



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: 27 January 2026

Language: English

Classification: Public

**Decision on “Prosecution Request for Variation of Word Limit for Reply to
F00688”**

Specialist Prosecutor
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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 17 December 2025, the Specialist Prosecutor's Office ("SPO") filed a motion for admission of documents and digital material.²

2. On 23 January 2026, the Defence for Hashim Thaçi, Bashkim Smakaj, Isni Kilaj, Fadil Fazliu and Hajredin Kuçi ("Defence") filed a joint response to the Bar Table Motion,³ after having been granted extensions of time and word limits by the Single Trial Judge.⁴

3. On 26 January 2026,⁵ the SPO requested an extension of the applicable word limit for its reply to the Joint Defence Response, seeking an increase from 2,000 to 5,000 words.⁶ The SPO submits that good cause exists for the variation of the word limit, on the grounds that: (i) its Bar Table Motion and the Joint Defence Response relate to a substantial volume of material that is central to the present proceedings,

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, 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.

³ KSC-BC-2023-12, F00688, Defence, *Joint Defence Response to SPO Motion for Admission of Material through the Bar Table* ("Joint Defence Response"), 23 January 2026, confidential, with Annexes 1-6 and 8-10, confidential, and Annex 7, public.

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; F00677, Single Trial Judge, *Decision on "Joint Defence Request for Further Extension of Word Limit to Respond to the SPO Bar Table Motion"*, 19 January 2026, public.

⁵ KSC-BC-2023-12, F00688, Specialist Prosecutor, *Prosecution Request for Variation of Word Limit for Reply to F00688* ("SPO Request"), 26 January 2026, confidential.

⁶ SPO Request, para. 1.

including matters of a technically complex nature; and (ii) the requested extension is necessary in order to enable the SPO to properly address and meaningfully reply to all issues raised in the Joint Defence Response, which itself comprises 14,999 words and ten annexes.⁷

4. On 26 January 2026, the Single Trial Judge shortened the time limits for the Defence to respond to the SPO Request by Tuesday, 27 January 2026 at 16h00.⁸ The Defence did not respond.

II. APPLICABLE LAW

5. 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

6. The SPO submits that its Request: (i) is filed sufficiently in advance of the anticipated reply, and as soon as practicable following its review of the Joint Defence Response;⁹ and (ii) does not cause prejudice, particularly as the Defence previously indicated that would not object to “a corresponding and proportionate variation of the word limit for the SPO’s reply”.¹⁰

7. The Single Trial Judge considers the SPO Request to have been timely submitted, as required by Article 36(1) of the Practice Direction on Files and

⁷ SPO Request, para. 2.

⁸ KSC-BC-2023-12, CRSPD 206, Single Trial Judge, *Order Rule 9(5)(a) re F00692*, 26 January 2026, at 15:11.

⁹ SPO Request, para. 3.

¹⁰ SPO Request, para. 3, referring to KSC-BC-2023-12, F00674, Defence, *Joint Defence Request for Further Extension of Word Limit to Respond to the SPO Bar Table Motion*, 16 January 2026, public, para. 12.

Filings, as it was filed five days in advance of the expiry of the applicable time limit.

8. The requested extension is also justified by good cause as it will give the SPO a reasonable opportunity to adequately address the volume and complexity of the issues raised in the Joint Defence Response. No prejudice is caused to the Defence, particularly in light of the Defence's previous indication that it would not object to the extension of the word limit for the SPO's reply.¹¹

IV. DISPOSITION

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

- a. **GRANTS** the SPO Request to file a reply to the Joint Defence Response not exceeding 5,000 words; and
- b. **ORDERS** the Registry to reclassify the SPO Request (F00692) as public.



Judge Christopher Gosnell
Single Trial Judge

Dated this Tuesday, 27 January 2026

At The Hague, the Netherlands.

¹¹ See *supra* footnote 10.