

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

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

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Hashim Thaçi

Date: 28 November 2023

Language: English

Classification: Public

**Thaçi Defence Request for Leave to Reply to ‘Prosecution response to THAÇI
Defence’s submissions on Rule 143(2)(c)’**

Specialist Prosecutor’s Office

Kimberly P. West

Counsel for Victims

Simon Laws

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

Ben Emmerson

Counsel for Rexhep Selimi

Geoffrey Roberts

Counsel for Jakup Krasniqi

Venkateswari Alagendra

1. The Defence for Mr Hashim Thaçi (“Defence”) hereby requests leave to reply¹ briefly to the Prosecution response to THAÇI Defence’s submissions on Rule 143(2)(c).²
2. Such a reply is warranted in light of the significance of the issue at stake, related to the scope of the admissibility of prior inconsistent statements through Rule 143(3)(2)(c), its novelty, and its potential impact on subsequent testimonies and the fairness of the trial.
3. The Defence will limit its reply to 500 words, addressing the SPO argument in paragraph 7 of its Response that the Defence is “legally and factually wrong in claiming that a statement cannot be ‘inconsistent’ unless it has been put to a witness.” The Defence wishes to draw the Panel’s attention to binding legal authority on this point.

[Word count: 175 words]

Respectfully submitted,



Gregory W. Kehoe

Counsel for Hashim Thaçi

Tuesday, 28 November 2023

At Tampa, United States

¹ The Presiding Judge having indicated that it may not need a reply - KSC-BC-2020-06, Transcript of hearing of 9 November 2023, p. 9706, l. 6.

² KSC-BC-2020-06/F01962, Prosecution response to THAÇI Defence’s submissions on Rule 143(2)(c), dated 27 November 2023, notified on 28 November 2023, public (“Response”).