



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 case of Hashim Thaçi, Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi, the Trial Panel at a status conference on 19 November discussed timelines with the parties and the next steps in the trial. Among other things, the Panel announced that it will decide by 1 December on pending evidentiary issues.

The Panel further informed the parties that it does not envisage to call witnesses, and that it intends to close evidentiary proceedings in this case on or around 4 December. The Panel intends to do so in a public decision rather than in open court.

During the hearing the Panel also issued two oral orders. In their first oral order, the Panel admitted two transcripts of congressional hearings into evidence following a request by the Prosecution. The Panel clarified that the said hearings were not of legal nature and the transcripts therefore do not have to be treated as per the Rules dealing with written witness statements. The Panel also admitted exhibits into evidence that were tendered by the Prosecution, noting that there was no objection from the other party or victims' counsel.

On 18 November, the Panel ordered the continued detention of Kadri Veseli, Jakup Krasniqi and Rexhep Selimi. The Panel found that there continued to be a risk that the accused may obstruct the progress of proceedings or commit further crimes. The Panel reminded of the climate of witness intimidation persisting in Kosovo and noted that the release of an Accused with sensitive information pertaining to witnesses would not be conducive to the effective protection of witnesses.

The Panel recalled that the risk of interference which detention seeks to prevent also includes any attempt to retaliate against or incentivise witnesses who have already testified to recant as well as attempts to interfere with witnesses in parallel proceedings. In view of the Panel, only the measures in place at the Specialist Chambers detention facility offer a sufficiently controlled environment where a potential breach of confidentiality could be prevented or more easily identified.

Hearings in this case have been adjourned until further notice.

In the case of Hashim Thaçi, Isni Kilaj, Bashkim Smakaj Fadil Fazliu, and Hajredin Kuçi, related to allegations of the illegal influencing of witnesses, the Pre-Trial Judge had on 11 November informed the President of the Specialist Chambers, that she would be ready to transfer the case to a trial panel.

On 12 November, Specialist Chambers President Ekaterina Trendafilova assigned Judge Christopher Gosnell as Single Trial Judge in this case. The President noted that according to Article 25 of the Law, the charges against all Accused in this case are not classified as serious crimes, as defined in the Kosovo Criminal





Procedure Code, and that a Trial Panel may therefore consist of a single judge. On the same day, the Pre-Trial Judge formally handed over the case.

Judge Gosnell on 17 November scheduled a Trial Preparation Conference for 28 November starting at 9:30 in the morning.

He requested written submissions from the Prosecution and the Registry by 20 November, and from the Defence by 24 November. These submissions should, among others, address the status of the parties' investigations, the status of evidence disclosure, and whether the parties intend to seek judicial notice of adjudicated facts jointly or separately. He further requested information on whether the Prosecution would be prepared to deliver its opening statements during the week of 15 December and whether the first witness would be ready to testify in that same week.

