



## 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 trial of Hashim Thaci, Kadri Veseli, Jakup Krasniqi and Rexhep Selimi, on 16 January, in separate decisions, the Trial Panel extended the detention of Kadri Veseli, Rexhep Selimi and Jakup Krasniqi.

For each of these accused, the judges found that a risk of obstructing proceedings and committing further crimes continues to exist. They found that, regardless of the current stage of this case, the release of an accused with sensitive information in his possession would not be conducive to the effective protection of witnesses and recalled their previous finding that the risk of interference also includes: (i) any attempt to retaliate against witnesses who have testified in these proceedings; (ii) attempts to incentivise a witness to recant; and (iii) attempts to interfere with witnesses in parallel proceedings.

In each of the decisions, the Trial Panel also found that the risks of obstructing the proceedings and committing offences could only be effectively managed at the KSC Detention Facilities. In particular, the judges considered that the recording mechanisms in place at the Detention Facilities, and the staff of the Registrar, seen as a whole, provide robust assurances against the risks associated with unmonitored forms of communications, and that the measures in place offer a controlled environment where a potential breach of confidentiality could be more easily identified and/or prevented.

Under the law, an accused can only be detained if judges determine there are risks that justify it. The judges review at least every two months whether detention is still needed to address such risks.

The conditions of detention at the KSC detention facilities are independently monitored by both the International Committee of the Red Cross and the KSC Ombudsperson. All detainees have ten days in every 30-day period for personal visits, including in-person and video visits, as well as regular phone calls and correspondence, generally throughout the month. All detainees also receive regular family visits with spouses and children, which occur outside the sight, hearing, and monitoring of detention officers.

In the case of Hashim Thaci, Bashkim Smakaj, Fadil Fazliu, Isni Kilaj and Hajredin Kuci concerning allegations about the illegal influencing of witnesses, the Trial Judge granted a request by the SPO to add items to its exhibit list and formally disclose these items to the Defence on 19 January 2026. The additional items included material obtained by the SPO in the past month from a forensics institute and a forensics company. On the same day, the Judge granted a joint request from the Defence extending the word limit of its response to an SPO motion to admit evidence.

On 20 January, the Trial Judge granted a request by the Prosecution to admit into evidence Mr. Kilaj's interview with prosecutors at the time of a search and seizure of his residence, together with exhibits related to the interview. At the time of the interview Mr. Kilaj waived in writing his right to remain silent and his right

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to counsel during the interview. The Judge found that prior to the interview, the SPO had communicated to Mr. Kilaj both orally and in writing in Albanian each of Mr. Kilaj's rights as a suspect under Article 38 (3) of the KSC Law and that Mr. Kilaj had confirmed by signature that he understood these rights. Mr. Kilaj was also informed that he could withdraw his waiver at any time and change his mind about having an attorney present.

Under the law, the prosecutors were also obliged to notify Mr. Kilaj that he was a suspect for crimes within the jurisdiction of the Specialist Chambers. The Defence objected to the admission of the interview, arguing that Mr. Kilaj was not informed with enough specificity of the crimes for which he was under investigation. Based on the recording of the interview, the Judge found that interviewers had made clear to Mr. Kilaj from the outset that there were grounds to believe that he had committed a crime within the jurisdiction of the court, that the SPO was investigating international crimes and crimes related to the obstruction of justice and that any statement made could be used against him in proceedings.

Referring to the past jurisprudence of international tribunals and the European Court of Human Rights, the Judge determined that "investigators forthrightly revealed early in the interview their 'grounds to believe' that Mr. Kilaj may have participated in a crime within the SC jurisdiction", that, "documents presented to Mr. Kilaj revealed not only the type of crimes of which Mr. Kilaj was suspected, but the nature of the information involved," and that, "[n]othing in these subsequent exchanges suggest that the waiver of rights given at the beginning of the Interview was anything less than fully informed..."

In other news, the Kosovo Specialist Chambers Outreach team is in Kosovo this week carrying out events to inform student groups in Pristina about the court's mandate and proceedings, to listen to their views, and to answer their questions.

Since 2018, the KSC regularly conducts events across Kosovo with students, journalists and other members of the public, as part of the Outreach Programme, providing public information about the court, listening to people's comments, and answering their questions.

