impact of the SPO's proposals on Registry resources (financial, human resources and otherwise), and the ramifications of the SPO's proposals, particularly in relation to the extent of the Registry's involvement, on the pace of the present proceedings.

6. Accordingly, the Pre-Trial Judge orders the Registrar to provide submissions on any matter arising from the SPO Submissions, Victims' Counsel Response and/or Defence Responses, including, if applicable, proposals as to the practical implementation and/or modalities of the Registry's role, by no later than Friday, 4 February 2022. The Parties and Victims Counsel shall, if they so wish, respond to the Registrar's submissions by no later than Monday, 14 February 2022.

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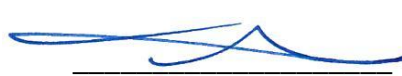
<sup>5</sup> SPO Submissions, paras 5(b), (e), (f), (g), 6(b), (e), (f), (g), (h), (i), (j), (k), (l), (n), (o).

<sup>6</sup> See for instance *Thaçi* Response, para. 33; *Selimi* Response, paras 32, 45-46; *Krasniqi* Response, paras 5, 18-19; *Veseli* Response, paras 10, 31.

## IV. DISPOSITION

7. For the above-mentioned reasons, the Pre-Trial Judge hereby:

- a) **ORDERS** the Registrar to provide submissions on any matter arising from the SPO Submissions, Victims' Counsel Response and/or Defence Responses, including, if applicable, proposals as to the practical implementation and/or modalities of the Registry's role, by no later than **Friday, 4 February 2022**; and
- b) **ORDERS** the Parties and Victims Counsel to, if they so wish, respond to the Registrar's submissions by no later than **Monday, 14 February 2022**.



**Judge Nicolas Guillou**

**Pre-Trial Judge**

Dated this Friday, 21 January 2022

At The Hague, The Netherlands.