



Press Update

Happy New Year and welcome to the first weekly press briefing of the Kosovo Specialist Chambers in 2025, where we aim to provide journalists with an update on the latest developments at the court, and the opportunity to ask questions. This press briefing covers the time of the judicial recess between 20 December 2024 and 9 January 2025.

In the case of Hashim Thaçi, Bashkim Smakaj, Fadil Fazliu, Isni Kilaj and Hajredin Kuçi, related to alleged witness influencing, Mr. Fazliu and Mr. Kilaj during their initial appearance in December plead “not guilty”. On 6 January, Mr. Thaci plead “not guilty” in writing.

The Rules of Procedure and Evidence provide that an accused has 30 days of their initial appearance to admit guilt or plead not guilty in regards to each charge listed in the confirmed indictment. If an accused fails to enter a plea within this time, the Pre-Trial Judge will automatically plead “not guilty” on their behalf.

In the same case, the Pre-Trial Judge on 20 December rendered a Framework Decision on Disclosure of Evidence and Related Matters. The Decision sets out a calendar for the disclosure process during which the Prosecution has to share the evidence it intends to use during trial with the Defence, and rules on other matters related to the expeditious preparation of the case for trial.

In the separate case of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, related to charges of war crimes and crimes against humanity, the Trial Panel on 18 December granted a request by Victims’ Counsel for a person close to a participating victim who passed away to participate in the proceedings on their behalf. The total number of victims participating in this case is 154.

In the same case, on 20 December as well as on 6 January, the Trial Panel ruled on a Prosecution request to admit the written testimonies of two separate witnesses as well as associated exhibits into evidence while the witnesses have to be available in court for cross examination. In addition, the Panel granted the Prosecution’s request to allow one of the witnesses to testify via video conference.

On 24 December, the Specialist Chamber of the Constitutional Court made public its decision on a referral by Hashim Thaci in which he alleges certain violations of his fundamental rights related to the regime of special investigative measures imposed by the Single Judge on the accused during his detention in 2023.

The Panel found that the Kosovo Constitution as well as the Rules of Procedure and Evidence allow for special investigative measures if they are necessary for an investigation and where the evidence cannot be obtained by other, less intrusive means.

The allegation that the measures may have violated Mr. Thaci’s rights concerning a fair trial, the Panel found premature, and, given that not all effective remedies had been exhausted, inadmissible.





On 20 December 2024, the public redacted version of the Trial Panels decision from 22 August on the Prosecution's request to amend its exhibits list became available. The Prosecution had requested to add to its exhibits list investigation materials obtained in the course of investigations into alleged obstruction and interference with multiple witnesses.

The Trial Panel granted the Prosecution's request and had ordered the Prosecution to file its amended Exhibits List by no later than 27 August 2024.

The Panel found that the material in question may be relevant in order to contextualise the credibility of some witnesses. Nevertheless, the Panel expressed the view that whether the investigation materials disclose any direct evidence of witness interference is an assessment that goes beyond the Panel's present determination as the Panel's mandate does not extend to determining whether any person has committed any offences other than those charged in the indictment in the case.

The Panel also refrained from issuing a decision on the admissibility of said materials until such time when the SPO seeks to tender any of the material into evidence. Should that happen, the Panel will give the parties and participants the opportunity to make submissions as they deem necessary.

In the case of Sabit Januzi, Haxhi Shala, and Ismet Bajtijari, the Trial Panel on 20 December issued a decision on the classification of certain filings and ordered the Defence teams to prepare public redacted versions of certain filings.

On 23 December the public redacted version of the Reparations Order against Pjetër Shala became public.

The Panel ordered Mr. Shala to pay a sum of €208,000 as compensation for the physical, mental and material harm inflicted on the victims of the crimes for which he was convicted. The Panel invited the President of the KSC to designate a Single Judge to be in charge of monitoring and overseeing the implementation and execution of the Reparation Order.

While the Panel recalled that the responsibility to pay the compensation lies exclusively with Mr. Shala, they noted that he currently does not appear to have the means to comply with the order. Therefore, the Panel discussed other actors that may step in, in order to execute the Reparation Order. These included Kosovo's current Crime Victim Compensation Program as well as the possibility for donors to contribute with non-earmarked donations to the Specialist Chambers.

The Panel also invited Kosovo to enact the necessary laws and establish a reparation mechanism for victims of crimes within the jurisdiction of the Specialist Chambers.

In other news, the judicial recess period will end this week and court hearings will resume on Monday, 13 January with a hearing in the Thaci et al war crimes case starting at 9 in the morning.

