



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: 10 June 2022

Language: English

Classification: Public

Decision on Defence Request for Word Limit Variation

Specialist Prosecutor
Jack Smith

Counsel for Hashim Thaçi
Gregory Kehoe

Counsel for Victims
Simon Laws

Counsel for Kadri Veseli
Ben Emmerson

Counsel for Rexhep Selimi
David Young

Counsel for Jakup Krasniqi
Venkateswari Alagenda

THE PRE-TRIAL JUDGE,¹ pursuant to Article 39(13) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ("Law") and Articles 36(1) and (2) and 41 of the Practice Direction on Files and Filings Before the Kosovo Specialist Chambers ("Practice Direction"),² hereby renders this decision.

I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 20 May 2022, during the twelfth Status Conference, the Pre-Trial Judge invited the Parties to file submissions on disclosure pursuant to Rule 103 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules").³

2. On 9 June 2022, the Defence for Kadri Veseli ("Defence") requested that the Pre-Trial Judge authorise a limit of 8,000 words for the Defence motion on disclosure pursuant to Rule 103 of the Rules ("Request" and "Defence Motion" respectively).⁴ The Defence submits that good cause exists for the requested extension given: (i) the importance of disclosure obligations under Rules 103 of the Rules; (ii) the numerous allegations which form the basis of the Defence Motion; and (iii) the overall complexity of the issue.⁵ The Defence further submits that granting the Request would not cause prejudice to the other Parties.⁶

II. APPLICABLE LAW

3. Pursuant to Article 41 of the Practice Direction, any motion shall not exceed 6,000 words.

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

² KSC-BD-15, Registry Practice Direction on Files and Filings before the Kosovo Specialist Chambers, 17 May 2019, public.

³ KSC-BC-2020-06, Transcript of Hearing, 20 May 2022, p. 1254, lines 21-25.

⁴ KSC-BC-2020-06, F00832, Specialist Prosecutor, *Defence Request for Word Limit Variation*, 9 June 2022, public, paras 1-2, 6.

⁵ Request, para. 3

⁶ Request, para. 5.

4. Pursuant to Article 36(1) of the Practice Direction, participants to proceedings may seek, sufficiently in advance, an extension of the word limit upon showing that good cause exists constituting exceptional circumstances.

5. Pursuant to Article 36(2) of the Practice Direction, where no prejudice is caused to the opposing Party or Victims' Counsel, a motion for variation of the word limit may be disposed of without giving them the opportunity to be heard.

III. DISCUSSION

6. Having considered the reasons put forward by the Defence, in particular the numerous allegations the Defence wishes to put forward and the importance of Rule 103 disclosure obligations, the Pre-Trial Judge finds that good cause warranting the requested extension of the word limit has been demonstrated.

7. Considering that the extension of the word limit will enable the filing of a clearer and more complete Defence Motion, the Pre-Trial Judge finds that no prejudice will be incurred by the opposing Party or Victims' Counsel in the granting of the extension.

8. Accordingly, the Pre-Trial Judge extends the word limit for the Defence Motion to up to 8,000 words. Moreover, in the interest of judicial economy, the Pre-Trial Judge considers it appropriate to grant the same extension of word limit, an additional 2,000 words, to any submissions filed on the aforementioned matter.

IV. DISPOSITION

9. For the foregoing reasons, the Pre-Trial Judge hereby:

GRANTS the Request.



Judge Nicolas Guillou
Pre-Trial Judge

Dated this Friday, 10 June 2022
At The Hague, the Netherlands.