



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 Joint Defence Request for Variation of Word Limit

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 Alagendra

TRIAL PANEL II (“Panel”), pursuant to Article 40(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Articles 36(1) and 41 of the Practice Direction on Files and Filings before the Kosovo Specialist Chambers (“Practice Direction”),¹ hereby renders this decision.

I. PROCEDURAL BACKGROUND

1. On 8 March 2023, the Defence for Hashim Thaçi, the Defence for Kadri Veseli, the Defence for Rexhep Selimi, and the Defence for Jakup Krasniqi (collectively “Defence”) filed a joint Defence request for variation of the word limit (“Request for Extension of Word Limit”).²

2. 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.³ No Party or participant responded.

II. SUBMISSIONS

3. The Defence submits that it intends to file a joint response (“Response”) to the Specialist Prosecutor’s application for admission of material through the bar table (“Bar Table Motion”).⁴ The Defence requests an extension of no more than 15,000 words for its Response given that the Bar Table Motion seeks the admission of 1,260 items totalling approximately 13,500 pages.⁵ It avers that good cause exists

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

² F01354, *Joint Defence Request for Variation of the Word Limit*, 8 March 2023.

³ CRSPD185, *Responses to F01354 and F01358*, 10 March 2023.

⁴ Request for Extension of Word Limit, para. 1.

⁵ Request for Extension of Word Limit, paras 1, 3.

for the Request for Extension of Word Limit and no prejudice will be caused to the SPO or the Victims' Counsel.⁶

III. DISCUSSION

4. As regards the timing of the Request for Extension of Word Limit, the Panel considers that it has been filed in timely manner in light of the fact that the Response is not due until 21 March 2023.⁷

5. As regards the good cause requirement, the Panel considers: (i) the length, volume, and diversity of the bar table items; and (ii) the fact that a consolidated Response will avoid unnecessary repetition across filings thereby promoting overall efficiency. Accordingly, the Panel is satisfied that good cause has been shown justifying the extension of word limit to no more than 15,000 words sought by the Defence.

6. In light of the fact that the extension of word limit will allow for a consolidated Response, the Panel finds that no prejudice will be caused to the SPO or to Victims' Counsel as a result of granting the Request for Extension of Word Limit.

⁶ Request for Extension of Word Limit, para. 5.

⁷ F01309, Trial Panel II, *Decision on Defence Request for a Revised Bar Table Motion and a Suspension and an Extension of Time*, 21 February 2023, para. 16(c).

IV. DISPOSITION

7. For these reasons, the Panel hereby:

- (a) **GRANTS** the Request for Extension of Word Limit; and
- (b) **EXTENDS** the word limit of the Response to no more than 15,000 words.



Judge Charles L. Smith, III
Presiding Judge

Dated this Tuesday, 14 March 2023

At The Hague, the Netherlands.