



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

Before: Pre-Trial Judge
Judge Marjorie Masselot

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor's Office

Date: 19 September 2025

Language: English

Classification: Public

**Prosecution submission of pre-trial brief, witness and exhibit lists
with confidential Annexes 1-5**

Specialist Prosecutor's Office

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1. Pursuant to Rule 95(4) of the Rules,¹ and to the Pre-Trial Judge's order,² the Specialist Prosecutor's Office (SPO) hereby files:
 - a. The Prosecution Pre-Trial Brief, containing a summary³ of the evidence the SPO intends to present to prove the charges in the Indictment;⁴
 - b. The list of witnesses the SPO intends to call or otherwise rely upon at trial, with the information required by Rule 95(4)(b);⁵ and
 - c. The list of proposed exhibits the SPO intends to present at trial.⁶
2. At the time of this filing, preliminary motions challenges are still pending before the Court of Appeals Panels.⁷
3. Further, the SPO has requested the Pre-Trial Judge's authorisation to make additional Rule 102(1)(b) disclosures.⁸ In order to enable the Pre-Trial Judge and the Defence to refer to these items as cited in the Pre-Trial Brief, the items have for now been disclosed to the Pre-Trial Judge and the Defence under the category 'Other.' The items are also provisionally included on the SPO's exhibit list filed today. To facilitate ready identification of the pending items, the SPO has listed in Annex 5 attached hereto all items subject to the Rule 102(1)(b) Request.

¹ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

² Order Relating to the Calendar for the Remaining Pre-Trial Proceedings, KSC-BC-2023-12/F00395, 25 July 2025, para.18(c).

³ Consistent with Rule 95(4), the Pre-Trial Brief constitutes a summary of the evidence the SPO intends to present to prove its case, and the evidence cited therein is not exhaustive.

⁴ Annex 1.

⁵ Annex 3.

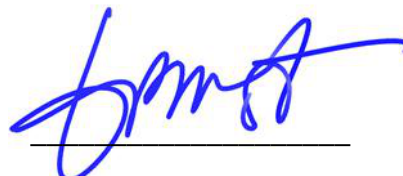
⁶ Annex 4.

⁷ *See for example* Decision on the Remaining Calendar of the Pre-Trial Proceedings, KSC-BC-2023-12/F00453, 16 September 2025, para.21.

⁸ *See* Prosecution request for Rule 102(1)(b) disclosure, KSC-BC-2023-12/F00458, 19 September 2025, Confidential ('Rule 102(1)(b) Request').

4. The annexes are filed as confidential to safeguard previously authorised protective measures. Where applicable, public redacted versions will be filed.

Word count: 326



Kimberly P. West

Specialist Prosecutor

Friday, 19 September 2025

At The Hague, the Netherlands