



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

CASE

INFORMATION SHEET

Case No.
KSC-BC-2023-12

Specialist Prosecutor versus:



Hashim Thaçi



Bashkim Smakaj



Isni Kilaj



Fadil Fazliu



Hajredin Kuçi

Current stage:
PRE-TRIAL

ACCUSED/CHARGES

HASHIM THAÇI

Date of birth: 24/04/1968

- During the period covered by the indictment, Thaçi was detained in the course of his trial on charges of war crimes and crimes against humanity in the case of Specialist Prosecutor v. Hashim Thaçi et al
- Former KLA leader and founding member of the Party for the Democratic Progress of Kosovo, which was renamed the Democratic Party of Kosovo (Partia Demokratike e Kosovës, 'PDK') in 2000
- Served as Prime Minister and President of Kosovo

BASHKIM SMAKAJ

Date of birth: 01/07/1976

- Former director of the Kosovo Intelligence Service and was employed by then-President Hashim Thaçi from 2017 to 2020

ISNI KILAJ

Date of birth: 19/12/1963

- Founding member of the KLA in Malishevë/Mališevo, and former commander of the Lumi unit.
- Served as the Chairman of Thaçi's PDK party in the Malishevë/Mališevo municipality.

FADIL FAZLIU

Date of birth: 15/07/1960

- A KLA veteran, who was active in the Llap Operational Zone.

HAJREDIN KUÇI

Date of birth: 02/01/1971

- Served in then-President Thaçi's cabinet as Deputy Prime Minister of Kosovo and Minister of Justice.
- During the period covered by the indictment, he was a member of the Defence Team of Kadri Veseli (another accused in the Thaçi et al. case).

Description of charges

According to the indictment, between at least 12 April 2023 and 2 November 2023, during separate, unprivileged visits to the Detention Facilities, Hashim Thaçi provided Smakaj, Kilaj, Fazliu and Kuçi with confidential information about SPO witnesses, instructed them to influence the testimonies of SPO witnesses, and provided details about how to do so.

The indictment further alleges that Thaçi coordinated three distinct groups, formed with Smakaj, Fazliu and Kilaj, and other uncharged individuals, and with Kuçi, in an aim to interfere with the testimonies of SPO witnesses in the ongoing Thaçi et al war crimes trial.

Modes of responsibility

Direct commission/Attempt to commit crimes (all accused)

Agreement to commit crimes (Thaçi, Kuçi)

Incitement (Thaçi)

Assistance (Smakaj, Kilaj, Fazliu)

Counts

THAÇI: Counts 1, 2 and 3, Attempted obstruction of official persons in performing official duties (Criminal offences against public order)

Counts 4, 5, 6 and 7, Violating secrecy of proceedings (Criminal offences against the administration of justice and public administration)

Counts 8, 9, 10 and 11, Contempt of court (Criminal offences against the administration of justice and public administration)

SMAKAJ: Count 12, Attempted obstruction of official persons in performing official duties (Criminal offences against public order)

Count 13, Contempt of court (Criminal offences against the administration of justice and public administration)

KILAJ: Count 14, Attempted obstruction of official persons in performing official duties (Criminal offences against public order)

Count 15, Contempt of court (Criminal offences against the administration of justice and public administration)

FAZLIU: Count 16, Attempted obstruction of official persons in performing official duties (Criminal offences against public order)

Count 17, Contempt of court (Criminal offences against the administration of justice and public administration)

KUÇI: Count 18, Contempt of court (Criminal offences against the administration of justice and public administration)

Count 19, Contempt of court (Criminal offences against the administration of justice and public administration)

TIMELINE

Isni Kilaj was arrested on 2 November 2023 in Kosovo and transferred to the KSC Detention Unit on 3 November 2023. His first appearance as a suspect before the Single Judge was held on 4 November 2023, in accordance with Article 41 of the Law and Rule 55 of the Rules. In May 2024, due to substantial delays in the proceedings, the Single Judge found that extending his detention would be unreasonable and ordered Kilaj's release to Kosovo under strict conditions. The Single Judge's decision was later upheld by the KSC Court of Appeals. Throughout this period, Kilaj was only considered a suspect.

Following the confirmation of the indictment against the five accused, Isni Kilaj, along with Bashkim Smakaj and Fadil Fazliu, was arrested by the SPO on 5 December and then transferred to the Detention Facilities of the Kosovo Specialist Chambers (KSC) in The Hague on 6 December 2024. Hashim Thaçi was served with an arrest warrant at the KSC Detention Facilities on 5 December, while Hajredin Kuçi was summoned to appear for an initial appearance.

During their initial appearances on 8 December 2023, Thaçi and Smakaj did not enter pleas while Fazliu pleaded not guilty to all charges. The following day, 9 December, both Kuçi and Kilaj pleaded not guilty to all charges.

WHO IS WHO IN THIS CASE?

PRE-TRIAL JUDGE



Judge Marjorie Masselot

SPECIALIST PROSECUTOR'S OFFICE (LEAD COUNSEL)



Joshua Hafetz

DEFENCE TEAMS (LEAD COUNSEL)



Nina Tavakoli (for Hashim Thaçi)



Bas Martens (for B. Smakaj)



Iain Edwards (for I. Kilaj)



Michiel Pestman (for Fadil Fazliu)

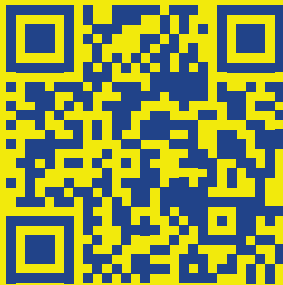


Alexander Admiraal (for Hajredin Kuçi)

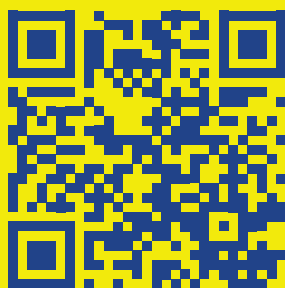
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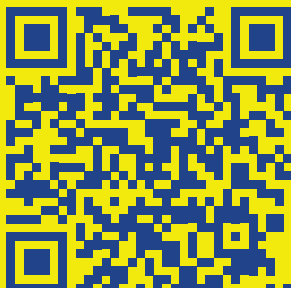
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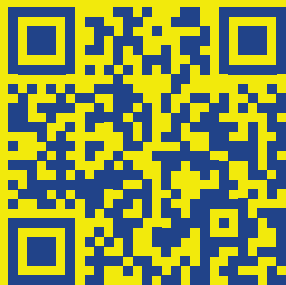
Court Calendar



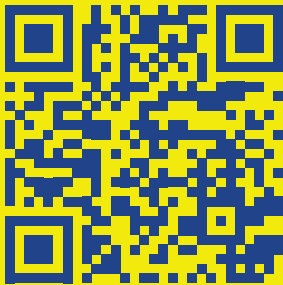
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