



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: 30 July 2026

Language: English

Classification: Public

Second Scheduling Order

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THE SINGLE TRIAL JUDGE, pursuant to Articles 21(4)(d) and 40(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office and Rules 116(1) and 131 to 134 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers,¹ hereby issues this decision.

I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 8 July 2026, the Single Trial Judge instructed the Defence to give notice, by 15 July 2026, at 4 p.m., of any additional evidence that it wished to present following the "Decision on Remand on Admission of Expert Evidence of Witness 8 (F00949)".²

2. On 15 and 16 July 2026, the Defence for Hashim Thaçi ("Thaçi Defence"),³ and the Defence for Bashkim Smakaj ("Smakaj Defence")⁴ filed such notices.⁵ The latter listed a witness, Bashkim Smakaj; and the Thaçi Defence tendered three documents for admission by way of a bar table motion.⁶

3. On 20 July 2026, the Single Trial Judge, by email, provisionally scheduled hearing dates on 17, 18 and 19 August 2026 to hear the testimony of Mr Smakaj

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, F00950, Single Trial Judge, *Second Order on the Further Conduct of Proceedings*, 8 July 2026, public ("Second Order"); see F00949, Single Trial Judge, *Decision on Remand on Admission of Expert Evidence of Witness 8*, 8 July 2026, confidential (public redacted version filed on 9 July 2026, F00949/RED).

³ KSC-BC-2023-12, F00953, Thaçi Defence, *Thaçi Defence Further Notice and Submission of Amended Exhibits List pursuant to Rule 119*, 15 July 2026, public, with Annex 1, confidential.

⁴ KSC-BC-2023-12, F00952, Smakaj Defence, *Smakaj Rule 119 Notice pursuant to F00950*, 15 July 2026, public; see also F00958, Smakaj Defence, *Further Smakaj Rule 119 Notice Pursuant to F00950 and Email from STJ* 15 July 2026, 16 July 2026, public.

⁵ The Kilaj Defence purported to reserve the right to give such notice until after notices given by the other defendants. Sequential notification is not foreseen in either the Second Order or the Rules and, accordingly, the Single Trial Judge considers that no such notice has been given by the Kilaj Defence by the applicable deadline. See KSC-BC-2023-12, F00955, Kilaj Defence, *Kilaj Further Notice Pursuant to Rules 119 and 131*, 16 July 2026, public, para. 5 and CRSPD 335, Single Trial Judge, *Email to all Parties Regarding Scheduling and Next Procedural Steps ("CRSPD 335")*, 20 July 2026, confidential.

⁶ KSC-BC-2023-12, F00956, Thaçi Defence, *Thaçi Defence Second Request for Admission of Documents through the Bar Table*, 15 July 2026, confidential (corrected version filed on 17 July 2026, F00956/COR).

and gave directions related to the scheduling of that hearing.⁷ On 27 July 2026, pursuant to the applicable deadlines, the Smakaj Defence filed its Rule 119(2)(a) material.⁸

II. APPLICABLE LAW

4. Article 21(4)(d) provides that the accused shall be entitled to be tried within a reasonable time. Pursuant to Article 40(2) and Rule 116(1), the Single Trial Judge shall, on an ongoing basis, take all measures and adopt such procedures as are necessary to facilitate the fair and expeditious conduct of the trial proceedings, which may include setting time limits for final trial briefs and closing statements pursuant to Rules 134 and 135.

III. DISCUSSION

5. The Single Trial Judge schedules trial hearings on **17, 18 and 19 August 2026** to hear the testimony of Mr Smakaj.⁹

6. At the close of Mr Smakaj's testimony, the Single Trial Judge will invite the Smakaj Defence to close its case orally, pursuant to Rule 131. The Single Trial Judge intends to indicate immediately thereafter whether he will call any evidence pursuant to Rule 132. If not, the Specialist Prosecutor's Office will be invited to indicate whether it wishes to seek leave, pursuant to Rule 133, to present any evidence in rebuttal. If no such leave is requested, evidentiary proceedings will be closed pursuant to Rule 134.

7. The Single Trial Judge informs the Parties that he intends, if evidentiary proceedings are closed on 19 August 2026, to set the following deadlines pursuant to Rule 134:

⁷ CRSPD 335.

⁸ KSC-BC-2023-12, F00968, Smakaj Defence, *Defence Submission of List of Anticipated Witnesses*, 27 July 2026, public, with Annexes 1-2, public.

⁹ See KSC-BC-2023-12, F00968/A02, Smakaj Defence, *Annex 1 to Defence Submission of List of Anticipated Witnesses*, 27 July 2026, public (estimating a direct examination of 4-5 hours).

- (i) **Friday, 28 August 2026: Final Trial Briefs;**
- (ii) **Friday, 4 September 2026: Reply Briefs; and**
- (iii) **10, 11 and 14 September 2026: Closing Arguments.**

8. These dates, which fall within the framework previously established,¹⁰ are subject to confirmation after the close of the evidentiary proceedings pursuant to Rule 134.

IV. DISPOSITION

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

- (a) **SCHEDULES** the hearing of Mr Smakaj's testimony for 17, 18 and 19 August 2026; and
- (b) **INFORMS** the Parties of the tentative schedule indicated in paragraph 7 above.



Judge Christopher Gosnell
Single Trial Judge

Dated this Thursday, 30 July 2026

At The Hague, the Netherlands.

¹⁰ See KSC-BC-2023-12, F00890/RED, *Public Redacted Version of the Order on the Further Conduct of Proceedings*, 4 May 2026, public (providing that reply briefs and closing arguments were to be filed and heard, respectively, no later than 14 days and 21 calendar days after the filing of final trial briefs). In determining these dates, consideration has been given to the period of time that has elapsed since the initial closure of the Defence evidence in this case on 14 May 2026, as well as the scope of the additional Defence evidence to be heard.