

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: Defence Counsel for Jakup Krasniqi

Date: 9 June 2022

Language: English

Classification: Confidential

Krasniqi Defence Request

for Extension of Time for Submissions on Fourth Detention Review

with confidential Annex 1

Specialist Prosecutor

Jack Smith

Counsel for Victims

Simon Laws QC

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

Ben Emmerson QC

Counsel for Rexhep Selimi

David Young

Counsels for Jakup Krasniqi

Venkateswari Alagendra, Aidan Ellis

1. On 13 May 2022, the Pre-Trial Judge ordered Mr. Krasniqi's continued detention and ordered Mr. Krasniqi, if he so wishes, to file submissions for the next review of detention, by no later than 22 June 2022.¹
2. On 25 May 2022, the Defence for Jakup Krasniqi ("Defence") submitted an appeal against the Decision.²
3. On 26 May 2022, the Defence received an email notifying them that if the Accused wishes the Pre-Trial Judge to undertake the review of detention after the Court of Appeals Chamber's ("Appeals Chamber's") decision on the above appeal, the Defence should notify the Pre-Trial Judge by Monday, 13 June 2022, attaching the waiver of the Accused.
4. The Defence hereby notifies the Pre-Trial Judge that the Defence does request the Pre-Trial Judge to undertake the next review of detention after the Appeals Chamber's decision on the appeal. Accordingly, the Defence requests an extension of time to file submissions for the next review of detention, if necessary, until 10 days following the Appeals Chamber's determination of the above appeal.
5. Rule 9(5)(a) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers ("Rules") provides that any time limit may be extended upon showing of good cause. The Defence submits that good cause exists for the requested extension as the Defence submissions would benefit from receipt and consideration of the Appeals Chamber's Decision on the pending appeal. The Defence notes that

¹ KSC-BC-2020-06, F00801, Pre-Trial Judge, *Decision on Periodic Review of Detention of Jakup Krasniqi* ("Decision"), 13 May 2022, confidential and *ex parte*, para. 87(b)-(c).

² KSC-BC-2020-06, IA020/F00001, Krasniqi Defence, *Krasniqi Defence Appeal Against Decision on Periodic Review of Detention of Jakup Krasniqi* ("Appeal"), 25 May 2022, confidential, with Annex 1, public.

extensions of time for detention review submissions have been previously granted on precisely this basis.³

6. This request has been filed within the timeline notified to the Defence on 26 May 2022 and before the expiry of the current deadline. In the circumstances, it is submitted that it has been made in good time.

7. Insofar as it is necessary to do so, the Defence hereby confirms that on this occasion Mr. Krasniqi waives his right to have his detention reviewed every two months pursuant to Article 41(10) of Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Rule 57(2) of the Rules.⁴

8. Pursuant to Rule 82(3) of the Rules, this filing is submitted confidentially as it refers to the Appeal which bears the same classification.⁵ The Defence would have no objection to this filing being reclassified as public.

³ KSC-BC-2020-06, F00206, Pre-Trial Judge, *Decision on Joint Defence Request for Extension of Time Limit*, 24 February 2021, public, paras 5-6; In Court – Oral Order, *Order on the Timeline for the Next Review of Detention Regarding Mr. Krasniqi*, 21 July 2021, public; In Court – Oral Order, *Oral Order on Timeline for the Next Detention Review*, 15 December 2021, public.

⁴ See Annex 1, p. 4.

Word count: 489 words



Venkateswari Alagenda

Thursday, 9 June 2022

Kuala Lumpur, Malaysia.



Aidan Ellis

Thursday, 9 June 2022

London, United Kingdom.



Victor Băieșu

Thursday, 9 June 2022

The Hague, the Netherlands.