



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

File number: KSC-CC-2022-14

Before: **The Specialist Chamber of the Constitutional Court**

Judge Vidar Stensland, Presiding

Judge Roumen Nenkov

Judge Romina Incutti

Registrar: Fidelma Donlon

Date: 1 April 2022

Language: English

File name: Referral by Kadri Veseli to the Constitutional Court Panel Concerning Decision of the Appeals Panel on Challenges to the Jurisdiction of the Specialist Chambers

Classification: Public

Decision on the Time Limit for the Submissions by the Applicant

Applicant

Kadri Veseli

Specialist Prosecutor

Jack Smith

1. On 28 February 2022, Mr Kadri Veseli (the “Applicant”) lodged with the Specialist Chamber of the Constitutional Court a referral, dated 28 February 2022 (the “Referral”),¹ under Article 113(7) of the Constitution of the Republic of Kosovo (the “Constitution”) and Article 49(3) of the Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office. In the Referral, the Applicant raises several constitutional complaints in relation to the criminal proceedings against him, taking place before the Specialist Chambers. The Applicant is represented by Mr Ben Emmerson and Mr Andrew Strong.

2. On 15 March 2022, the Constitutional Court Panel² invited the SPO and the Applicant to file written submissions, should they wish so to do, in relation to the Referral, addressing specific questions put by the Panel. The Panel directed the SPO to file written submissions, if any, by 29 March 2022, and the Applicant – by 5 April 2022. The Panel also directed that the SPO’s written submissions do not exceed 20 pages and the Applicant’s submissions – 15 pages.³ On 30 March 2022, the SPO filed its written submissions.⁴

3. In relation to the time limit set by the Panel for the Applicant to file his written submissions, the Panel recalls that, pursuant to Rule 6(4)(a) of the Rules of Procedure for the Specialist Chamber of the Constitutional Court, the Panel may *proprio motu* extend the time limit.

4. In that regard, the Panel notes that the SPO filed its submissions one day late, and that they cite to a considerable case law. In the list of authorities, the SPO has

¹ KSC-CC-2022-14, F00001, Constitutional referral by Kadri Veseli against “Decision on appeals against ‘Decision on motions challenging the jurisdiction of the Specialist Chambers’”, public, 28 February 2022, with Annex 1, public.

² With regard to assignment of the Constitutional Court Panel under Article 33(3) of the Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office, see KSC-CC-2022-14, F00002, Decision to assign judges to a Constitutional Court Panel, public, 1 March 2022.

³ KSC-CC-2022-14, F00005, Decision on further submissions, public, 15 March 2022.

⁴ KSC-CC-2022-14, F00006, Prosecution response to decision on further submissions in relation to Veseli referral (KSC-CC-2022-14/F00005), public, 29 March 2022 (filed 30 March 2022), with Annex 1, public.

specified 55 rulings, including of the Kosovo Constitutional Court and the European Court of Human Rights.⁵

5. In that light, the Panel finds it appropriate to extend, *proprio motu*, the time limit for the Applicant to file his written submissions to 8 April 2022.

FOR THESE REASONS,

The Constitutional Court Panel

1. *Extends, proprio motu*, the time limit for the Applicant to file his written submissions on the questions put by the Panel and to comment on the SPO's written submissions to **8 April 2022**;
2. *Recalls* that the Applicant's written submissions shall not exceed 15 pages; and that the Panel will disregard any unsolicited submissions.



Vidar Stensland
Presiding Judge

Done in English on Friday, 1 April 2022

At The Hague, the Netherlands

⁵ KSC-CC-2022-14, F00006/A01, Annex 1 to Prosecution response to decision on further submissions in relation to Veseli referral (KSC-CC-2022-14/F00005), List of authorities, public (filed 30 March 2022).