

**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:** Specialist Counsel for Hashim Thaçi

**Date:** 12 May 2022

**Language:** English

**Classification:** Public

---

**Thaçi Defence Notification in response to Decision Granting an Extension of Time for Request for Certification to Appeal “Decision on the Confirmation of Amendments to the Indictment Against Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi”**

---

**Specialist Prosecutor**

Jack Smith

**Counsel for Victims**

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 Alagendra

## I. PROCEDURAL BACKGROUND

1. On 22 April 2022, the Pre-Trial Judge (“PTJ”) issued a decision confirming, upon the request of the Specialist Prosecutor, amendments to the Indictment<sup>1</sup> against Mr Thaçi et al., ordered the SPO to file an amended indictment, and informed the accused that further appearances would be scheduled (“Confirmation of Amendments Decision”).<sup>2</sup>

2. On 28 April 2022, the Defence for Mr Thaçi (“Defence”) filed a request for an extension of time for certification to appeal the Confirmation of Amendments Decision.<sup>3</sup> On 2 May 2022, the PTJ granted the Defence request and invited the Defence to “further substantiate its submissions on the admissibility of the Rule 77 remedy in light of the procedural avenue available in Rule 90(4) of the Rules.”<sup>4</sup>

## II. SUBMISSIONS

3. Having considered the matter, whilst not conceding, as found by the PTJ, that a ‘well-grounded suspicion’ has been established pursuant to Rule 86(4) in relation to the First and Second Categories of now ‘confirmed’ amendments,<sup>5</sup> the Defence has decided not to seek leave to appeal the Confirmation of Amendments Decision.

---

<sup>1</sup> KSC-BC-2020-06/F00455/RED/A01, Specialist Prosecutor, Public Redacted Version of ‘Indictment’, KSC-BC-2020-06/F00455/A01, dated 3 September 2021, public.

<sup>2</sup> KSC-BC-2020-06/F00777, PTJ, Confidential Redacted Version of Decision on the Confirmation of Amendments to the Indictment against Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, 22 April 2022.

<sup>3</sup> KSC-BC-2020-06/F00784, Thaçi Defence Request for an Extension of Time for Request for Certification to Appeal “Decision on the Confirmation of Amendments to the Indictment Against Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi”, 28 April 2022, public.

<sup>4</sup> KSC-BC-2020-06/F00795, PTJ, Decision on Thaçi Defence Request for an Extension of Time for Request for Certification to Appeal and Order for Further Submissions, 2 May 2022, public.

<sup>5</sup> Confirmation of Amendments Decision, para. 185.

**Word count: 288 words**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "G. W. Kehoe". The signature is written over a white rectangular box that has been partially obscured by the ink.

**Gregory W. Kehoe**

**Counsel for Hashim Thaçi**

Thursday, 12 May 2022

At Tampa, United States