

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 Rexhep Selimi

Date: 10 June 2022

Language: English

Classification: Public

**Defence Request for an Extension of Time for Submissions on the
Review of Detention with Confidential Annex 1**

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 Alagendra

1. On 13 May 2022, the Pre-Trial Judge rejected the application for interim release of Mr. Selimi.¹ In the same decision, the Pre-Trial Judge ordered Mr. Selimi “if he wishes to do so, to file submissions on the next review of detention by no later than Wednesday, 22 June 2022”.² On 25 May 2022, the Defence filed an appeal against this decision.³ A decision on this appeal is not expected to be issued by 22 June 2022.
2. Pursuant to Rule 9(5)(a) of the Rules of Procedure and Evidence (“Rules”), the Defence hereby requests a variation of the time limit set by the Pre-Trial Judge to file submissions on the next review of detention in order that such submissions be provided, if necessary, within ten (10) days of receipt of the decision issued by the Court of Appeals Panel in respect of the pending Appeal.
3. Good cause exists for the requested extension. Any future Defence submissions, if required, on a review of detention would benefit from the receipt and consideration of the Appeals Decision. In addition, such extensions of time for detention review submissions have previously been granted on this basis by the Pre-Trial Judge.⁴
4. Considering that the requested extension requires the waiver of the Accused’s right to have his detention reviewed on a two-monthly basis in accordance with Article 41(10) of the Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office⁵ and Rule 57(2) of the Rules, the Defence confirms that, exceptionally, Mr. Selimi waives his right of review of the detention.⁶
5. Therefore, the Defence respectfully requests the Pre-Trial Judge to find that good cause exists pursuant to Rule 9(5)(a) of the Rules for a variation of the time and to order that the submissions on review of detention, should they be necessary, be filed within ten (10) days of receipt of the relevant Appeals Decision.

¹ F00802, Decision on Periodic Review of Detention of Rexhep Selimi, 13 May 2022.

² Ibid, para. 68(b).

³ IA021-F00001, Selimi Defence Appeal against Decision on Periodic Review of Detention of Rexhep Selimi, 25 May 2022.

⁴ F00206, Decision on Joint Defence Request for Extension of Time Limit, 24 February 2021; KSC-BC-2020-06, Pre-Trial Judge, Oral Order on Timeline for the Next Detention Review, 15 December 2021, Transcript at page 763 line 6 to page 764 to line 4.

⁵ Law No.05/L-053 on SC and SPO, 3 August 2015 (‘Law’). All references to ‘Article’ or ‘Articles’ herein refer to articles of the Law, unless otherwise specified.

⁶ Annex 1 contains a waiver of Mr. Selimi’s right to have his detention reviewed on a two-monthly basis in accordance with Article 41(10) of the Law and Rule 57(2) of the Rules and as provided in F00802.

Word count: 447

Respectfully submitted on 10 June 2022,



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