



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

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

Before: Single Trial Judge
Judge Christopher Gosnell

Registrar: Fidelma Donlon

Date: 7 January 2026

Language: English

Classification: Public

**Decision on “Joint Defence Request for Extensions of Time and Word Limit for
Responding to the SPO Bar Table Motion”**

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 SINGLE TRIAL JUDGE, pursuant to Article 40(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ("Law"), Rules 9(5)(a), 76 and 82(5) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules")¹ and Articles 36(1) and 41 of the Registry Practice Direction on Files and Filings Before the Kosovo Specialist Chambers ("Practice Direction on Files and Filings"),² hereby issues this decision.

I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 17 December 2025, the Specialist Prosecutor's Office ("SPO") filed a motion for admission of material through the bar table, seeking the admission of numerous items under 12 different categories.³

2. On 31 December 2025, all Accused (the "Defence") jointly requested an extension of the time and word limit to respond to the SPO Bar Table Motion.⁴ The Defence seeks an extension of time from 12 January⁵ to 26 January 2026 and an extension of the word limit from 6,000 to 12,000 words,⁶ arguing that: (i) the Bar Table Motion involves the admission of over 300 items of evidence and engages a number of novel and complex legal questions; (ii) the Defence faces concurrent deadlines of other filings and are operating on "a lower-than usual staffing" due to the holiday period; (iii) a number of items require expert advice, which

¹ All references to "Article" and "Rule" shall be understood, unless otherwise indicated, as referring to the Law and Rules.

² KSC-BD-15, [Registry Practice Direction on Files and Filings before the Kosovo Specialist Chambers](#), 17 May 2019, public.

³ KSC-BC-2023-12, F00632, Specialist Prosecutor, *Prosecution Motion for Admission of Material through the Bar Table* ("Bar Table Motion"), 17 December 2025, confidential, with Annex 1, confidential. A public redacted version was filed on 7 January 2026, F00632/RED.

⁴ KSC-BC-2023-12, F00647, Defence for Hashim Thaçi, Hajredin Kuçi, Fadil Falziu, Isni Kilaj and Bashkim Smakaj, *Joint Defence Request for Extensions of Time and Word Limit for Responding to the SPO Bar Table Motion* ("Request"), 31 December 2025, confidential.

⁵ The time limit falls on 12 January 2026 following a suspension of the deadlines between 22 December 2025 and 4 January 2026 in light of the Winter Judicial Recess; see KSC-BC-2023-12, CRSPD186, *Email from Single Judge to Parties re Order on Suspension of Time Limits*, 19 December 2025, confidential.

⁶ Request, paras 20, 24, 26.

cannot be obtained by 12 January 2026; and (iv) the Defence intends to submit a joint response.⁷

3. The SPO responded on 5 January 2026,⁸ opposing the requested extension of time.⁹ The SPO submits that: (i) none of the evidentiary issues raised by its Bar Table Motion are particularly complex; (ii) it is essential for the Single Trial Judge to have sufficient time to decide on all pending admissibility motions in advance of the trial; and (iii) any extension, if granted, should not go beyond 16 January 2026.¹⁰ The SPO takes no position on the requested extension of word limit.¹¹

4. The Defence indicated by email that it would not file a reply.¹²

II. APPLICABLE LAW

5. Rule 9(5)(a) permits the Single Trial Judge, *proprio motu* or upon showing of good cause, to extend any time limit prescribed by the Rules or by judicial decision. Rule 76 requires any request for extension of time to be “filed sufficiently in advance to enable the Panel to rule on the application before the expiry of the relevant time limit”.

6. Similarly, Article 36 of the Practice Direction on Files and Filings permits a Party or participant, in exceptional circumstances, to seek authorisation from the Panel to exceed a prescribed word limit. Any such request shall be made sufficiently in advance and shall provide good cause.

⁷ Request, paras 12-26.

⁸ Following a shortening of the time limits; see KSC-BC-2023-12, CRSPD191, *Email from Single Judge to Parties re F00647 - Order pursuant to Rule 9(5)(a) of the Rules*, 2 January 2026, confidential.

⁹ KSC-BC-2023-12, F00650, Specialist Prosecutor, *Prosecution Response to ‘Joint Defence Request for Extensions of Time and Word Limit for Responding to the SPO Bar Table Motion’ (F00647)* (“Response”), 5 January 2026, confidential, para. 1.

¹⁰ Response, paras 2-3.

¹¹ Response, para. 4.

¹² KSC-BC-2023-12, CRSPD191, *Email from Defence teams to Single Judge re F00647 - Order pursuant to Rule 9(5)(a) of the Rules*, 7 January 2026, confidential.

III. DISCUSSION

7. The Request, filed almost two weeks in advance of the expiry of the applicable deadline, is timely submitted, as required by Rule 76 of the Rules and Article 36 of the Practice Direction on Files and Filings.

8. The Single Trial Judge is persuaded that there is good cause for an extension of the time limit considering, in particular: (i) the volume of material tendered through the Bar Table Motion; (ii) the importance of the material to the present proceedings; and (iii) the technical complexity of some of the items.¹³ However, mindful of the importance of an expeditious resolution of the SPO's motion,¹⁴ the Single Trial Judge finds that an extension of time until **Friday, 23 January 2026, at 16h00** is sufficient and appropriate in the present circumstances.

9. The Single Trial Judge also finds that there is good cause to enlarge the word limit for the Defence response, given the volume of material tendered by the SPO and the Defence's intention to file a joint response¹⁵ which, overall, will reduce the total maximum length of the Defence response. The Single Trial Judge also notes with approval the Defence's proposal to file an annex with a column added to the SPO annex of items tendered setting out arguments responsive item-by-item.¹⁶

IV. DISPOSITION

10. For the above reasons, the Single Trial Judge hereby:

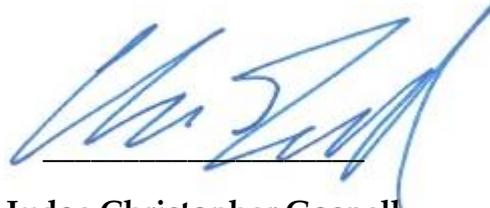
¹³ Request, para. 19.

¹⁴ Response, para. 2.

¹⁵ Request, para. 24.

¹⁶ Request, para. 24, referring to KSC-BC-2023-12, F00632/A01, Specialist Prosecutor, *Annex 1 to Prosecution Motion for Admission of Material through the Bar Table*, 17 December 2025, confidential.

- a. **GRANTS** the Defence Request to file its response to the SPO Bar Table Motion, not to exceed 12,000 words, by no later than **Friday, 23 January 2026, at 16h00**; and
- b. **ORDERS** the Registry to reclassify the Request (F00647) and the Response (F00650) as public.



Judge Christopher Gosnell
Single Trial Judge

Dated this Wednesday, 7 January 2026

At The Hague, the Netherlands.