



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: 15 June 2026

Language: English

Classification: Public

**Decision on Fazliu Request for Extension of Time Limit to Submit its Final
Trial Brief**

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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 and Rules 9(5)(a) and 76 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers,¹ hereby issues this decision.

I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. The Order on the Further Conduct of Proceedings informed the Parties that they should be prepared to file their final trial briefs by 19 June 2026,² pending the outcome of an interlocutory appeal.³

2. On 11 June 2026, the Defence for Fadil Fazliu ("Fazliu Defence") requested "an extension of the time limit until Friday, 3 July 2026 to submit its Final Trial Brief due to an unforeseen personnel issue."⁴

3. The Defence for Messrs Thaçi, Smakaj, Kilaj, Fazliu and Kuçi (collectively, "Defence"), and the Specialist Prosecutor's Office ("SPO"), made submissions via email in relation to the Request.⁵ The Defence requests that the date by which the Parties should be prepared to file their final trial briefs be extended to 3 July 2026; that, in addition, the Parties should not be required to file their final trial briefs any less than seven days after the notification of the decision on the pending

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, F00890, Single Trial Judge, [Order on the Further Conduct of Proceedings](#) ("Order"), 29 April 2026, confidential (public redacted version issued on 4 May 2026, F00890/RED), para. 31(f).

³ KSC-BC-2023-12, F00888, Single Trial Judge, [Decision on Prosecution Request for Leave to Appeal Decision F00825](#), 29 April 2026, confidential (public redacted version issued on 6 May 2026, F00888/RED).

⁴ KSC-BC-2023-12, F00933, Fazliu Defence, *Fazliu Request for Extension of Time Limit to Submit its Final Trial Brief* ("Request"), 11 June 2026, confidential (public redacted version filed on the same day, F00933/RED), paras 1, 10.

⁵ KSC-BC-2023-12, CRSPD 317, *Email from Defence Teams to Single Trial Judge re Defence Request for Time Extension to File Final Briefs* and *Email from SPO to Single Trial Judge re Defence Request for Time Extension to File Final Briefs*, 12 June 2026, confidential.

interlocutory appeal; and that the Parties should be consulted as to further procedural steps in the proceedings if the appeal is granted in whole or in part.⁶

4. The SPO takes no position on the extension of the date by which the Parties should be prepared to file their final trial briefs, but does join in the request that the Parties not be required to file their final trial briefs less than seven days after a decision on the pending interlocutory appeal, assuming that it is rejected.⁷

II. APPLICABLE LAW

5. Rule 9(5)(a) permits the Single Trial Judge, *proprio motu* or upon showing of good cause, to extend any time limit prescribed by the Rules or by judicial decision.

III. DISCUSSION

6. The Fazliu Defence Request, having been submitted eight days before the applicable deadline, has been filed sufficiently in advance pursuant to Rule 76.

7. The conjunction of personal and medical issues concerning team members raised by the Fazliu Defence⁸ appears, on a *prima facie* basis, to constitute good cause for the relatively short extension requested. Furthermore, given the other Parties' views either in respect of the date by which they should be prepared to file their final trial briefs or for a notice period following resolution of the pending interlocutory appeal, no undue delay in the conduct of proceedings arises from granting the Request.

8. Fairness favours imposing the same deadline for all Parties to file their final trial briefs. It would not be appropriate to give the Fazliu Defence the unique advantage of seeing the SPO's final trial submissions before being

⁶ KSC-BC-2023-12, CRSPD 317, *Email from Defence Teams to Single Trial Judge re Defence Request for Time Extension to File Final Briefs*, 12 June 2026, confidential.

⁷ KSC-BC-2023-12, CRSPD 317, *Email from SPO to Single Trial Judge re Defence Request for Time Extension to File Final Briefs*, 12 June 2026, confidential.

⁸ Request, paras 10-11.

required to file its own final trial brief. Accordingly, the date by which all Parties are to be prepared to file their final trial briefs is extended to 3 July 2026.

9. The Order on the Further Conduct of Proceedings contemplates that the Parties should be prepared to file their final trial briefs “on short notice” following the resolution of the pending interlocutory appeal.⁹ As also indicated in the Order, this is contingent upon whether the outcome of the interlocutory appeal permits the immediate closure of evidentiary proceedings pursuant to Rule 134(a), which is a prerequisite for the filing of final trial briefs.¹⁰ If that is the case, and for the reasons previously set out in the Order,¹¹ the Parties will be expected to file their final trial briefs not later than the third working day following notification of the decision on the pending interlocutory appeal. If, alternatively, the evidentiary proceedings cannot be immediately closed following the decision on the pending interlocutory appeal, then the Parties will be consulted concerning the further conduct of proceedings.

10. The Order on the Further Conduct of Proceedings is not otherwise varied.

⁹ Order, para. 26.

¹⁰ Order, para. 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.”)

¹¹ Order, para. 26 (“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 informed that they must be prepared to file their Final Trial Briefs by Friday, 19 June 2026, at 4 p.m.”)

IV. DISPOSITION

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

- a. **GRANTS** the Request;
- b. **INFORMS** the Parties that they are to be prepared to file their final trial briefs by **Friday, 3 July 2026**; and
- c. **INFORMS** the Parties that, assuming that evidentiary proceedings can be closed immediately following the decision on the pending interlocutory appeal, they will be expected to file their final trial briefs on the third working day following notification of the decision of the Court of Appeals Panel on the pending interlocutory appeal.



Judge Christopher Gosnell
Single Trial Judge

Dated this Monday, 15 June 2026

At The Hague, the Netherlands.