



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2023-12  
**The Specialist Prosecutor v. Hashim Thaçi, Bashkim Smakaj, Isni Kilaj, Fadil Fazliu and Hajredin Kuçi**

**Before:** Pre-Trial Judge  
Judge Marjorie Masselot

**Registrar:** Fidelma Donlon

**Date:** 5 August 2025

**Language:** English

**Classification:** Public

---

**Fourth Decision on Review of Detention of Fadil Fazliu**

---

**Specialist Prosecutor**  
Kimberly P. West

**Specialist Counsel for Hashim Thaçi**  
Sophie Menegon  
Luka Mišetić

**Specialist Counsel for Bashkim Smakaj**  
Jonathan Rees  
Huw Bowden

**Specialist Counsel for Isni Kilaj**  
Iain Edwards  
Joe Holmes

**Specialist Counsel for Fadil Fazliu**  
David Young

**Specialist Counsel for Hajredin Kuçi**  
Alexander Admiraal

**THE PRE-TRIAL JUDGE**,<sup>1</sup> pursuant to Article 41(6), (10) and (12) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ("Law") and Rules 56(2) and 57(2) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"), hereby issues the following decision.

## I. PROCEDURAL BACKGROUND

1. On 5 December 2024, Fadil Fazliu ("Mr Fazliu" or "Accused") was arrested in Kosovo,<sup>2</sup> pursuant to a decision and an arrest warrant issued by the Pre-Trial Judge,<sup>3</sup> and further to the confirmation of an indictment against him, Hashim Thaçi ("Mr Thaçi"), Bashkim Smakaj, Isni Kilaj, and Hajredin Kuçi ("Confirmation Decision").<sup>4</sup>
2. On 8 December 2024, at the initial appearance of Mr Fazliu, the Pre-Trial Judge ordered his continued detention.<sup>5</sup>

---

<sup>1</sup> KSC-BC-2023-12, F00015, President, [Decision Assigning a Pre-Trial Judge](#), 6 June 2024, public.

<sup>2</sup> KSC-BC-2023-12, F00045, Registrar, [Notification of Arrest of Fadil Fazliu Pursuant to Rule 55\(4\)](#), 5 December 2024, public.

<sup>3</sup> KSC-BC-2023-12, F00037, Pre-Trial Judge, *Decision on Request for Arrest Warrants and Related Matters* ("Decision on Arrest"), 29 November 2024, confidential, with Annexes 1-8, confidential. A public redacted version of the main filing was issued on 19 December 2024, [F00037/RED](#).

<sup>4</sup> KSC-BC-2023-12, F00036, Pre-Trial Judge, *Decision on the Confirmation of the Indictment*, 29 November 2024, confidential. A public redacted version was issued on 12 February 2025, [F00036/RED](#). See also KSC-BC-2023-12, F00260, Pre-Trial Judge, [Decision Amending the "Decision on the Confirmation of the Indictment" and Setting a Date for the Submission of Preliminary Motions](#), 14 April 2025, public.

<sup>5</sup> KSC-BC-2023-12, Transcript of Hearing ("Initial Appearance Transcript"), 8 December 2024, public, p. 65, line 24 to p. 69, line 18; see, in particular, p. 68, lines 8-9 ("Decision on Detention").

3. On 7 February 2025,<sup>6</sup> 7 April 2025<sup>7</sup> and 5 June 2025 (“Third Review Decision”),<sup>8</sup> the Pre-Trial Judge ordered Mr Fazliu’s continued detention.

4. On 7 July 2025, the Specialist Prosecutor’s Office (“SPO”) filed submissions on the review of detention of Mr Fazliu (“SPO Submissions”).<sup>9</sup> The Fazliu Defence did not respond.

## II. SUBMISSIONS

5. The SPO requests Mr Fazliu’s continued detention,<sup>10</sup> arguing that: (i) no contrary information or developments have arisen that would warrant a departure from the findings of the Pre-Trial Judge set out in previous decisions on the review of his detention; and (ii) said findings remain unaltered and appropriate.<sup>11</sup>

6. In particular, the SPO avers that Mr Thaçi’s continued detention remains necessary since all three risks under Article 41(6)(b) of the Law remain clear and present at this time.<sup>12</sup> Moreover, according to the SPO, no condition of release, including any assurances that Mr Fazliu may provide, is sufficient to appropriately mitigate such risks, which can only be effectively managed in the Specialist Chambers’ (“SC”) Detention Facilities.<sup>13</sup>

Lastly, the SPO submits that Mr Fazliu’s continued detention remains proportionate considering that: (i) he is charged with two counts of offences

---

<sup>6</sup> KSC-BC-2023-12, F00163, Pre-Trial Judge, [Decision on Review of Detention of Fadil Fazliu](#) (“First Review Decision”), 7 February 2025, public.

<sup>7</sup> KSC-BC-2023-12, F00251, Pre-Trial Judge, [Second Decision on Review of Detention of Fadil Fazliu](#) (“Second Review Decision”), 7 April 2025, confidential. A public redacted version was issued on the same day, [F00251/RED](#).

<sup>8</sup> KSC-BC-2023-12, F00327, Pre-Trial Judge, [Third Decision on Review of Detention of Fadil Fazliu](#), 5 June 2025, public.

<sup>9</sup> KSC-BC-2023-12, F00366, Specialist Prosecutor, *Prosecution Submissions on Review of Detention of Fadil Fazliu*, 7 July 2025, confidential. A public redacted version was filed on 10 July 2025, F00366/RED.

<sup>10</sup> SPO Submissions, para. 9.

<sup>11</sup> SPO Submissions, para. 3.

<sup>12</sup> SPO Submissions, para. 5.

<sup>13</sup> SPO Submissions, para. 5.

pursuant to Article 15(2) and faces a potentially lengthy sentence, if convicted; (ii) he continues to gain increased insight into the evidence against him through the ongoing disclosure process; and (iii) the proceedings continue to advance expeditiously.<sup>14</sup> The SPO highlights several benchmarks demonstrating the expeditious nature of the proceedings since the Third Detention Review, including the fact that: (i) all preliminary motions have been decided by the Pre-Trial Judge, and are pending any associated appeals; (ii) the remaining investigative steps are progressing efficiently, reflecting significant advancement; (iii) search results from seized phones have been and continue to be provided to the Accused on a rolling basis; (iv) the SPO filed its third notice under Rule 102(3) of the Rules and disclosed the requested material to all Accused; and (v) the SPO continues the disclosure of other material required by the Rules.<sup>15</sup>

### III. APPLICABLE LAW

7. Pursuant to Article 41(6) of the Law, the SC shall only order the arrest and detention of a person when (a) there is a grounded suspicion that he or she has committed a crime within the jurisdiction of the SC, and (b) there are articulable grounds to believe that the person: (i) is a risk of flight; (ii) will destroy, hide, change or forge evidence of a crime, or will obstruct the progress of the criminal proceedings by influencing witnesses, victims or accomplices; or (iii) will repeat the criminal offence, complete an attempted crime, or commit a crime that the person has threatened to commit.

8. Pursuant to Article 41(10) of the Law and Rule 57(2) of the Rules, until a judgment is final or until release, upon expiry of two (2) months from the last ruling on detention on remand, the Panel seized with the case shall examine whether

---

<sup>14</sup> SPO Submissions, para. 6.

<sup>15</sup> SPO Submissions, para. 6.

reasons for detention on remand still exist, and render a ruling by which detention on remand is extended or terminated.

9. Pursuant to Article 41(12) of the Law, in addition to detention on remand, the following measures may be ordered by the SC to ensure the presence of the accused, including by video-conference, to prevent reoffending or to ensure successful conduct of criminal proceedings: summons, arrest, bail, house detention, promise not to leave residence, prohibition on approaching specific places or persons, attendance at police station or other venue, and diversion.

10. Pursuant to Rule 56(2) of the Rules, the Pre-Trial Judge shall ensure that a person is not detained for an unreasonable period prior to the opening of the case, and, in case of an undue delay caused by the Specialist Prosecutor, the Panel, having heard the Parties, may release the person under conditions as deemed appropriate.

#### IV. DISCUSSION

##### A. APPLICABLE STANDARD

11. The standard governing the review of detention on remand has been laid out extensively in earlier decisions and is hereby incorporated by reference.<sup>16</sup> The Pre-Trial Judge will apply this standard to the present decision.

##### B. GROUNDED SUSPICION

12. The Pre-Trial Judge recalls that, in the Confirmation Decision, it was determined that, pursuant to Article 39(2) of the Law, there is a well-grounded suspicion that Mr Fazliu is criminally responsible for offences within the

---

<sup>16</sup> See [Second Review Decision](#), paras 24-25 (general requirements), 26 (grounded suspicion), 29-32 (necessity), 47 (conditional release) and 53 (proportionality), and references cited therein; [First Review Decision](#), paras 10-11 (general requirements), 12-14 (grounded suspicion), 15-18 (necessity of detention), 32 (conditional release), and 37 (proportionality), and references cited therein.

jurisdiction of the SC, namely attempting to obstruct official persons in performing official duties and contempt of court within the meaning of Articles 401(2) and (5), and 393 of the 2019 Kosovo Criminal Code, Code No. 06/L-074, respectively, in violation of Article 15(2) of the Law.<sup>17</sup> These findings were made on the basis of a standard exceeding the grounded suspicion threshold required for the purposes of Article 41(6)(a) of the Law.<sup>18</sup> The Pre-Trial Judge notes that there have been no developments in the case negating these findings.

13. Therefore, in the absence of any contrary intervening information or developments, the Pre-Trial Judge finds that there continues to exist a grounded suspicion that Mr Fazliu has committed offences within the jurisdiction of the SC, as set forth under Article 41(6)(a) of the Law.<sup>19</sup>

## C. NECESSITY OF DETENTION

### 1. Risk of Flight

14. As regards the risk of flight under Article 41(6)(b)(i) of the Law, the Pre-Trial Judge first finds that all considerations set out in the Third Review Decision are still relevant, namely: (i) Mr Fazliu's awareness of the gravity of the offences he is charged with, together with the potential sentence that these offences could attract, if convicted; (ii) his demonstrated blatant disregard for the laws and the rules of the SC; (iii) the fact that he has the opportunity to flee, by travelling freely to jurisdictions beyond the reach of the SC; (iv) that he also has the means to evade justice, given his long-standing political career in Kosovo and close ties with former

---

<sup>17</sup> [Confirmation Decision](#), para. 313(b).

<sup>18</sup> [Third Review Decision](#), para. 20; [Second Review Decision](#), para. 27; [First Review Decision](#), para. 13; [Decision on Arrest](#), para. 43; [Confirmation Decision](#), paras 42-43. See similarly, KSC-2020-04, F00075/RED, Pre-Trial Judge, [Public Redacted Version of Decision on Review of Detention of Pjetër Shala](#), 10 September 2021, public, para. 22; F00224/RED, Pre-Trial Judge, [Public Redacted Version of Decision on Review of Detention of Pjetër Shala](#), 22 June 2022, public, para. 24.

<sup>19</sup> See similarly, [Third Review Decision](#), para. 21; [Second Review Decision](#), para. 28; [First Review Decision](#), para. 14; Decision on Detention in the Initial Appearance Transcript, p. 67, lines 8-10.

Kosovo Liberation Army (“KLA”) commanders, including KLA veterans with rooted political influence – among them Mr Thaçi – from whom he may seek and secure resources and support for the purpose of fleeing; and (v) the fact that, since his arrest, Mr Fazliu is aware of the indictment-supporting evidence against him, and is being progressively informed - through disclosure - of the full evidentiary record of his alleged criminal conduct.<sup>20</sup> Having weighed all of the above considerations as a whole, the Pre-Trial Judge remains of the view that the factors favourable to Mr Fazliu insufficiently mitigate the risk of flight.

15. In light of the above, and in the absence of any contrary intervening information or development, the Pre-Trial Judge concludes that, to date, the risk of flight in relation to Mr Fazliu continues to exist.

## **2. Risk of Obstructing the Progress of SC Proceedings**

16. As regards the risk of obstruction of proceedings under Article 41(6)(b)(ii) of the Law, the Pre-Trial Judge finds that all considerations set out in the Third Review Decision all continue to apply, namely (and taken together): (i) the nature of the charges confirmed against Mr Fazliu, who was part of a group, led by Mr Thaçi, aiming at unlawfully influencing witnesses;<sup>21</sup> (ii) Mr Fazliu’s demonstrated knowledge of Mr Thaçi’s obstructive intentions, and his own intention to pursue them; (iii) his persistence and proneness to obstruct the SC proceedings by furthering the senior KLA leadership’s interests and orders; (iv) his ability to gain consent from people loyal to him, including his son, for the purpose of obstructing SC proceedings; and (v) his increased awareness of the incriminating evidence

---

<sup>20</sup> See [Third Review Decision](#), para. 22; [Second Review Decision](#), para. 33; [First Review Decision](#), para. 21; [Decision on Arrest](#), para. 81. The Pre-Trial Judge notes that, since the Third Review Decision, the SPO has made additional disclosures pursuant to Rule 102(1)(b) of the Rules. See Disclosure Package Nos 50, 54 and 55.

<sup>21</sup> See [Third Review Decision](#), para. 27; [Second Review Decision](#), para. 38; [First Review Decision](#), para. 24. See similarly, [Kilaj Detention Appeal Decision](#), para. 43.



against him.<sup>22</sup> The Pre-Trial Judge further remains persuaded that: (i) the risk of obstruction, which is also assessed in relation to proceedings in the case of *The Specialist Prosecutor v. Hashim Thaçi et al.* ("*Thaçi et al.* trial"), has not ceased to exist with the closing of the SPO's case in chief, as the proceedings remain ongoing;<sup>23</sup> (ii) the risk of interference is not limited to witnesses who are yet to testify, but also concerns witnesses who have already testified and may be retaliated against or incentivised to recant, thereby threatening the integrity of the ongoing *Thaçi et al.* trial and future trial proceedings in the present case;<sup>24</sup> and (iii) the ongoing disclosure process provides Mr Fazliu with further incentive to interfere with witnesses, considering his past position within the KLA.<sup>25</sup> In this respect, the Pre-Trial Judge recalls that the risk of obstruction need not materialise in Mr Fazliu personally approaching Witness 1 and/or other witnesses, but may materialise, for instance, through further coordination with his son, and/or other associates from within his KLA network and/or political circles.<sup>26</sup>

17. Lastly, the Pre-Trial Judge underlines that she still assesses the above factors against the backdrop of the pervasive climate of fear and intimidation in Kosovo against witnesses and potential witnesses of the SC.<sup>27</sup> In this context, the Pre-Trial Judge considers that the risk of Mr Fazliu exerting pressure on witnesses remains particularly high,<sup>28</sup> notably in light of his ties, as referenced above.<sup>29</sup>

---

<sup>22</sup> See [Third Review Decision](#), para. 27; [Second Review Decision](#), para. 38; [First Review Decision](#), paras 24-25.

<sup>23</sup> [Third Review Decision](#), para. 29; See also KSC-2020-06, F03371, Trial Panel II, [Further Order on the Scheduling of the Defence Case and Related Matters](#), 25 July 2025, public, para. 42.

<sup>24</sup> [Third Review Decision](#), para. 29.

<sup>25</sup> [Third Review Decision](#), para. 28. See [Decision on Arrest](#), para. 83.

<sup>26</sup> See *supra* para. 14; [Third Review Decision](#), para. 28; [Second Review Decision](#), para. 39; [First Review Decision](#), para. 25, and references cited therein.

<sup>27</sup> See [Third Review Decision](#), para. 30; [Second Review Decision](#), para. 40; [First Review Decision](#), para. 26; [Decision on Arrest](#), para. 63.

<sup>28</sup> See [Third Review Decision](#), para. 30; [Second Review Decision](#), para. 40 and references cited therein; [First Review Decision](#), para. 26.

<sup>29</sup> See *supra* para. 14.



18. Therefore, in light of the above, and in the absence of any contrary intervening information or development, the Pre-Trial Judge concludes that, to date, the risk that Mr Fazliu will obstruct the progress of criminal proceedings continues to exist.

### 3. Risk of Committing Further Offences

19. As regards the risk of committing further offences under Article 41(6)(b)(iii) of the Law, the Pre-Trial Judge recalls that, even though the existence of a risk of obstruction does not automatically translate into a risk of committing further offences, the factors underpinning the former are of relevance to the assessment of the latter in the present circumstances.<sup>30</sup> In this regard, the Pre-Trial Judge notes that the relevant factors – to be considered collectively – are the same as those outlined in paragraphs 16-17 above concerning the risk of obstruction of proceedings. Upon a fresh examination of these factors, the Pre-Trial Judge remains persuaded that there still exists a risk that Mr Fazliu will repeat the offences he is alleged to have committed,<sup>31</sup> including in relation to witnesses who have provided or may provide evidence in the *Thaçi et al.* trial and/or the present case.<sup>32</sup>

20. Therefore, in light of the above, and in the absence of any contrary intervening information or development, the Pre-Trial Judge concludes that, to date, the risk that Mr Fazliu will commit further crimes continues to exist.

### 4. Conclusion

21. In view of the foregoing, the Pre-Trial Judge finds that, to date, there are articulable grounds to believe that Mr Fazliu may flee, obstruct the progress of the SC proceedings, and commit further offences, thus necessitating Mr Fazliu's continued detention, in accordance with Article 41(6)(b) of the Law. The Pre-Trial

---

<sup>30</sup> See [Third Review Decision](#), para. 32; [Second Review Decision](#), para. 43; [First Review Decision](#), para. 28.

<sup>31</sup> See [Third Review Decision](#), para. 32; [Second Review Decision](#), para. 43; [First Review Decision](#), para. 28; [Decision on Arrest](#), para. 90; Initial Appearance Transcript, p. 68, lines 3-7.

<sup>32</sup> See *supra* para. 16.

Judge will assess below whether these risks can be adequately mitigated by any conditions for Mr Fazliu's release.

#### D. CONDITIONAL RELEASE

22. The Pre-Trial Judge recalls her previous finding that none of the conditions then proposed by the Fazliu Defence, nor any additional reasonable conditions imposed *proprio motu* by the Pre-Trial Judge<sup>33</sup> could sufficiently mitigate the existing risks under Article 41(6)(b)(i)-(iii) of the Law.<sup>34</sup>

23. In light of the findings made above regarding the existence of all three risks, and having received no relevant contrary intervening information, the Pre-Trial Judge remains persuaded that such conditions: (i) do not address the possibility of Mr Fazliu employing communication devices belonging to other persons or requesting others to use their devices for these purposes; and (ii) cannot ensure, for example, the effective monitoring of Mr Fazliu's communications.<sup>35</sup> The Pre-Trial Judge is also particularly mindful that, despite any conditions, the Accused would have the ability, motive, and opportunity to approach witnesses through his son.<sup>36</sup>

24. The Pre-Trial Judge further remains convinced that: (i) while the risk of illicit messages and instructions cannot be entirely eliminated, the measures in place at the SC Detention Facilities, viewed as a whole, provide robust assurances against unmonitored visits and communications with family members and pre-approved visitors with a view to minimising, as much as possible, the risks of obstruction and

---

<sup>33</sup> See similarly KSC-BC-2020-06, IA017/F00011/RED, Court of Appeals Panel, [Public Redacted Version of Decision on Hashim Thaçi's Appeal Against Decision on Review of Detention](#), 5 April 2022, public, para. 51.

<sup>34</sup> See [Third Review Decision](#), paras 38, 40; [Second Review Decision](#), para. 52; [First Review Decision](#), para. 33; Decision on Detention in the Initial Appearance Transcript, p. 60, lines 5-19; p. 68, lines 21-23.

<sup>35</sup> See [Third Review Decision](#), para. 38; [Second Review Decision](#), para. 49; [First Review Decision](#), para. 34.

<sup>36</sup> See *supra* paras 16-17.

commission of further offences;<sup>37</sup> and (ii) the Registrar and the Panel, who have unrestricted access to confidential information concerning witnesses and victims, may take action more promptly than other authorities acting under a distinct framework.<sup>38</sup>

25. In light of the above, the Pre-Trial Judge concludes that the conditions for Mr Fazliu's release previously proposed by the Fazliu Defence and/or any *additional* reasonable conditions imposed by the Pre-Trial Judge, remain insufficient to adequately mitigate the risks under Article 41(6)(b)(i)-(iii) of the Law.

#### E. PROPORTIONALITY OF DETENTION

26. The Pre-Trial Judge recalls that: (i) Mr Fazliu has been detained since his arrest on 5 December 2024; (ii) he is charged with one count of attempting to obstruct official persons in performing official duties and one count of contempt of court, which carry a possible sentence of up to five (5) years and six (6) months, respectively;<sup>39</sup> and (iii) the risks under Article 41(6)(b) of the Law (in particular, the risk of obstruction and commission of further offences) cannot be mitigated by any proposed or additional conditions for release.<sup>40</sup>

27. The Pre-Trial Judge also takes into consideration that, since the Third Review Decision: (i) the SPO has (largely) completed the disclosure of evidence in its possession pursuant to Rule 102(1)(b) of the Rules<sup>41</sup> and made further disclosures

---

<sup>37</sup> [Third Review Decision](#), para. 39; [Second Review Decision](#), para. 50; [First Review Decision](#), para. 35.

<sup>38</sup> [Third Review Decision](#), para. 39; [Second Review Decision](#), para. 50; [First Review Decision](#), para. 35.

<sup>39</sup> See KSC-BC-2023-12, F00264/A02, Specialist Prosecutor, [Public Redacted Amended Confirmed Indictment](#), 16 April 2025, public, para. 47 ("Amended Confirmed Indictment").

<sup>40</sup> See *supra* para. 25.

<sup>41</sup> See Disclosure Package Nos 50, 54 and 55. See also KSC-BC-2023-12, F00100, Pre-Trial Judge, [Framework Decision on Disclosure of Evidence and Related Matters](#), 20 December 2024, public, paras 45, 104(c), (e) (setting the deadline for the disclosure of such material to 17 March 2025); F00256, Pre-Trial Judge, [Decision Authorizing Additional Disclosure under Rule 102\(1\)\(b\) of the Rules](#), 11 April 2025,

pursuant to Rule 103 of the Rules;<sup>42</sup> (ii) the SPO has filed its third notice pursuant to Rule 102(3) of the Rules<sup>43</sup> and disclosed a number of items, as requested by the Defence;<sup>44</sup> (iii) remaining investigative steps are progressing steadily;<sup>45</sup> (iv) all preliminary motions filed by Defence Counsel have been ruled upon and are pending associated appeals,<sup>46</sup> including as a result of granted leaves to appeal through certification by the Pre-Trial Judge;<sup>47</sup> and (v) the Pre-Trial Judge has set the

---

public. The Pre-Trial Judge further set a related deadline for the disclosure of certain material pursuant to Rule 102(1)(b) of the Rules to two (2) months from the date of transfer of said material to the SPO, which was executed on 17 July 2025 (*see* KSC-BC-2023-12, F00368, Pre-Trial Judge, *Decision on Prosecution Request for Access to Material and Related Matters* (“Decision on Access to Material”), 9 July 2025, confidential, paras 53 and 57(i), with Annex 1, confidential; F00377, Registry, *Notification of Transfer of Materials Pursuant to F00368* (“Notification of Transfer”), 17 July 2025, confidential).

<sup>42</sup> See Disclosure Package Nos 46 and 48.

<sup>43</sup> See KSC-BC-2023-12, F00341, Specialist Prosecutor, *Prosecution’s Third Rule 102(3) Notice*, 17 June 2025, public, with Annex 1, confidential.

<sup>44</sup> See Disclosure Package Nos 47, 49, 51-53 and 56-57.

<sup>45</sup> See KSC-BC-2023-12, F00342, Registrar, *Registry Report Pursuant to Order F00221*, 19 June 2025, confidential, with Annexes 1-6, confidential; F00346, Pre-Trial Judge, *Decision on the Independent Entity to Review Preserved Material*, 24 June 2025, confidential; F00350, Pre-Trial Judge, *Decision on Outstanding Kuçi Electronic Devices and Related Request for Assistance*, 26 June 2025, confidential; F00357, Pre-Trial Judge, *Decision Appointing Independent Counsel and Initiating Stage 2 of the Mechanism to Review Preserved Material*, 1 July 2025, confidential; F00360, Registrar, *Notification of Assignment of Independent Counsel*, 2 July 2025, confidential, with Annex 1, confidential; *Decision on Access to Material; Notification of Transfer*; F00386, Registrar, *Registrar’s Report on the Execution of Independent Counsel’s Review Related to Stage 2*, 21 July 2025, strictly confidential and *ex parte*; F00399, Registrar, *Registrar’s Report on Transfer of Materials Pursuant to F00368*, 30 July 2025, confidential.

<sup>46</sup> KSC-BC-2023-12, F00343, Pre-Trial Judge, [Decision on the Thaçi Defence Preliminary Motion on Jurisdiction](#), 19 June 2025, public; F00347, Pre-Trial Judge, [Decision on Preliminary Motions Alleging Defects in the Indictment](#), 24 June 2025, public; F00354, Pre-Trial Judge, *Decision on Preliminary Motions for Adjournment and Severance of the Proceedings*, 30 June 2025, confidential. A public redacted version was issued on 1 July 2025, [F00354/RED](#). See also, IA005/F00001, Thaçi Defence, *Appeal against Decision on the Thaçi Defence Preliminary Motion on Jurisdiction*, 2 July 2025, confidential and *ex parte*, with Annexes 1-3, public. A public redacted version of the main filing and a corrected version thereof were issued on 4 July 2025 and 7 July 2025, IA005/F00001/RED and IA005/F00001/RED/COR, respectively.

<sup>47</sup> KSC-BC-2023-12, F00390, Pre-Trial Judge, *Decision on the Thaçi Defence Request for Leave to Appeal the “Decision on Preliminary Motions for Adjournment and Severance of the Proceedings”*, 23 July 2025, confidential; a public redacted version was issued on the same day, [F00390/RED](#); F00391, Pre-Trial Judge, [Decision on the Thaçi Defence Request for Certification to Appeal the “Decision on the Thaçi Defence Preliminary Motion on Jurisdiction”](#), 23 July 2025, public; F00392, Pre-Trial Judge, [Decision on the Thaçi and Fazliu Requests for Certification to Appeal the “Decision on Preliminary Motions Alleging Defects in the Indictment”](#), 24 July 2025, public.

deadline for the filing of the SPO's Pre-Trial Brief pursuant to Rule 95(4) of the Rules.<sup>48</sup> Thus, in the view of the Pre-Trial Judge, the proceedings continue to move forward expeditiously, bringing the case closer to its transmission to a Trial Panel.

28. The Pre-Trial Judge has duly considered the additional time Mr Fazliu has spent in detention since the Third Review Decision, but finds that – when weighed against the remaining factors set out in paragraphs 26 and 27 above – his detention remains proportionate.

29. Moreover, pursuant to Article 41(10) of the Law and Rule 57(2) of the Rules, Mr Fazliu's detention will be regularly reviewed upon the expiry of two (2) months from the last ruling on detention or at any time upon request, or *proprio motu*, where a change in circumstances since the last review has occurred.

30. In view of the foregoing, the Pre-Trial Judge finds that the time Mr Fazliu has spent in pre-trial detention is not unreasonable within the meaning of Rule 56(2) of the Rules.

## V. DISPOSITION

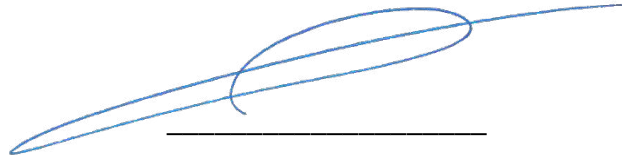
31. For the above-mentioned reasons, the Pre-Trial Judge hereby:

- a. **ORDERS** Mr Fazliu's continued detention;
- b. **ORDERS** Mr Fazliu, if he so wishes, to file submissions on the next review of detention by **Friday, 29 August 2025** with the response and reply following the timeline set out in Rule 76 of the Rules; and

---

<sup>48</sup> KSC-BC-2023-12, F00395, Pre-Trial Judge, [Order Relating to the Calendar for the Remaining Pre-Trial Proceedings](#), 25 July 2025, public.

- c. **ORDERS** the SPO, should Mr Fazliu decide not to file any submissions by the aforementioned time limit, to file submissions on the next review of Mr Fazliu's detention by **Monday, 8 September 2025, at 16h00**, and Mr Fazliu, if he so wishes, to file his response by **Monday, 15 September 2025, at 16h00**.



**Judge Marjorie Masselot**  
**Pre-Trial Judge**

Dated this Tuesday, 5 August 2025

At The Hague, the Netherlands.