

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

Before: **Single Trial Judge**
Judge Christopher Gosnell

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Fadil Fazliu

Date: 11 June 2016

Language: English

Classification: Public

**Public Redacted Version of Fazliu Request for Extension of Time Limit
to Submit its Final Trial Brief**

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I. INTRODUCTION

1. Pursuant to Rule 9(5)(a) of the *Rules*, the Defence for Mr. Fadil Fazliu ('Defence') requests for an extension of the time limit until **Friday, 3 July 2026** to submit its Final Trial Brief under Rule 134(d) due to an unforeseen personnel issue.
2. Whereas no firm time limit has been prescribed at the moment, the present situation does not fall squarely inside the scope of Rule 9(5)(a). However, given the significance of Final Trial Brief itself, the knock-on effect any change of time limit would have to the scheduling of the subsequent events as well as the management of resources of each party, this request is made nonetheless with a view to facilitate an effective conduct of the proceedings.
3. The Defence does not oppose to the same extension being granted to other parties to the proceedings.

II. PROCEDURAL HISTORY

4. On 29 April 2026, the Single Trial Judge ('STJ') granted, in part, the Specialist Prosecutor's Office leave to appeal its decision on the admission of Witness 8's expert evidence.¹
5. On the same day, the STJ directed the parties to be prepared to file their Final Trial Briefs by Friday, 19 June 2026 at 16:00.² The STJ clarified that the date is tentative and 'will be finally settled once the outcome of the interlocutory appeal [in respect of

¹ F00888, Decision on Prosecution Request for Leave to Appeal Decision F00825, 29 April 2026, confidential. Public redacted version filed as F00888/RED on 6 May 2026.

² F00890, Order on the Further Conduct of Proceedings, 29 April 2026, confidential, para. 26. Public redacted version filed as F00890/RED on 4 May 2026.

Witness 8] is known'.³

6. To date, the Court of Appeals has not issued its decision.

III. APPLICABLE LAW

7. Rule 9(5)(a) grants the Single Trial Judge the authority to extend a previously prescribed time limit upon showing of good cause.
8. Pursuant to Rule 76, applications for extension of time shall be filed sufficiently in advance to enable the Panel to rule on it before the expiry of the relevant time limit.

IV. SUBMISSION

9. The Defence requests an extension of the time limit to submit its Final Trial Brief by 14 calendar days for a good cause and sufficiently in advance.

a) Good cause is shown

10. The Defence is facing an unexpected staffing shortage due to the unavailability of two team members: [REDACTED]; [REDACTED].

11. Their unavailability, albeit necessary [REDACTED] and fully supported by Counsel, poses a particular challenge to the finalisation of the Final Trial Brief. Their knowledge of the case, the Defence theories, and its method of working makes it impossible to recruit any adequate substitute at this juncture.

b) The application is filed sufficiently in advance

12. The present request is filed at the earliest opportunity after Counsel was made aware

³ Ibid.

of the unavailability of the second team member and eight days before the tentative deadline on 19 June 2026. It is submitted sufficiently in advance to enable the Single Trial Judge to rule on it in good time.

V. CONFIDENTIALITY

13. This request is filed on a confidential basis as it refers to sensitive, private matters of Defence personnel. A public redacted version is filed simultaneously.

VI. RELIEF

14. In light of the foregoing, the Defence respectfully requests that the Single Trial Judge grant the extension of time limit as set out above.

Word count: 592 words

Respectfully submitted,

A handwritten signature in black ink that reads "David A. Young". The signature is written in a cursive style with a large, stylized 'D' and 'Y'.

David A. Young

Specialist Counsel for Fadil Fazliu

11 June 2026

The Hague, the Netherlands