



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, on 23 October, ordered a reduction of the deadline for filing requests for the admission into evidence of all materials not linked to witness testimony. The previous deadline had been set for one week after the last witness testified in the respective case.

The Panel noted that several court days could not be used because certain Defence witnesses were unavailable. It further observed that additional time had been granted to the Thaçi Defence to accommodate these witnesses. The Panel emphasized the importance of making full use of this additional time, while recalling that it should not prejudice the rights of the other accused or the interests of victims by causing undue delay to the trial.

Accordingly, the Panel revised the deadline for filing requests for the admission of evidence not linked to witness testimony, so-called “bar table motions”, to no later than 3 November. It further ordered that any responses to such motions be filed by 10 November. The Panel noted that, should the Defence demonstrate good cause for filing additional bar table motions after 3 November 2025, it would give such requests due consideration to avoid any prejudice to the Defence.

The Panel instructed the Thaçi Defence to explore all available means to ensure that proposed witnesses are available for all scheduled court days, and to bring other witnesses forward if needed. In cases where travel difficulties might cause delays, the Panel advised considering testimony via video link. The Thaçi Defence was ordered to provide an update on these efforts by Wednesday, 29 October.





On 28 October, the Trial Panel granted a request by the Thaçi Defence to add certain items related to two witness statements to its exhibits list. The Panel found these items relevant to the charges and determined that their probative value was not outweighed by any potential prejudice, given that the parties will have the opportunity to cross-examine the relevant witnesses in relation to this evidence. The Panel ordered the Thaçi Defence to file an amended exhibits list by 31 October and instructed the Registrar to reclassify the request as public one week after the testimony of the last witness.

On 23 October, the Trial Panel rejected a request by the Thaçi Defence to amend the protocol governing contact with witnesses. The Defence had argued that, since the Prosecution had closed its case, it would be disproportionately burdened compared to the Prosecution and Mr Thaçi's co-accused in the case concerning alleged witness interference if it continued to be bound by the protocol when contacting witnesses testifying in both cases.

The Panel recalled its previous findings that the current proceedings have been conducted in an environment of witness interference and intimidation, and that the risk of such interference, or of witnesses recanting their testimony, cannot be entirely eliminated, even after they have testified. The Panel further noted that Mr Thaçi has been charged with offences related to witness interference. Given that the trial is still ongoing, the Panel determined that the safeguards and protections established in the Contact Protocol remain necessary and continue to apply in this case.

In the case of Hashim Thaçi, Isni Kilaj, Bashkim Smakaj, Fadil Fazliu, and Hajredin Kuçi, concerning allegations of the illegal influencing of witnesses, the Appeals Panel on 28 October decided on Mr. Thaçi's appeals against the Pre-Trial Judge's decisions on the Thaçi Defence's preliminary motions regarding jurisdiction and the adjournment and severance of proceedings.

By way of background, in May of this year, Mr. Thaçi filed two preliminary motions. In the first, he requested the adjournment of proceedings in this case until the





conclusion of proceedings in the war crimes case as holding two concurrent trials against him would result in overlapping findings and violate defence fair trial rights. Arguing that a delay would impede his co-accused's right to an expeditious trial, he also sought to have his case severed from that of his co-accused. In a second motion, he challenged the jurisdiction of the Pre-Trial Judge, asserting that all matters related to the war crimes case, including the alleged witness interference, should be handled by the Trial Panel presiding over that case. He further contested the legality of the same person serving both as Single Judge and Pre-Trial Judge in this matter.

The Pre-Trial Judge had dismissed both preliminary motions, emphasizing that the two cases are clearly separate, involving different accused persons, different alleged crimes and a different temporal scope.

Regarding her dual role as Single Judge and Pre-Trial Judge, she explained that the assignment of judges lies solely within the authority of the President. If the Thaçi Defence believed there were grounds for her disqualification, it should have followed the procedure outlined in the Rules of Procedure and Evidence, raising the matter directly with the President within the prescribed timeframe.

In its recent decision, the Appeals Panel upheld the Pre-Trial Judge's reasoning in full in both decisions, concluding that the Thaçi Defence had failed to demonstrate any error in her findings.

