



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 Guénaél Mettraux  
Judge Fergal Gaynor, Reserve Judge

**Registrar:** Fidelma Donlon

**Date:** 16 March 2023

**Language:** English

**Classification:** Public

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**Decision on Thaçi, Selimi and Krasniqi Defence Request for an Extension of Time  
for Response to ‘Prosecution Motion for Admission of Accused’s Statements’**

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**Acting Specialist Prosecutor**  
Alex Whiting

**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

**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 Rule 9(5)(a) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

## I. PROCEDURAL BACKGROUND

1. On 8 March 2023, the Specialist Prosecutor’s Office (“SPO”) filed a motion for the admission of the Accused’s statements (“SPO Motion”).<sup>1</sup>

2. On 10 March 2023, the Defences for Hashim Thaçi, Rexhep Selimi and Jakup Krasniqi (“Defence”) jointly filed a request for an extension of time to file a response to the SPO Motion (“Defence Request for Time Extension”).<sup>2</sup>

3. On 14 March 2023, the SPO filed its response to the Defence Request for Time Extension (“SPO Response”).<sup>3</sup>

## II. SUBMISSIONS

4. The Defence requests a six-week extension of time to respond to the SPO Motion.<sup>4</sup> The Defence submits that, as the SPO Motion encompasses nearly 200 items totalling approximately 3,700 pages, it does not have sufficient time to respond to the SPO Motion.<sup>5</sup> The Defence further submits that: (i) good cause exists given the volume of the material, which includes 31 prior interviews, statements or testimony of the Accused, as well as associated exhibits and notifications of rights;<sup>6</sup> (ii) additional time

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<sup>1</sup> F01351, Specialist Prosecutor, *Prosecution Motion for Admission of Accused’s Statements*, 8 March 2023, with Annex 1.

<sup>2</sup> F01364, Specialist Counsel, *Thaçi, Selimi and Krasniqi Defence Request for an Extension of Time for Response to ‘Prosecution motion for admission of Accused statements’*, 10 March 2023.

<sup>3</sup> F01369, Specialist Prosecutor, *Prosecution Response to Thaçi, Selimi and Krasniqi Defence Request for Time Extension (F01364)*, 14 March 2023.

<sup>4</sup> Defence Request for Time Extension, para. 3.

<sup>5</sup> Defence Request for Time Extension, para. 1.

<sup>6</sup> Defence Request for Time Extension, paras 1, 4.

is needed for a detailed and careful review given that the material goes to the heart of the case;<sup>7</sup> and (iii) the novelty of the issues involved necessitates greater time to prepare a response.<sup>8</sup>

5. The SPO responds that the Defence's request for a six-week extension is unreasonable and unsupported.<sup>9</sup> However, the SPO does not oppose a reasonable extension of time for the Defence to respond to the SPO Motion.<sup>10</sup>

### III. DISCUSSION

6. The Panel finds that the Defence has demonstrated good cause, as required under Rule 9(5)(a), for an extension of time to respond to the SPO Motion given: (i) the number of deadlines faced by the Parties and participants in the lead up to the start of trial and (ii) the extensiveness, in terms of the number and volume of items concerned. The Panel notes that, while the relevant material was previously available to the Defence,<sup>11</sup> this material must be analysed in the context of the submissions made in the SPO Motion, which was only recently filed. The Panel also notes that the SPO does not oppose a reasonable extension of the time.

7. The Panel, therefore, grants an extension of time for the Defence and Victims' Counsel to respond to the SPO Motion until **Monday, 17 April 2023**. The Panel considers a four-week extension from the original deadline for filing a response a sufficient amount of time for the Defence to respond to the SPO Motion. The present extension is made with the aim of increasing the likelihood of focused and streamlined responses to the SPO Motion and therefore does not prejudice any Party or participant. The Panel invites Defence teams to consider filing a joint response to the SPO Motion so as to reduce the amount of time and resources necessary for all

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<sup>7</sup> Defence Request for Time Extension, para. 5.

<sup>8</sup> Defence Request for Time Extension, para. 6.

<sup>9</sup> SPO Response, para. 1.

<sup>10</sup> SPO Response, para. 1.

<sup>11</sup> SPO Response, paras 2-3.

involved to address this matter. The deadline provided by Rule 76 for a reply, if any, will apply.

IV. DISPOSITION

8. For the above-mentioned reasons, the Panel hereby:

- a. **GRANTS**, in part, the Defence Request for Time Extension; and
- b. **EXTENDS** the time for any response to the SPO Motion to Monday, 17 April 2023.



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

Dated this Thursday, 16 March 2023  
At The Hague, the Netherlands.