

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 Kadri Veseli

Date: 15 March 2022

Language: English

Classification: Confidential

Veseli Defence Joinder to F00724 and F00730

Specialist Prosecutor's Office

Jack Smith

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

Ben Emmerson

Counsel for Victims

Simon Laws

Counsel for Rexhep Selimi

David Young

Counsel for Jakup Krasniqi

Venkateswari Alagendra

1. The Defence for Mr Kadri Veseli (“the Defence”) hereby joins the “Thaçi Defence Motion for an Independent and Impartial Review of Exculpatory Material”¹ filed 7 March 2022; and the “Krasniqi Defence Request for a Finding of Disclosure Failure, Setting a Disclosure Deadline and Appointment of an Independent and Impartial Magistrate”² filed on 11 March 2022.
2. The Defence is affected by the same issues raised in the Thaçi and Krasniqi Defences Requests. The Defence further agrees with the submissions presented in the Thaçi and the Krasniqi Requests; namely, that the SPO has not respected its obligation under Rule 103 by not disclosing exculpatory material “as soon as it is in his or her custody, control or actual knowledge”;³ and that the SPO’s withholding of exculpatory material and delayed disclosure thereof has unfairly prejudiced the Defence.⁴
3. The Defence agrees with the relief requested by both teams, requesting the Pre-Trial Judge to: (i) find the SPO in the violation of its obligation under Rule 103 to disclose exculpatory material immediately; (ii) appoint of an objective third party to review and disclose exculpatory material (iii) set a deadline for the SPO to complete its Rule 103 disclosure.⁵
4. Accordingly, the Defence hereby joins both the Thaçi and Krasniqi Requests and the relief requested therein.

Word Count: 270

¹ F00724, Thaçi Defence Motion for an Independent and Impartial Review of Exculpatory Material, 7 March 2022.

² F00730, Krasniqi Defence Request for a Finding of Disclosure Failure, Setting a Disclosure Deadline and Appointment of an Independent and Impartial Magistrate, 11 March 2022.

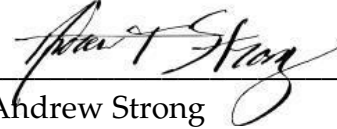
³ F00724, para.1; F00730, para. 42.

⁴ F00724 paras 42-47; F00730, paras 37-41.

⁵ F00724, para. 10; F00730 para.47.



Ben Emmerson, CBE QC
Counsel for Kadri Veseli



Andrew Strong
Co-Counsel for Kadri Veseli