



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:** **Trial Panel II**

Judge Charles L. Smith III, Presiding Judge

Judge Christoph Barthe

Judge Guénaél Mettraux

Judge Fergal Gaynor, Reserve Judge

**Registrar:** Fidelma Donlon

**Date:** 14 March 2023

**Language:** English

**Classification:** Public

---

**Decision on Prosecution Request for Extension of Words to File Consolidated  
Motion for Admission of Evidence of Witnesses Pursuant to Rule 154**

---

**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** (“Panel”), pursuant to Article 40(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”), Rule 154 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), and Articles 36(1) and 41 of the Practice Direction on Files and Filings before the Kosovo Specialist Chambers (“Practice Direction”),<sup>1</sup> hereby renders this decision.

## I. PROCEDURAL BACKGROUND

1. On 18 January 2023, the Panel ordered the Specialist Prosecutor’s Office (“SPO”) to file its motion pursuant to Rule 154 in respect of its second group of twelve witnesses (“Rule 154 Motion”) by Wednesday, 15 March 2023.<sup>2</sup>
2. On 9 March 2023, the SPO filed a request for extension of words for the filing of its Rule 154 Motion (“SPO Request”).<sup>3</sup>
3. On 10 March 2023, the Panel informed the Parties and participants that: (i) should they wish to respond to the Request, they should do so by Monday, 13 March 2023, at noon; and (ii) no reply will be entertained.<sup>4</sup> No Party or participant responded.

## II. SUBMISSIONS

4. The SPO intends to file one consolidated motion containing submissions for all the relevant witnesses and requests a word extension of 6,000 words, to a total

---

<sup>1</sup> KSC-BD-15, *Practice Direction on Files and Filings before the Kosovo Specialist Chambers*, 17 May 2019.

<sup>2</sup> Transcript of Hearing, 18 January 2023, p. 1902, lines 14-15.

<sup>3</sup> F01358, *Prosecution Request for Extension of Words to File Consolidated Motion for Admission of Evidence of Witnesses Pursuant to Rule 154*, 9 March 2023.

<sup>4</sup> CRSPD185, *Responses to F01354 and F01358*, 10 March 2023.

of 12,000 words for its Rule 154 Motion.<sup>5</sup> It avers that good cause exists for the SPO Request and no prejudice will be caused to the Defence or the Victims' Counsel.<sup>6</sup>

5. The SPO contends that submitting one motion: (i) will allow a presentation of the relevant evidence in a more efficient and concise manner; (ii) avoids unnecessary repetition across filings; and (iii) is justified by the number of witnesses and elements that the Rule 154 Motion must address.<sup>7</sup>

### III. DISCUSSION

6. As regards the timing of the SPO Request, the Panel considers that the Request has been made in a timely manner considering the competing deadlines that the Parties and participants have to manage in light of the upcoming start of the trial on 3 April 2023.

7. As regards the good cause requirement, the Panel takes into account: (i) the number of witnesses to be addressed in the Rule 154 Motion; and (ii) the fact that a consolidated motion for the second 12 witnesses will avoid unnecessary repetition across filings and will promote efficiency. Accordingly, the Panel is satisfied that good cause exists to justify the extension of word limit to the 12,000 words sought by the SPO.

8. The factors justifying the SPO Request apply equally to any response to the Rule 154 Motion. Therefore, the Panel, *proprio motu*, authorises an equivalent extension of the word limit, of no more than 12,000 words, to any response by any of the Defence teams and participants to the Rule 154 Motion. The Panel is further satisfied that no prejudice will result for the opposing Party.

---

<sup>5</sup> SPO Request, para. 1.

<sup>6</sup> SPO Request, para. 2.

<sup>7</sup> SPO Request, para. 2.

IV. DISPOSITION

9. For these reasons, the Panel hereby:

(a) **GRANTS** the SPO Request; and

(b) **EXTENDS** the word limit of the Rule 154 Motion and any response thereto, to 12,000 words.



---

**Judge Charles L. Smith, III**  
**Presiding Judge**

Dated this Tuesday, 14 March 2023

At The Hague, the Netherlands.