



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

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Public Redacted Version of Order on the Further Conduct of Proceedings

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THE SINGLE TRIAL JUDGE, pursuant to Articles 15(2), 21(4)(d) and 40(2) and (6) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Rules 9(5)(a), 72(2), 104, 119, and 131 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers,¹ hereby issues the following order.

I. PROCEDURAL BACKGROUND

1. On 16 April 2026, the Single Trial Judge ordered submissions from the Parties on the further conduct of the proceedings, including: any forthcoming supplementary bar table motions; any motions for rebuttal or rejoinder; the timing and length of Final Trial Briefs; the timing of closing statements; and the sentencing procedure.² The Single Trial Judge also requested submissions on whether the Parties would suffer prejudice if required to file their Final Trial Briefs concurrent with any pending appeal against the "Decision on the Admission of Expert Evidence of Witness 8",³ should leave to appeal be granted and on the understanding that they would be permitted to present supplementary evidence and submissions if the decision is reversed.⁴

2. The Parties filed their submissions on 22 April 2026.⁵

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, Single Trial Judge, F00857, [Order for Submissions on the Further Conduct of Proceedings](#) ("Order for Submissions"), 16 April 2026, public, paras 5-8, 10-12.

³ See KSC-BC-2023-12, F00851, Specialist Prosecutor, *Prosecution Request for Leave to Appeal Decision F00825*, 9 April 2026, confidential; F00825, Single Trial Judge, *Decision on the Admission of Expert Evidence of Witness 8*, 27 March 2026, confidential.

⁴ [Order for Submissions](#), paras 9, 12.

⁵ KSC-BC-2023-12, F00869, Fazliu Defence, *Fazliu Defence Submissions pursuant to Order F00857* ("Fazliu Defence Submissions"), 22 April 2026, public; F00870, Thaçi Defence, *Thaçi Defence Submissions on the Further Conduct of Proceedings* ("Thaçi Defence Submissions"), 22 April 2026, confidential. A public redacted version was filed on 29 April 2026, F00870/RED; F00872, Kilaj Defence and Kuçi Defence, *Kilaj and Kuçi Defence Submissions Pursuant to Order on the Further Conduct of Proceedings (F00857)* ("Kilaj and Kuçi Defences Submissions"), 22 April 2026, public; F00873, Specialist Prosecutor, *Prosecution Submissions on the Further Conduct of Proceedings* ("SPO Submissions"), 22 April 2026, confidential; F00874, Smakaj Defence, *Smakaj Defence Submissions pursuant to Order F00857* ("Smakaj Defence Submissions"), 22 April 2026, public.

3. On 29 April 2026, the Single Trial Judge granted, in part, the SPO leave to appeal the “Decision on the Admission of Expert Evidence of Witness 8”.⁶

II. APPLICABLE LAW

4. Article 21(4)(d) provides that the accused shall be entitled to be tried within a reasonable time, and Article 40(2) requires a Trial Panel to “ensure that a trial is fair and expeditious and that proceedings are conducted in accordance with the Rules of Procedure and Evidence, with full respect for the rights of the accused and due regard for the protection of victims and witnesses.”

5. Pursuant to Rule 116(1), and in accordance with the requirements of Articles 21 and 40(2), the Single Trial Judge shall adopt procedures as are necessary to facilitate the fair and expeditious conduct of proceedings. This includes setting target dates for the closing of the Defence cases pursuant to Rule 131, seeking submissions on motions for rebuttal or rejoinder evidence pursuant to Rule 133, and setting time limits for final trial briefs and closing statements pursuant to Rules 134 and 135.

6. Rule 72(2) provides the Single Trial Judge with the power to “reduce time limits and take any other measures as deemed necessary to expedite the proceedings, with due regard to the Accused’s right to a fair trial”. Further, Rule 9(5)(a) also allows the Single Trial Judge to vary, *proprio motu* or upon showing of good cause, any time limit prescribed by the Rules or set by him.

⁶ KSC-BC-2023-12, F00888, Single Trial Judge, *Decision on Prosecution Request for Leave to Appeal Decision F00825*, 29 April 2026, confidential.

7. Within this statutory framework, the Single Trial Judge enjoys discretion in respect of trial scheduling, which inherently involves taking into consideration circumstances particular to the proceedings.⁷

III. DISCUSSION

1. Closure of Defence Case Pursuant to Rule 131

8. The Thaçi Defence argues that it is unable to close its case until a number of pending matters are resolved, *i.e.*: (a) the appeal against the “Decision on the Admission of Expert Evidence of Witness 8”; (b) the “Thaçi Defence Request for Disclosure of Information Concerning SPO Transcriptions”;⁸ (c) the ongoing verification of transcripts by the Language Services Unit (“LSU”), which may trigger the tendering of responsive material by the Defence;⁹ and (d) the Thaçi Defence’s motions for admission of documents through the bar table and/or admission of evidence of DHT-02 and DHT-03 under Rule 149.¹⁰ In particular with regard to the pending appeal, the Thaçi Defence argues that, if the evidence of Witness 8 is eventually admitted, it will have to decide “what, if any, responsive evidence to call, [and] whether to call its own expert”.¹¹ The Thaçi Defence adds that being required to file its Final Trial Brief without clarity on the outcome of the appeal, even if it were to be granted the right to re-open its case and make additional submissions, would be prejudicial to the Defence as it “will jeopardize the coherence of the Defence position and [...] may lead to

⁷ ICTY, *Prosecutor v. Karadzic*, IT-95-5/18-AR73.8, Appeals Chamber, [Decision on Appeal from Order on the Trial Schedule](#), 19 July 2010, para. 5; *Prosecutor v. S Milosevic*, IT-02-54-AR73.6, Appeals Chamber, [Decision on the Interlocutory Appeal by the Amici Curiae Against the Trial Chamber Order Concerning the Presentation and Preparation of the Defence Case](#), 20 January 2004, para. 18.

⁸ KSC-BC-2023-12, F00894, Thaçi Defence, *Thaçi Defence Request for Disclosure of Information Concerning SPO Transcriptions*, 16 March 2026, public, with Annex 1, confidential.

⁹ Thaçi Defence Submissions, paras 3-17.

¹⁰ KSC-BC-2023-12, F00839, Thaçi Defence, *Thaçi Defence Request for Admission of Documents through the Bar Table*, 2 April 2026, confidential, with Annex 1, confidential; F00840, Thaçi Defence, *Thaçi Defence Motion pursuant to Rule 149 and Associated Requests*, 2 April 2026, confidential.

¹¹ Thaçi Defence Submissions, paras 6, 11.

contradictory submissions from the parties on substantial issues related to three visits charged in the Indictment.”¹²

9. The Kilaj and Kuçi Defences similarly assert that the admission of Witness 8’s evidence by virtue of the appeal could require a “wholesale restructuring and redrafting of written pleadings” and “significant strategic re-evaluation of how the Defence’s case is advanced.”¹³ The Smakaj Defence suggests that it might wish to call oral evidence in the event that the decision concerning Witness 8 is reversed, including from Mr Smakaj.¹⁴ The SPO considers that the proposed remedial measures sufficiently address any potential prejudice that could arise from a reversal of the decision concerning Witness 8’s evidence.¹⁵

(a) Impact of Pending Appeal

10. The Single Trial Judge considers that any claims of prejudice arising from a potential reversal of the decision concerning the admissibility of Witness 8’s evidence must be assessed concretely in relation to the specific evidence at issue and its relationship to other evidence already admitted. The principal evidence relied upon by the SPO in this case are the audio-recordings and transcripts of alleged in-person conversations amongst the Accused. The SPO cites to these transcripts extensively in its Pre-Trial Brief to support its allegations that Mr Thaçi disclosed confidential information about SPO witnesses, directed his co-Accused to provide instructions to witnesses on how to testify, and that his

¹² Thaçi Defence Submissions, para. 10.

¹³ Kilaj and Kuçi Defences Submissions, para. 8; *see also* para. 2(iv).

¹⁴ Smakaj Defence Submissions, para. 3.

¹⁵ SPO Submissions, para. 11.

co-Accused engaged with these instructions or agreed to transmit those instructions.¹⁶

11. The SPO asserts that during these in-person conversations, Mr Thaçi discussed, and provided Mr Kilaj and Mr Smakaj, respectively, with prior statements of Witness 4 (the “Kilaj Documents”) and a document allegedly containing instructions on how Witness 2 should testify (the “Smakaj Document”). These documents were purportedly later recovered by the SPO from Mr Kilaj and Mr Smakaj, respectively, during search and seizure operations conducted by the SPO in Kosovo.¹⁷

12. Witness 8’s evidence concerns an assessment of the likelihood that the Kilaj Documents and the Smakaj Document were printed on a printer at the KSC Detention Centre. However, this is not the only evidence upon which the SPO relies for the assertion that these documents were transmitted to Mr Kilaj and Mr Smakaj during their in-person conversations with Mr Thaçi. In particular, the SPO Pre-Trial Brief asserts that the versions of the Kilaj Documents, notwithstanding Mr Kilaj’s claim that he had obtained them from the public domain, were not part of a prior leak of confidential information to the public;¹⁸ that evidence other than that provided by Witness 8 shows that one of the Kilaj Documents was printed by Mr Thaçi “just days before [Mr Kilaj’s] 6 October Visit”;¹⁹ and that specific references to these documents can be heard during the audio-recording of the conversation between Mr Kilaj and Mr Thaçi, indicating that they were looking at the documents together.²⁰ Accordingly, it is clear that

¹⁶ KSC-BC-2023-12, F00459/COR/A01, Specialist Prosecutor, *Pre-Trial Brief*, 6 October 2025, confidential, paras 31-43, 58-75, 85-109, 124-152. A public redacted version was filed on 7 October 2025, [F00489/A01](#).

¹⁷ [Pre-Trial Brief](#), paras 110-112, 125-132, 140.

¹⁸ [Pre-Trial Brief](#), paras 158, 161.

¹⁹ [Pre-Trial Brief](#), para. 126.

²⁰ [Pre-Trial Brief](#), para. 105 (“During the conversation, THAÇI and SMAKAJ referred to certain papers while the noise of handwriting and paper rustling is heard in the audio recording”); para. 127 (“That THAÇI and his visitors targeted Witness 4 is explicitly clear from THAÇI’s direct references

the SPO's position, regardless of whether Witness 8's evidence is or is not admitted, is that there is evidence showing that the Kilaj Documents originated from Mr Thaçi and were given to Mr Kilaj during their in-person visit.

13. Likewise, the SPO argues that the Smakaj Document is "consistent with instructions provided [by Mr Thaçi] to his visitors", including to Mr Smakaj on how witnesses should testify and reflects "THAÇI's preferred narrative of key events of the war in Kosovo and the KLA history",²¹ a pattern which the SPO Pre-Trial Brief argues at length shows the connection between the Smakaj Document and Mr Thaçi himself.²² The SPO also submits that records indicate that Mr Thaçi printed the Smakaj Document (or a version thereof) on multiple occasions, including on 7 October 2023,²³ the date of Mr Smakaj's second alleged visit to Mr Thaçi. The SPO Pre-Trial Brief specifically claims, based on audio-recordings, that "THAÇI and SMAKAJ made reference to and handled certain paper documents" during their visit together.²⁴ Accordingly, the SPO position in respect of the origin of the Smakaj Document does not depend exclusively on the evidence of Witness 8.

14. The SPO's case, accordingly, is that there is evidence that the Smakaj Document and the Kilaj Documents originated from Mr Thaçi, with or without Witness 8's evidence. In these circumstances, the Single Trial Judge does not accept that, if Witness 8's evidence were to be admitted following a successful appeal, it would fundamentally alter the nature of the SPO's case. Witness 8's report and testimony merely offer additional evidence for that claim. Furthermore, the scope of the evidence subject to the appeal is known and

to specific pages and content of Witness 4's prior statements during the visit, which were later seized from KILAJ's residence"); para. 129 ("THAÇI also identified a specific line of Witness 4's [REDACTED] that Witness 4 ought to improve, with KILAJ taking notes").

²¹ [Pre-Trial Brief](#), paras 110, 173.

²² See e.g. [Pre-Trial Brief](#), paras 110, 173, 175, 178, 181, 183, 187, 188, 191, 199, 214.

²³ [Pre-Trial Brief](#), para. 112.

²⁴ [Pre-Trial Brief](#), paras 105, 214, 226(ix).

certain. It has been tendered in the form of Witness 8's report and testimony. The potential impact of this evidence is therefore limited and precisely known.

15. Furthermore, the prejudice identified in the Defence submissions relates not to the closure of the Defence case as such (on the understanding the Defence would be given the opportunity to supplement its evidence should the evidence of Witness 8 be admitted following an appeal), but rather to the prejudice of being required to take a position in Final Trial Briefs without yet being certain of the scope of the admitted evidence. The schedule discussed below is informed by these considerations.

(b) *Thaçi* Defence Request for Disclosure of Information Concerning SPO Transcriptions

16. The Single Trial Judge notes that the "*Thaçi* Defence Request for Disclosure of Information Concerning SPO Transcriptions" was decided on 28 April 2026.²⁵ Whether the SPO will be required to disclose additional material in light of the directions issued by the Single Trial Judge is, as yet, unknown and depends on multiple factors. The *Thaçi* Defence's submission that it may seek to tender such material is therefore speculative. Furthermore, the Single Trial Judge notes that he rejected the *Thaçi* Defence's disclosure request to the extent that it was based on Rule 103,²⁶ and that the disclosures sought could have been, and typically are expected to be, requested during the pre-trial stage of the proceedings. In these circumstances, the Single Trial Judge does not consider any potential outstanding disclosure issues to constitute an appropriate basis for extending the deadline for the Defence to file any supplementary bar table motion.

²⁵ KSC-BC-2023-12, F00884, Single Trial Judge, *Decision on Thaçi Request for Disclosure of Information Regarding Transcription/Translation Process* ("Decision on *Thaçi* Request for Disclosure"), 28 April 2026, public, para. 29.

²⁶ Decision on *Thaçi* Request for Disclosure, paras 26-27.

(c) Outstanding LSU Transcription and Translation Corrections

17. The Single Trial Judge is also not persuaded by the Thaçi Defence's submission that it cannot close its case as the LSU's ongoing review and correction of transcripts may trigger the "tendering of responsive material by the Defence".²⁷ The LSU has been providing its results to all Parties in the case on a rolling basis since February 2026.²⁸ All portions of the SPO transcripts requested by the Single Trial Judge, and almost all portions requested by the Defence have been completed. The last portion of transcript review is expected to be received on 14 May 2026²⁹ which, in any event, pertains to a transcript in respect of which the corrections ordered by the Single Trial Judge have already been received.

18. As to the potential need to tender "responsive material" arising from the transcript corrections, the Single Trial Judge considers this to be ambiguous. It is not clear what "responsive material" might need to be produced based on the corrections as such. In addition, in light of the relatively limited range of transcript corrections that remains outstanding, the Single Trial Judge does not accept that the possibility of tendering "responsive material" is an appropriate basis for extending the period for presentation of Defence evidence.

19. The Single Trial Judge recalls that "associated transcriptions and translations of audio-visual material are 'automatically' admitted with the source material" and are not "subject to separate admission requirements from the audios that they purport to represent".³⁰ Accordingly, LSU's memoranda are

²⁷ Thaçi Defence Submissions, paras 3, 17.

²⁸ KSC-BC-2023-12, F00755, Registry Language Services Unit, *Memorandum on Verification of the queried portion of the Albanian transcript (KSC-BC-2023-12-116083 071023-113000-135500-TR-AT Revised 2) and its English translation (KSC-BC-2023-12-116083 071023-113000-135500-TR-AT Revised 2-ET)*, 24 February 2026, confidential.

²⁹ KSC-BC-2023-12, CRSPD296, *Emails between Thaçi Defence and CMU re LSU Verifications Update*, 22 April 2026, confidential; Thaçi Defence Submissions, para. 17.

³⁰ KSC-BC-2023-12, F00737, Single Trial Judge, *Decision on the Specialist Prosecutor's Motion for Admission of Material through the Bar Table*, 12 February 2026, confidential, para. 33.

part of the evidentiary record, together with the audio-recordings of the visits and their corresponding transcripts and translations, as tendered by the SPO.

(d) *Thaçi Defence Motions for Admission of Evidence*

20. Rule 131 provides that “[w]hen there are no more witnesses to be called or other evidence to be presented as part of the Defence case of any Accused, Specialist Counsel shall close the Defence case.” As these words make clear, the Defence is to close its case not upon the admission of Defence evidence, but once such evidence has been tendered.³¹ This was precisely the approach adopted in this case in respect of the closure of the SPO’s case pursuant to Rule 129.³² Accordingly, as with prosecution Witness 8, it is not correct that the Defence case remains open until decisions are rendered on the admission of DHT-3’s evidence.³³

21. DHT-3, the last Defence witness whose evidence remains outstanding, has been authorised by the Single Trial Judge to testify during the week of 11 May 2026.³⁴ This date is later than the previously-scheduled evidentiary block for hearing the Defence’s testimonial evidence,³⁵ which was extended by the Single Trial Judge to accommodate the availability of DHT-03.³⁶ The deadline for filing

³¹ Rule 131 speaks of “evidence to be presented”, not admitted.

³² See e.g. KSC-BC-2023-12, F00825, Single Trial Judge, *Decision on the Admission of Expert Evidence of Witness 8*, 27 March 2026, confidential, rendered after the SPO closed its case on 13 March 2026; see F00792, Specialist Prosecutor, *Prosecution Notice pursuant to Rule 129*, 13 March 2026, public.

³³ *Thaçi Defence Submissions*, para. 15.

³⁴ KSC-BC-2023-12, F00876, Single Trial Judge, *Interim Decision on Thaçi Defence Motion for Admission of Evidence of DHT-03* (“Interim Decision on DHT-03”), 23 April 2026, confidential, para. 32(d).

³⁵ KSC-BC-2023-12, F00790, Single Trial Judge, [Scheduling Order](#) (“Scheduling Order”), 13 March 2026, public, para. 17(h) (“DECIDES that the evidentiary block for the hearing of all Defence witnesses is scheduled for 7 April to 24 April 2026”); KSC-BC-2023-12, CRSPD266, *Email from Single Trial Judge to Parties re 9 April 2026*, 16 March 2026, confidential (“The Single Trial Judge informs the Parties that no court hearing will take place on 9 April 2026 (Constitution Day of the Republic of Kosovo). The Single Trial Judge will be prepared to sit an additional day as necessary on or about 28 April 2026 to compensate for the reduction in time available for the presentation of the Defence case”).

³⁶ KSC-BC-2023-12, F00840, *Thaçi Defence, Thaçi Defence Motion pursuant to Rule 149 and Associated Requests*, 2 April 2026, confidential, para. 25 (“[DHT-03] confirms that [REDACTED] the earliest that she would be available is 11 May 2026”); *Interim Decision on DHT-03*, para. 27.

any supplementary bar table motion was previously scheduled for “one week after the hearing of the last Defence witness.”³⁷ According to the previous schedule for hearing Defence witnesses, this date would have fallen on 6 May 2026. Given that the hearing of the last Defence witness has now been extended by a period of two weeks, the Single Trial Judge hereby varies the previously set deadline of one week following the completion of the last Defence witness, and sets the deadline for any supplementary bar table motions, as defined in paragraph 17(f) of the Scheduling Order, as **Thursday, 14 May 2026, at 4 p.m.**

(e) Conclusion

22. In light of the timing of the hearing of Witness DHT-03 and the deadline for the Defence to file any supplementary bar table motions set above, and based on the other considerations discussed in Sections III.1(a) through (d) above, the Single Trial Judge directs the Defence to close their cases and file their Rule 131 notices by no later than **Thursday, 14 May 2026**. However, this instruction is given on the understanding that the Defence will be permitted to adduce additional evidence if the prosecution’s evidence that is the subject of its pending appeal is admitted as part of its case. Each defendant, regardless of whether they intend to file a supplementary bar table motion or have previously indicated that they have no further evidence to tender, is required to file this notice pursuant to Rule 131.

23. The SPO shall file any motion pursuant to Rule 133 by no later than **Friday, 15 May 2026, at 4 p.m.**

2. Final Trial Briefs and Replies

24. Rule 134 provides that, after the closing of the Defence case pursuant to Rule 131, and subject to any requests under Rule 133, the Panel shall announce

³⁷ [Scheduling Order](#), para. 11(v).

that the evidentiary proceedings are closed. The time limit of 30 days for the filing of Final Trial Briefs would then start to run pursuant to Rule 134(b).

25. The Single Trial Judge considers that, for the reasons advanced by the Defence, it is appropriate not to require the Parties to file their Final Trial Briefs before the admissibility of Witness 8's evidence is resolved with finality. Accordingly, the Single Trial Judge will not formally close the evidentiary proceedings under Rule 134(a) until after the outcome of the interlocutory appeal in respect of Witness 8 is resolved.

26. However, in light of the relatively circumscribed nature of the evidence that is subject to appeal, as discussed in Section III.1(a) above, especially in relation to the prosecution case as a whole, and noting that appeals do not have suspensive effect unless otherwise ordered, the Parties are informed³⁸ that they must be prepared to file their Final Trial Briefs by **Friday, 19 June 2026, at 4 p.m.**³⁹ This date will be firmly settled once the outcome of the interlocutory appeal is known, but in any event the Parties must be prepared to file their Final Trial Briefs on short notice thereafter.

27. In accordance with Article 45(1) of the Registry Practice Direction on Files and Filings, the SPO shall have a word limit of 95,000 words for its Final Trial Brief.⁴⁰ Given the scope of the charges against Mr Taçi, pursuant to Article 36 of the Practice Direction, the word limit for his Final Trial Brief will also be, as

³⁸ See e.g. KSC-BC-2020-06, F03435, Trial Panel II, [Further Order on the Scheduling of the Defence Case](#), 2 September 2025, public, para. 34 ("the Panel informs the Parties and participants that they should be prepared to file final trial briefs [...] before the commencement of the judicial recess on Monday, 22 December 2025. The Panel will set a firm date in respect of this matter once the Defence case is more advanced and once the Panel has heard the Parties and participants in respect of this and any requests pursuant to Rule 127(2)").

³⁹ All Parties are subject to this same deadline for the submission of their Final Trial Briefs. See KSC-BC-2023-12, F00642, Single Trial Judge, [Decision on the Conduct of Proceedings](#) ("Decision on Conduct of Proceedings"), 22 December 2025, public, para. 44.

⁴⁰ KSC-BD-15, Registrar, *Registry Practice Direction on Files and Filings before the Kosovo Specialist Chambers* ("Practice Direction"), 17 May 2019, public.

requested by the Thaçi Defence, 95,000 words.⁴¹ The other Accused are accorded a word limit of 30,000 words, as provided by Article 45(1) of the Practice Direction.⁴²

28. Reply briefs⁴³ shall be filed no later than 14 calendar days after the filing of the Final Trial Briefs.⁴⁴ The word limits for these filings shall be 10,000 words for the SPO and Mr Thaçi, and 5,000 words for each of the other Accused.

3. Closing Statements

29. Closing statements shall commence 21 calendar days after the filing of Final Trial Briefs, which is the maximum period allowed pursuant to Rule 134(d).

4. Sentencing Procedure and Submissions

30. The Single Trial Judge notes that the established interpretation of Rule 159(6) is that it reflects a “presumption” that “the Panel shall determine the appropriate sentence at the same time as the pronouncement of the Trial Judgment.”⁴⁵ This presumption was recently applied in Case KSC-BC-2020-06, which presents even more complexity than the present case, arising from a

⁴¹ Thaçi Defence Submissions, paras 22-24.

⁴² See also Kilaj and Kuçi Defences Submissions, para. 3; Fazliu Defence Submissions, para. 3.

⁴³ See [Decision on Conduct of Proceedings](#), para. 44 (“the Parties will also be invited to submit reply briefs to ensure they have an opportunity to respond in writing to any arguments raised by an opposing Party.”)

⁴⁴ See Thaçi Defence Submissions, paras 29-31 (requesting 15 days after notification of Final Trial Briefs); Kilaj and Kuçi Defences Submissions, para. 5 (requesting “no less than 15 days”); Fazliu Defence Submissions, para. 4; Smakaj Defence Submissions, para. 7 (requesting 15 days); SPO Submissions, para. 10 (requesting a “minimum of 15 days”).

⁴⁵ KSC-BC-2020-06, F03597, Trial Panel II, [Order Pursuant to Rules 134\(b\), \(d\) and 159\(6\) and Related Matters](#) (“Case 06 Scheduling Order”), 21 November 2025, public, para. 37; KSC-BC-2020-07, F00553, Trial Panel II, [Decision on the Closing of the Evidentiary Proceedings and on Submissions Pursuant to Rules 134\(b\), \(d\) and 159\(6\) of the Rules](#), 3 February 2022, public, paras 16-18; KSC-BC-2020-04, *Transcript of Hearing*, 25 October 2023, public, p. 3154, lines 17-23; KSC-BC-2020-05, F00439, Trial Panel I, [Decision on the Closing of the Evidentiary Proceedings and Related Matters](#), 20 June 2022, public, paras 13-17.

multitude of counts and a broader scope of the case.⁴⁶ The Defence has provided no specific arguments for departing from this presumption in the circumstances of this case. Accordingly, the Single Trial Judge will follow the presumption reflected in Rule 159(6) and the established jurisprudence of this court and will determine the appropriate sentence at the same time as the pronouncement of the Trial Judgment if a conviction is entered. The Single Trial Judge will rely on such evidence as has been admitted in the case for this purpose. The Single Trial Judge acknowledges the concerns raised by the Defence and will remain mindful of those concerns throughout deliberations.

IV. DISPOSITION

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

- a. **DECIDES** that any supplementary bar table motions shall be filed by the Defence by **Thursday, 14 May 2026, at 4 p.m.**;
- b. **ORDERS** that the Defence to file their Rule 131 notices by **Thursday, 14 May 2026**;
- c. **ORDERS** the SPO to file any motion pursuant to Rule 133 by **Friday, 15 May 2026, at 4 p.m.**;
- d. **CLARIFIES** that the filings of the SPO and the Thaçi Defence concerning the admissibility of the report and testimony of DHT-03 shall be submitted **by 4 p.m.** on the second and fourth calendar days after completion of her testimony, or the first working day thereafter;
- e. **DEFERS** any decision concerning the timing of the closure of the evidentiary proceedings pursuant to Rule 134(a);

⁴⁶ [Case 06 Scheduling Order](#), paras 37-38.

- f. **INFORMS** the Parties that they are to be prepared to file Final Trial Briefs pursuant to Rule 134(b) by **Friday, 19 June 2026, at 4 p.m.**, or on short notice thereafter, with a maximum word limit of 95,000 words for the SPO and Mr Thaçi, and 30,000 words for the other Accused;
- g. **INFORMS** the Parties that they shall be permitted to file reply briefs up to 14 calendar days after the filing of their Final Trial Briefs, with a word limit of 10,000 words for the SPO and Mr Thaçi, and 5,000 words for the other Accused;
- h. **INFORMS** the Parties that closing statements will be held 21 calendar days after the submission of Final Trial Briefs pursuant to Rule 134(d);
- i. **DECIDES** that the Parties shall offer any submissions concerning sentencing as part of their submissions on the merits of the case; and
- j. **ORDERS** the Registry to reclassify the SPO Submissions (filing F00873) as public.



Judge Christopher Gosnell
Single Trial Judge

Dated this Wednesday, 29 April 2026

At The Hague, the Netherlands.