



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

In: KSC-BC-2020-06
**The Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi,
and Jakup Krasniqi**

Before: Trial Panel II
Judge Charles L. Smith, III, Presiding Judge
Judge Christoph Barthe
Judge Guénaël Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Fidelma Donlon

Date: 15 December 2022

Language: English

Classification: Public

Order Scheduling Status Conference

Acting Specialist Prosecutor
Alex Whiting

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 Alagenda

TRIAL PANEL II, pursuant to Article 40 of the Law on Specialist Chambers and Specialist Prosecutor's Office ("Law") and Rules 96 and 116(1) and (5) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"), hereby renders this order.

I. PROCEDURAL BACKGROUND

1. On 30 November 2022, the Pre-Trial Judge notified the President that case file KSC-BC-2020-06 will be ready for transmission to a Trial Panel on Thursday, 15 December 2022.¹
2. On 30 November 2022, the President constituted Trial Panel II ("Trial Panel") and assigned the present case thereto upon transmission of the case file.² On the same day, the Trial Panel unanimously elected Judge Charles L. Smith, III as its Presiding Judge.³
3. On 2 December 2022, acting on behalf of Trial Panel II, the Registry informed the Parties and participants that a status conference would take place on Friday, 16 December 2022 and asked to be notified of counsel's presence on that occasion. Responses were received by the Parties and participants in the following days.⁴
4. On 15 December 2022, the Pre-Trial Judge transmitted the case file to the Trial Panel pursuant to Rule 98 of the Rules.⁵

¹ KSC-BC-2020-06, F01131, Pre-Trial Judge, *Notification Pursuant to Rule 98(3) of the Rules of Procedure and Evidence*, 30 November 2022, public.

² KSC-BC-2020-06, F01132, President, *Decision Assigning Trial Panel II*, 30 November 2022, public.

³ KSC-BC-2020-06, F01167, Trial Panel II, *Notification of Election of a Presiding Judge*, 15 December 2022, public.

⁴ See Correspondence 155 – Emails between CMU and Parties and participants regarding the Attendance at Status Conference on 16 December 2022.

⁵ KSC-BC-2020-06, F01166, Pre-Trial Judge, *Decision Transmitting the Case File to Trial Panel II*, 15 December 2022, public, with Annexes 1, 3, confidential, and Annexes 2, 4, strictly confidential and *ex parte*.

II. DISCUSSION

5. Pursuant to Article 40 of the Law and Rules 96 and 116(1) and (5) and to ensure expeditious preparation for trial, the Trial Panel will convene a Status Conference in the presence of the Specialist Prosecutor's Office ("SPO"), the Defence and Counsel for Victims on **Friday, 16 December 2022, at 10:30 hours**.

6. The Trial Panel will seek submissions from the Parties and participants regarding their preparedness for trial, in particular, in respect of the following issues:

- i. Schedule of the case and sitting hours;
- ii. Draft Order on the conduct of the proceedings;
- iii. The presentation of the Specialist Prosecutor's case and how the Specialist Prosecutor plans to organize that presentation;
- iv. Timing of any application pursuant to Rule 155 of the Rules (regarding deceased witnesses);
- v. Formal requirements under Rules 154 and 153(2) of the Rules;
- vi. Publicity, fair trial and redactions;
- vii. Outstanding redactions in the indictment;
- viii. Protective measures;
- ix. Use of private and closed sessions;
- x. Bar table application(s); and
- xi. Context and allegations pertaining to uncharged criminal conduct by individuals other than the Accused.

7. The Trial Panel is also intent, upon hearing from the Parties and participants, to give general guidance about the schedule and other issues pertaining to the conduct of the proceedings. It is the Trial Panel's hope that such guidance will assist the Parties

and participants in focusing and expediting preparations with a view to the prompt commencement of the trial.

III. DISPOSITION

8. In light of the foregoing, the Trial Panel hereby:

DECIDES to convene a Status Conference in the presence of the SPO, the Defence and Counsel for Victims on **Friday, 16 December 2022, at 10:30 hours.**



Judge Charles L. Smith, III
Presiding Judge

Dated this Thursday, 15 December 2022
At The Hague, the Netherlands.