



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: 19 January 2026

Language: English

Classification: Public

**Decision on “Joint Defence Request for Further Extension of Word Limit to
Respond to the SPO Bar Table Motion”**

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THE SINGLE TRIAL JUDGE, pursuant to Article 40(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ("Law") 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"),¹ hereby issues this decision.

I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 16 January 2026,² all Accused (the "Defence") jointly requested a further extension of the word limit to respond to Specialist Prosecutor's Office ("SPO")'s Bar Table Motion,³ from the previously authorized 12,000 words⁴ to 15,000 words.⁵ The Defence submits that there is good cause for the variation of the word limit because: (i) the SPO's Bar Table Motion goes to issues of central importance in the case and constitutes a substantial portion of the evidentiary record on which the SPO seeks to rely; and (ii) the increase is modest, while allowing the Defence to meaningfully address the relevance, probative value, and admissibility of the material in question.⁶ The Defence adds that the Joint Request: (i) is in the interests of judicial economy;⁷ (ii) is made at the earliest opportunity following

¹ KSC-BD-15, [Registry Practice Direction on Files and Filings before the Kosovo Specialist Chambers](#), 17 May 2019, public.

² KSC-BC-2023-12, F00674, Defence, *Joint Defence Request for Further Extension of Word Limit to Respond to the SPO Bar Table Motion* ("Joint Request"), 16 January 2026, public, paras 1, 13.

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, F00656, Single Trial Judge, *Decision on "Joint Defence Request for Extensions of Time and Word Limit for Responding to the SPO Bar Table Motion"*, 7 January 2026, public, para. 10(a).

⁵ Joint Request, paras 1, 8.

⁶ Joint Request, para. 9.

⁷ Joint Request, para. 10.

the identification of the need for additional words;⁸ and (iii) does not cause prejudice, as the SPO does not oppose the Joint Request.⁹

2. On 16 January 2026, the Single Trial Judge shortened the time limits for the SPO to respond to the Joint Request by Monday, 19 January 2026 at 16h00.¹⁰ On the same day, the SPO notified the Single Trial Judge that it does not intend to respond and that the SPO position is accurately reflected in the Joint Request.¹¹

II. APPLICABLE LAW

3. Article 36(1) 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.

III. DISCUSSION

4. The Single Trial Judge notes that the Request is filed one week in advance of the expiry of the applicable time limit and therefore finds that it is timely submitted, as required by Article 36(1) of the Practice Direction on Files and Filings.

5. The Single Trial Judge is also persuaded that there is good cause for an extension of the word limit for a joint Defence response to the Bar Table Motion, given the volume of material tendered by the SPO, the limited nature of the Joint

⁸ Joint Request, para. 11.

⁹ Joint Request, paras 5 and 12, referring to *inter partes* consultations with the SPO, whereby the SPO indicated that it would not oppose a further extension of the word limit from 12,000 to 15,000 words, provided that the Defence would not object to a commensurately reasonable extension of words for the SPO's reply, if necessary.

¹⁰ KSC-BC-2023-12, CRSPD 200, Single Trial Judge, *Email from the Single Trial Judge re F00674 - Order pursuant to Rule 9(5)(a) of the Rules*, 16 January 2026, at 15:31.

¹¹ KSC-BC-2023-12, CRSPD 200, Specialist Prosecutor, *Email from SPO to Single Trial Judge re F00674 - Order pursuant to Rule 9(5)(a) of the Rules*, 16 January 2026, at 15:54.

Request, and that the requested increase is still less than the total words to which the Defence teams would be entitled if they filed their responses separately.¹² The Single Trial Judge also finds that no prejudice would result from granting the Joint Request, given the SPO's indication that it does not oppose the Joint Request.

IV. DISPOSITION

6. For the above reasons, the Single Trial Judge hereby:
 - a. **GRANTS** the Joint Request of the Defence to file a joint response to the SPO Bar Table Motion not exceeding 15,000 words.



Judge Christopher Gosnell
Single Trial Judge

Dated this Monday, 19 January 2026

At The Hague, the Netherlands.

¹² Joint Request, para. 10.