



## Press Update

Welcome to the weekly press briefing of the Kosovo Specialist Chambers, where we aim to provide journalists with an update on the latest developments at the court, and the opportunity to ask questions.

In the war crimes case of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, the Trial Panel on 21 January rejected a joint request by the defence teams to be allowed to appeal a decision the Trial Panel previously made, namely to admit into evidence certain witness statements in written form only.

While the Defence was not opposing for the said witness statements to be admitted in written form, they had taken issue with the Trial Panel not allowing them to add certain evidence to one of the statements. In their view, the additional evidence would provide the Panel with the true account of the witness testimony in question. The Trial Panel noted that it has not ruled on the admissibility of the evidence proposed by the defence, but found that a defence response to a request by the Prosecution was not the right vehicle to request for the admissibility of evidence. The Panel pointed out that the Defence can seek the admission of said evidence in accordance with the Rules and that the Panel will then decide upon its admission.

During this week, two witnesses testified in court in this case. The first witness, Hansjoerg Strohmeyer, was the legal adviser to the Interim Special Representative of the Secretary General for the UN mission in Kosovo from June to September 1999. The second witness, John Clark, is a pathologist who testified as an expert witness. Both testimonies were mostly in public session. The next witness started their testimony this afternoon. According to the Prosecution, the witness served as a medical doctor with the German KFOR in Kosovo between June and August 1999.

So far 115 witnesses have testified in court in this case.

The next hearing in this case is scheduled on Monday, 27 January starting at 9 in the morning.

In the case of Sabit Januzi, Ismet Bahtijari and Haxhi Shala, the Trial Panel on 16 January ordered the Prosecution and the Defence to submit by Friday 24 January all relevant evidentiary material that may help the Panel to establish, whether there is sufficient factual basis to prove the offences and the participation of the Accused in them.

The Rules of Procedure and Evidence provide that a Trial Panel may approve a plea agreement if it is satisfied that there is sufficient factual basis to prove the crime and the participation of the accused; that the accused fully understand the plea agreement and its consequences and that the accused voluntarily agreed to the agreement and admit the facts in respect of the charges contained in it.

The public redacted versions of the Pre-Trial Briefs of Sabit Januzi and Ismet Bahtijari became available on 17 and 20 January 2025.





On 21 January, the Panel issued a public redacted version of a Decision from 7 October 2024 to reject in part a request by the Bahtijari defence for medical examinations of Mr. Bahtijari in relation to potential defences.

In relation to the intention of the Defence to collect medical evidence for its case, the Panel recalled that, under the framework of the Legal Aid Regulations, the Defence is allocated a funds to contract external consultants, which may include experts. As such, it falls within the responsibility of the Defence to gather the evidence it seeks for its case, including medical evidence to support possible lines of defences at trial.

In the case of Pjetër Shala, the Trial Panel on 14 January granted a request by the Defence to extend the deadline for filing their notice of appeal with respect to the reparation order to 28 January 2025. The Panel granted the same extension to Victims Counsel should they want to file a notice of appeal.

The Panel noted the significance of the issues addressed in the Reparations Order and acknowledged that any appeal proceedings in this case would be the first before the Specialist Chambers against a reparation order and may, therefore, set important precedents.

