



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 Isni Kilaj, a public redacted version of the Single Judge's 9 November decision on Mr Kilaj's continued detention is now available on the KSC website. The Single Judge found that a grounded suspicion exists that parts of materials seized by the Specialist Prosecutor's Office were either intended or actually used for the purpose of interfering with the administration of justice, and that Mr Kilaj may have been involved in the commission of an offence within the KSC jurisdiction.

As a result, the Single Judge found that there are articulable grounds to believe that there is a risk that Mr Kilaj may flee, obstruct the progress of the criminal proceedings, or commit further offences. The Judge also found that conditions proposed by the Defence for Mr Kilaj's provisional release were insufficient to mitigate the risk of obstructing proceedings or committing further crimes, and he therefore ordered Mr. Kilaj's continued detention.

This week a number of filings related to the arrest and transfer of Mr Kilaj have been made public, including the Specialist Prosecutor's Office Report on the Arrest of Mr Kilaj and the Registrar's Report on the Transfer of Mr Kilaj to the KSC Detention Facilities.

In the Pjetër Shala trial, the Trial Panel granted on 13 November requests by the Prosecution and the Defence to admit into evidence items used during the in-court testimonies of four witnesses. Trial hearings in the *Shala* trial resume next Monday, 20 November, and are scheduled Monday to Friday over the next two weeks.

In the case against Mr Januzi and Bahtijari, public redacted versions were issued on 8 November of the Registrar's reports to the Pre-Trial Judge on the arrests and transfers of Mr Januzi and Mr Bahtijari.

In the case of Mr Hasim Thaçi and co-accused, the 35th witness called by the Prosecution, who was allegedly arrested and mistreated by KLA members, testified last Thursday and this Monday, on 9 and 13 November.

On Monday, 13 November, Mr Sadik Halitjaha, the 36th witness, commenced his testimony. According to the summary read out by the prosecution in court, this witness was a KLA officer with various positions during the relevant period.

On Tuesday and Wednesday of this week, Mr Shefqet Kabashi, the 37th witness called in this case, testified via video link.

After Mr Kabashi's testimony concluded, Mr Halitjaha, the 36th witness, continued with his earlier testimony yesterday and today.

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Pursuant to the KSC legal framework, the Defence teams may cross-examine witnesses called by the Prosecution, and the Victims' Counsel and Judges of the Trial Panel may also question witnesses.

The next scheduled hearing in the *Thaçi et al.* trial is scheduled to take place on 4 December 2023.

In the same case, on 15 November, the Trial Panel ordered the continued detention of Jakup Krasniqi and Rexhep Selimi. In separate decisions, the Judges found that there continues to be a risk for both accused that they will obstruct the progress of proceedings or commit further crimes against those perceived as being opposed to the KLA, including witnesses who have provided or could provide evidence in the case and/or are due to appear before the court. The Panel further concluded that it is only through the communication monitoring framework applicable at the KSC Detention Facilities that communications can be restricted in a manner that would sufficiently mitigate these risks.

On 9 November, the Trial Panel granted in part the Specialist Prosecutor's Office request to admit into evidence records of interviews and prior testimony of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi and admitted into evidence, among others, certain Prosecution interviews with Mr Thaçi and Mr Selimi, and certain witness statements and testimonies given by all four of the accused in this case.

Journalist Questions

There were no questions asked.

