



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: Single Trial Judge
Judge Christopher Gosnell

Registrar: Fidelma Donlon

Date: 23 April 2026

Language: English

Classification: Public

**Public Redacted Version of Interim Decision on Thaçi Defence Motion
for Admission of Evidence of DHT-03**

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THE SINGLE TRIAL JUDGE, pursuant to Article 40(6) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Rules 119(5), 127(1), 137(2), 138 and 149 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers,¹ hereby issues this decision.

I. PROCEDURAL BACKGROUND

1. On 13 March 2026, the Single Trial Judge ruled that "the Defence shall give notice pursuant to Rule 119(1) and file any Rule 119(2) submissions as well as any related applications concerning testimonial evidence [...] and make any corresponding disclosures to the SPO pursuant to Rule 104(5), by 27 March 2026 at 4 pm."² He also ruled that "[t]hese filings and any corresponding disclosures may be supplemented, based on a showing of good cause, up until 1 April 2026", and that "[a]ny Defence motion for the admission of non-testimonial evidence shall be filed by 2 April 2026 at 4 pm".³ Moreover, he set "[t]he evidentiary block for the hearing of all Defence witnesses [...] from 7 April to 24 April 2026."⁴ He later set an additional court day on 28 April 2026.⁵

2. On 27 March 2026, the Defence for Hashim Thaçi ("Thaçi Defence") provided its list of exhibits and list of witnesses, with the latter including one witness, DHT-01.⁶

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

² KSC-BC-2023-12, F00790, Single Trial Judge, [Scheduling Order](#) ("Scheduling Order"), 13 March 2026, public, paras 11(iii), 17(c).

³ [Scheduling Order](#), paras 11(iv)-(v), 17(d) and (f).

⁴ [Scheduling Order](#), paras 14, 17(g)-(h).

⁵ KSC-BC-2023-12, CRSPD266, *Email from Single Trial Judge to Parties re 9 April 2026* ("Email regarding 9 April"), 16 March 2026, confidential.

⁶ KSC-BC-2023-12, F00827, Thaçi Defence, *Thaçi Defence Notice and Submissions of Witnesses and Exhibits Lists Pursuant to Rule 119*, 27 March 2026, public, with Annex 1 ("List of Witnesses"), confidential, and Annex 2 ("List of Exhibits"), confidential.

3. On 2 April 2026, the Thaçi Defence requested the admission of a report⁷ produced by [REDACTED] (“[REDACTED]”, also referred to as “DHT-03”) through the bar table pursuant to Rule 138.⁸

4. On the same day, and following oral instructions from the Single Trial Judge,⁹ the Thaçi Defence filed a motion pursuant to Rule 149(2) seeking the admission of the Report under Rule 149 should it be denied under Rule 138, and requesting the modification of applicable deadlines.¹⁰

5. On 16 April 2026, the Specialist Prosecutor’s Office (“SPO”) responded, and opposed both requests.¹¹

6. On 21 April 2026, the Thaçi Defence replied.¹²

II. SUBMISSIONS

A. THAÇI DEFENCE SUBMISSIONS

7. The Thaçi Defence requests the admission of the Report from the bar table pursuant to Rule 138 or, in the alternative (and at the direction of the Single Trial Judge), pursuant to Rule 149.¹³ It submits that [REDACTED] is “an expert in phonetics, including forensic transcription”,¹⁴ and that phonetics “is an established and recognised area of expertise within the field of linguistics”.¹⁵ The Report “is relevant to understanding the transcripts in this case” and would be “an additional

⁷ DHT1201286-01309 (“Report”, tendered as Item 79).

⁸ KSC-BC-2023-12, F00839, Thaçi Defence, *Thaçi Defence Request for Admission of Documents through the Bar Table* (“Bar Table Motion”), 2 April 2026, confidential, with Annex 1, confidential.

⁹ KSC-BC-2023-12, Transcript of Hearing, *Defence Preparation Conference*, 1 April 2026, p. 751, lines 22-24, public.

¹⁰ KSC-BC-2023-12, F00840, Thaçi Defence, *Thaçi Defence Motion Pursuant to Rule 149 and Associated Requests* (“Rule 149 Motion”), 2 April 2026, confidential.

¹¹ KSC-BC-2023-12, F00858, Specialist Prosecutor, *Prosecution Response to Thaçi Defence Requests Relating to DHT-02 and DHT-03* (“Response”), 16 April 2026, confidential.

¹² KSC-BC-2023-12, F00686, Thaçi Defence, *Thaçi Defence Reply to Prosecution Response to Requests Relating to DHT-02 and DHT-03* (“Reply”), 21 April 2026, confidential.

¹³ Rule 149 Motion, paras 12-14, 43.

¹⁴ Rule 149 Motion, para. 20.

¹⁵ Rule 149 Motion, para. 21.

tool to assist the Single Trial Judge in understanding scientific principles concerning forensic transcription and their application to the reliability of the SPO's transcripts."¹⁶

8. The Thaçi Defence asserts that the caselaw of the Specialist Chambers, including as issued by the Court of Appeals Panel and the Single Trial Judge, has established that "an expert report is admissible under Rule 138 when the expert is not called to testify by a Party under Rule 149."¹⁷ The Thaçi Defence also argues that "the SPO [...] bears the burden of proof to demonstrate that its transcripts are reliable. Having failed to call any evidence to demonstrate that when it had the chance, the SPO should not be permitted to insist that the Defence's evidence be presented orally."¹⁸

9. Assuming that Rule 149 is the applicable provision, the Thaçi Defence argues that there is good cause to modify: "(i) the deadline set in the Decision on the Conduct of Proceedings for Rule 149(1) disclosure; (ii) the 1 April deadline in the Scheduling Order for additions to the Defence list of witnesses; and (iii) the current schedule for the hearing of Defence witnesses".¹⁹ Furthermore, if Rule 149 is the applicable provision, then DHT-03's testimony "should first be heard before any ruling on admissibility is made."²⁰

B. SPO RESPONSE

10. The SPO submits that the Report is admissible only pursuant to Rule 149 and that the Thaçi Defence has misconstrued the caselaw that it cites for the assertion

¹⁶ Bar Table Motion, para. 36; Rule 149 Motion, para. 22.

¹⁷ Bar Table Motion, para. 37; Reply, para. 7 ("[t]he Court of Appeals Panel and the Single Trial Judge have ruled that 'expert' material may be tendered through Rule 138.")

¹⁸ Bar Table Motion, para. 36.

¹⁹ Rule 149 Motion, para. 26.

²⁰ Reply, paras 21-22.

that it is entirely within the tendering party's discretion whether to resort to Rule 149.²¹

11. In any event, regardless of whether the tendering party may elect not to present the author of an expert report as an expert witness pursuant to Rule 149, the SPO submits that the Report is inadmissible as it has "limited, if any, relevance to these proceedings, and – to the extent it does – constitutes an impermissible attempt to usurp the role of the STJ in assessing the reliability of the evidence."²² The SPO does not contest [REDACTED]'s qualifications as an expert in the field of linguistics,²³ but asserts that some of her conclusions trespass on the Single Trial Judge's exclusive competence to assess the reliability of evidence, and are in some respects "plagued by serious methodological issues."²⁴ The SPO also argues that the notice period for disclosure of the Report does not accord with Rule 149 or the applicable scheduling orders, and that the Thaçi Defence has not shown good cause for the variation of those time limits and notice periods.²⁵

III. APPLICABLE LAW

12. Pursuant to Article 40(6)(h), the Single Trial Judge may rule on the admissibility of evidence during the course of a trial. Rule 138 prescribes that "[u]nless challenged or *proprio motu* excluded", evidence submitted by a party "shall" be admitted "if it is relevant, authentic, has probative value and its probative value is not outweighed by its prejudicial effect". The decision whether to admit evidence "is one within the Trial Panel's discretion in its

²¹ Response, paras 6-8.

²² Response, para. 23.

²³ Response, para. 23.

²⁴ Response, para. 26.

²⁵ Response, paras 11, 27-29.

assessment of the relevance, authenticity and probative value of the submitted evidence”.²⁶

13. Pursuant to Rule 149, the Single Trial Judge “may hear expert evidence”.²⁷

An expert within the meaning of Rule 149 has been defined as:

“[A] person who by virtue of some specialised knowledge, skill or training can assist the trier of fact to understand or determine an issue in dispute”. The purpose of expert testimony is to supply specialised knowledge that might assist the trier of fact in understanding the evidence before it; an expert witness offers a view based on specialised knowledge regarding a technical, scientific or otherwise discrete set of ideas or concepts that is expected to fall outside the lay person’s ken.²⁸

14. An expert report is “a written statement authored by an expert witness based on their specialized knowledge, skill or experience.”²⁹ Such a report “derives its ‘expert’ status under Rule 149 of the Rules by virtue of being authored or produced by a witness qualified as an expert witness in the proceedings, in addition to meeting the relevant requirements for the admission of expert evidence.”³⁰

15. As Trial Panel II stated,

The purpose and justification for expert evidence is to enlighten or assist the Panel with specialised knowledge which the Panel does

²⁶ KSC-CA-2022-01, F00114, Court of Appeals Panel, [Appeal Judgment](#), 2 February 2023, public, para. 35. See also KSC-CA-2023-02, F00038/RED, Court of Appeals Panel, [Public Redacted Version of Appeal Judgment](#), 14 December 2023, public, para. 99 (“The Appeals Panel emphasises the broad discretion afforded to the Trial Panel in determining a document’s authenticity”).

²⁷ KSC-BC-2020-07, F00470, Trial Panel II, [Decision on Prosecution Requests in Relation to Proposed Defence Witnesses](#) (“Case 07 Decision on Proposed Defence Witnesses”), 3 December 2021, public, para. 37.

²⁸ KSC-BC-2020-06, F03305, Trial Panel II, [Decision on Victims’ Counsel’s Submissions of Expert Reports and Request to Admit Them into Evidence](#), 3 July 2025, public, para. 40. See also KSC-BC-2020-06, IA036/IA037/IA038/IA040/F00011, Court of Appeals Panel, [Decision on Joint Defence Consolidated Appeal against Decisions F03201, F03202, F03203, F03211 and F03213](#) (“Rule 149 Appeal Decision”), 8 October 2025, public, para. 35 (“[t]he Panel notes, however, that the definition of an expert witness has been uniformly recognised in the jurisprudence of international courts and tribunals as a person who is qualified by knowledge, skill, experience, training or education to provide a scientific, technical, or other specialised opinion about the evidence or a fact at issue, in order to assist the court in understanding the evidence before it.”)

²⁹ [Rule 149 Appeal Decision](#), para. 35.

³⁰ [Rule 149 Appeal Decision](#), para. 38.

not possess. [...] If the evidence proposed to be elicited from an expert is within the knowledge of the Panel, or the issue is one which the court can decide of its own experience, expert evidence may not be admitted. Therefore, expert evidence is not to be relied upon in order to place before the Panel facts or circumstances, which it could determine for itself or to guide that Panel upon matters which it was within the ordinary capacity of the judges to determine for themselves.³¹

16. Rule 149(2)(c) and (4) provide that if a party “wishes to cross-examine the expert witness”, “the Panel shall decide on the admissibility of the expert witness report following the testimony and questioning of the expert.”

IV. DISCUSSION

A. WHETHER THE REPORT IS ADMISSIBLE UNDER RULE 138(1) ALONE, WITHOUT AN ASSESSMENT UNDER RULE 149

17. The Thaçi Defence submits that Rule 149 is inapplicable to the admission of any report as long as its author is not, in the wording of Rule 149(1), “any expert witness to be called by a Party”, based on prior jurisprudence of the Court of Appeals Panel and prior decisions of the Single Trial Judge.

18. The Single Trial Judge does not consider this to be an accurate interpretation of either his own prior decisions in this case, or that of the Court of Appeals Panel. In *Thaçi et al*, the Court of Appeals Panel considered whether forensic reports could be admitted as expert evidence under Rule 149 without the authors of those forensic reports being presented as expert witnesses under Rule 149. In the course of that decision, the Court of Appeals Panel defined the term “expert report” as “a written statement authored by an expert witness based on their specialized knowledge, skill

³¹ [Case 07 Decision on Proposed Defence Witnesses](#), para. 66. See also KSC-BC-2020-07, IA006/F00006, Court of Appeals Panel, [Decision on Nasim Haradinaj's Appeal against Decision on Prosecution Requests in Relation to Proposed Defence Witnesses](#), 7 January 2022, para. 26 (“The Panel further notes that when determining the admissibility of an expert report or testimony, a panel, in addition to being satisfied that the proposed witness has the requisite qualifications to be deemed an expert, must determine that the proposed testimony: (i) would be of assistance; (ii) falls within the expertise of the witness; and (iii) does not usurp the functions of the panel as the ultimate arbiter of fact and law.”)

or experience.”³² The Court of Appeals Panel went on, however, to recognise that Rule 149 applies only where the expert witness is “specifically proffered by a Party or participant to provide testimony before the relevant panel in the proceedings in the capacity of an expert.”³³ Further, the Court of Appeals Panel stated that it “disagrees with the Defence’s contention that any evidence resulting from scientific analysis is ‘expert evidence’ within the meaning of Rule 149 of the Rules, regardless of the proceedings for which a report was prepared, or the manner in which it is offered by a Party.”³⁴

19. The Court of Appeals Panel decision then applied certain considerations in determining that the Trial Chamber had not erred in admitting reports that had been prepared on the basis of a certain scientific expertise. First, the Court of Appeals Panel mentioned that the reports tendered by the SPO in that case had not been prepared for the purpose of Case 06, but rather for the purpose of other proceedings.³⁵ Second, the Court of Appeals Panel noted that the SPO had proffered a different expert witness within the same field of expertise, to whom the expert reports could be presented and upon which he could be cross-examined.³⁶ Third, and relatedly, the Court of Appeals Panel noted that the reports in question had been used as “source material” for the reports of other testifying expert witnesses.³⁷

³² [Rule 149 Appeal Decision](#), para. 35.

³³ [Rule 149 Appeal Decision](#), paras 38, 61.

³⁴ [Rule 149 Appeal Decision](#), para. 38.

³⁵ [Rule 149 Appeal Decision](#), para. 38 (“Consequently, the Panel disagrees with the Defence’s contention that any evidence resulting from scientific analysis is ‘expert evidence’ within the meaning of Rule 149 of the Rules, regardless of the proceedings for which a report was prepared, or the manner in which it is offered by a Party.”)

³⁶ [Rule 149 Appeal Decision](#), paras 43-44 (“the Panel notes that the SPO submitted the application to admit the Documents Concerning Murder Victims at least one month prior to the testimony of the Expert Witnesses. In this regard, the Panel notes that the Documents Concerning Murder Victims were found to be relevant to, and corroborative of, the testimony of the Expert Witnesses [...] While the authors of the Challenged Reports did not testify, the Panel considers that the Defence could have challenged the content of these reports through other witnesses during the trial proceedings, including through the Expert Witnesses”).

³⁷ [Rule 149 Appeal Decision](#), para. 64.

Fourth, the Court of Appeals Panel elaborated on a circumstance where it was clear that Rule 149 must apply:

Lastly, the Panel finds no merit in the Defence's argument that the Trial Panel has applied a distinct standard when deciding on the admissibility of expert reports, based on who tenders the evidence. To the contrary, the Panel considers that the 3 July 2025 Decision is consistent with the Trial Panel's interpretation of Rule 149 of the Rules, as now confirmed by the Appeals Panel. The Panel notes that Victims' Counsel offered Dr Lerz as an expert witness, and sought the admission of his written reports as expert evidence. The Panel further notes that the reports in question were specifically prepared for the purpose of the trial proceedings in the present case and other cases before the Specialist Chambers, in order to assist the Trial Panel in its determination of the impact of the crimes and harm suffered by the victims. Therefore, the requirements of Rule 149 of the Rules applied to Dr Lerz's expert reports and, as correctly noted by the Trial Panel, they could only be admitted through his oral testimony, unless otherwise agreed by the Defence pursuant to Rule 149(3) of the Rules.³⁸

20. Accordingly, Court of Appeals Panel precedent does not establish that a party can control the ambit of Rule 149 by simply declining to call as a witness a person who has prepared an expert report for the purpose of trial proceedings. On the contrary, where such an expert report has been specifically prepared for the purpose of the case in which it is tendered, Rule 149 applies to its admission.

21. The *Thaçi* Defence suggests that the Single Trial Judge's prior rulings in respect of reports tendered by the SPO in its bar table motion also support its view that a party has an unfettered discretion to elect whether to present the author of a report prepared on the basis of an expertise under Rule 149.³⁹ One of these items is manifestly inapposite as it involves a report that had been prepared by the Registrar at the request of the Pre-Trial Judge, which the *Thaçi* Defence did not contend at the time involved any expertise.⁴⁰ The other items do indeed concern reports

³⁸ [Rule 149 Appeal Decision](#), para. 47.

³⁹ Rule 149 Motion, para. 13; Bar Table Motion, para. 37.

⁴⁰ KSC-BC-2023-12, F00737, Single Trial Judge, *Decision on the Specialist Prosecutor's Motion for Admission of Material through the Bar Table* ("Bar Table Decision"), 12 February 2026, confidential, paras 40-45.

prepared on the basis of a certain expertise, either at the request of the Registry or the SPO, describing how certain digital information had been extracted from electronic devices.⁴¹ In exercising his discretion to admit these items, the Single Trial Judge acknowledged that at least one of these reports had been prepared at the request of the SPO and involved the application of a certain “expertise”,⁴² but noted, applying the Rule 149 Appeal Decision, that this did not automatically entail the application of Rule 149. The Single Trial Judge noted that this also depended, as articulated by the Court of Appeals Panel, on “the manner in which it is offered by a Party.”⁴³ The Single Trial Judge considered, similar to the circumstances that applied in the Rule 149 Appeal Decision, the “ancillary significance” of the tendered reports “in relation to the digital items that have already been independently admitted” and that the reports were tendered for the limited purpose of “establishing the authenticity and integrity” of those items.⁴⁴ On the basis of the relatively narrow and ancillary purposes for which these two sets of reports concerning electronic extraction were tendered pursuant to Rule 138(1), the Single Trial Judge accepted that they could be admitted without the author thereof being required to appear as a witness under Rule 149 as a condition of admissibility.

22. The Single Trial Judge considers, contrary to the Thaçi Defence’s position, that the Report tendered here is very different from the electronic extraction reports tendered by the SPO. Unlike those reports, the probative value of the Report cannot be assessed in light of other evidence that had been, or would be, independently admitted. The opinions expressed in the Report are also not limited by narrow margins of technical expertise, unlike the reports which concerned the technical process of extraction of digital information. The Report instead posits far-reaching

⁴¹ Bar Table Decision, paras 64-70, 77-80; KSC-BC-2023-12, F00810, Single Trial Judge, *Decision on the Specialist Prosecutor’s Supplementary Motion for Admission of Material from the Bar Table*, 24 March 2026, confidential, paras 14-23.

⁴² Bar Table Decision, para. 67.

⁴³ Bar Table Decision, para. 66.

⁴⁴ Bar Table Decision, para. 68.

propositions that can only be reasonably evaluated through cross-examination. Finally, whereas the reports concerning digital extraction merely corroborated the authenticity of specific items of digital evidence that were independently admitted, the Report expresses opinions which purport to be “an additional tool”⁴⁵ in the judicial evaluation of a substantial volume of evidence. In these circumstances, hearing the testimony of DHT-03 is necessary in order to properly evaluate the probative value of her expert report.

23. Accordingly, as a report involving an expression of expertise prepared at the request of a Party, and which otherwise is not tendered in conjunction with other evidence as was the case in the Rule 149 Appeal Decision or the decisions described in the previous paragraph, the Single Trial Judge considers that Rule 149 applies as the *lex specialis* for the admission of the Report. As the SPO indicates that it wishes to cross-examine [REDACTED], any determination concerning the admissibility of the Report, as required by Rule 149(4), must be deferred until after her testimony.⁴⁶

B. WHETHER GOOD CAUSE JUSTIFIES THE MODIFICATIONS OF CURRENT DEADLINES

24. The Thaçi Defence requests, within the framework of its alternative Rule 149 Motion, the modification of the following deadlines to permit DHT-03’s testimony and receive her Report: (i) the requirement that any expert report be disclosed at least thirty days before the start of the Defence case;⁴⁷ (ii) the 1 April 2026 deadline for listing all Defence witnesses;⁴⁸ and (iii) the schedule for the hearing of Defence witnesses, set to end on 28 April 2026,⁴⁹ to permit [REDACTED]’s testimony after 11 May 2026 [REDACTED].⁵⁰

⁴⁵ Bar Table Motion, para. 36.

⁴⁶ Rule 149(4).

⁴⁷ KSC-BC-2023-12, F00642, Single Trial Judge, [Decision on the Conduct of Proceedings](#) (“Decision on the Conduct of Proceedings”), 22 December 2025, public, para. 36.

⁴⁸ [Scheduling Order](#), paras 11(iv), 17(d).

⁴⁹ [Scheduling Order](#), paras 14, 17(g); Email regarding 9 April.

⁵⁰ Rule 149 Motion, paras 25, 30.

25. The Thaçi Defence submits that good cause exists for these requests because it had reason to believe that the Report could be admitted from the bar table pursuant to the caselaw discussed above, and believed on the basis of this caselaw that it would be prejudiced if it had filed a Rule 149 application;⁵¹ the timing of the receipt of the Report and of [REDACTED] are matters outside of its control;⁵² and the SPO is already on notice, through prior filings, of the essential substance of the Report.⁵³ The Thaçi Defence adds that “the timetable set by the Scheduling Order appeared to assume that a modification to the 30 day notice period for Rule 149 reports could be granted.”⁵⁴

26. The SPO responds that the Thaçi Defence has not shown good cause to modify these deadlines and argues that the Thaçi Defence commissioned the report late, which is “inexplicable given that the proffered expertise pertains to evidence and legal issues known to the Defence for more than a year.”⁵⁵

27. The Single Trial Judge considers that there is good cause to vary the applicable deadlines as requested by the Thaçi Defence and to permit [REDACTED] to testify during the week of 11 May 2026, [REDACTED]. The Single Trial Judge notes the relatively compressed schedule between the close of SPO case and the start of the Defence, which did make it somewhat more difficult for the Thaçi Defence to comply, in particular, with the requirement of disclosure of any expert report at least 30 days before the start of the Defence case. The Single Trial Judge also notes that the Thaçi Defence met the deadlines imposed following the Defence Preparation Conference.⁵⁶

⁵¹ Rule 149 Motion, paras 28-29, 31-36.

⁵² Rule 149 Motion, para. 30.

⁵³ Rule 149 Motion, para. 39.

⁵⁴ Rule 149 Motion, para. 41; Reply, para. 15.

⁵⁵ SPO Response, paras 12-13.

⁵⁶ KSC-BC-2023-12, Transcript of Hearing, Defence Preparation Conference, 1 April 2026, public, p. 751, lines 22-24.

28. Pursuant to Rule 119(5), the Single Trial Judge hereby directs the Thaçi Defence to add [REDACTED] to its List of Witnesses and to add its letter of instruction to her to its List of Exhibits.⁵⁷ No prejudice arises from the addition of this document to the List of Exhibits given its brevity and the timing of its original disclosure.⁵⁸ Moreover, the Decision on the Conduct of Proceedings requires this material to be disclosed and “submit[ted]”.⁵⁹ The Thaçi Defence shall file a duly amended List of Witnesses and List of Exhibits by **Wednesday, 29 April 2026, at 16h00**.

29. Based on the Thaçi Defence’s indications as to [REDACTED], the Single Trial Judge extends the evidentiary block to hear Defence witnesses during the week of 11 May 2026. Noting that [REDACTED] is prepared and available to testify in person, the Single Trial Judge directs that this testimony be heard in person. The Parties are to submit their time estimates for the examination and cross-examination of [REDACTED] by **Thursday, 30 April 2026, at 16h00**.

30. As previously stated, given the SPO’s intent to cross-examine [REDACTED], the Single Trial Judge defers his decision on the admissibility of [REDACTED]’s evidence until after her testimony.⁶⁰ He instructs the SPO, if it so wishes, to file supplementary submissions no later than two days following the end of [REDACTED]’s testimony, and the Thaçi Defence is authorised to file any response no later than two days after the filing of the SPO’s submissions.

31. The deadlines set out in the Decision on the Conduct of Proceedings remain otherwise applicable.⁶¹

⁵⁷ DHT1201281-01284 (“Letter of Instruction”).

⁵⁸ Disclosure Package 123.

⁵⁹ [Decision on the Conduct of Proceedings](#), para. 12.

⁶⁰ Rule 149(4).

⁶¹ [Decision on the Conduct of Proceedings](#), paras 26, 28.

V. DISPOSITION

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

- a. **DENIES** the Thaçi Defence request to admit the Report (Item 79 of the Bar Table Motion) through the bar table under Rule 138;
- b. **GRANTS** the Thaçi Defence's request to modify the 30-day time period to disclose a final version of the expert report as set in the Decision on the Conduct of Proceedings;
- c. **ORDERS**, *proprio motu*, the Thaçi Defence to amend its List of Witnesses and List of Exhibits to include [REDACTED] and the Letter of Instruction respectively, by **Wednesday, 29 April 2026, at 16h00**;
- d. **AUTHORISES** the extension of the current evidentiary block until **Friday, 15 May 2026**, and the in-person testimony of [REDACTED] during the week of 11 May 2026;
- e. **INSTRUCTS** the Parties to file submissions indicating their time estimates for direct examination and cross-examination by **Thursday, 30 April 2026, at 16h00**;
- f. **DEFERS** any decision on the admissibility of the Report until after [REDACTED]'s testimony; and

- g. **AUTHORISES** the Taçi Defence and the SPO to file supplementary written submissions on the admissibility of [REDACTED]'s evidence pursuant to Rule 149 as indicated in paragraph 30.



Judge Christopher Gosnell
Single Trial Judge

Dated this Thursday, 23 April 2026

At The Hague, the Netherlands.