



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 Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, the 53rd witness called by the Prosecution began his testimony on Monday. The witness is Shaun Byrnes, who was the Head of the US Kosovo Diplomatic Observer Mission from August 1998 until July 1999. Mr Byrnes continued his testimony on Tuesday, Wednesday and Thursday of this week, during which time he was questioned by the Prosecution and cross-examined by Defence teams.

The next hearing in the Thaçi et al. trial is scheduled for next Tuesday, 2 April, starting at 9:00 am. Last week the Trial Panel announced that hearings until the summer recess will last from 9:00 am until 16:30, a half an hour longer than previously scheduled.

In the same case, on 22 March, the Trial Panel decided on a request from Rexhep Selimi for judicial review of three conditions imposed by the Registrar on Mr Selimi's visits and communications as part of the implementation of the Trial Panel's 1 December 2023 Decision.

In its December 2023 decision, the Trial Panel found that Mr Selimi, Mr Thaçi and Mr Veseli appeared to have disclosed to visitors confidential information received in the context of the proceedings or elicited during the testimony of protected witnesses. As a result, the Judges noted a substantial risk that these three accused would disclose privileged information to unauthorised third parties, and the Trial Panel ordered that a system be put in place by the Registry which mitigates that risk.

In his request for judicial review, Mr Selimi objected to limits on the number of telephone calls per day, the length of non-privileged visits, and the spacing and





scheduling of visits. The Trial Panel found that the Registrar's conclusion that it is impossible to make the changes sought by Mr Selimi while also fully executing the Trial Panel's orders and fulfilling her obligations under the Law and the Rules was reasonable. The Judges concluded that the measures are necessary and proportionate in the circumstances, that they further legitimate aims, and that the Registrar acted in a manner consistent with the effective protection of Mr Selimi's rights.

The Panel also reiterated that the restrictions about which Mr Selimi complained were adopted in reaction to improper conduct attributable to him and with a view to ensuring that such conduct does not re-occur, and to protect the rights and interests of those who were put at risk.

At the same time, the Trial Panel ordered the Registrar to further explore possibilities and make reasonable efforts regarding certain aspects of non-privileged in-person visits and telephone calls. For example, the Registrar is to explore the possibility of allowing for successive 40 minute visits on the same day by the same visitor.

In the Januzi et al. case, the Pre-Trial Judge issued a decision on 27 March setting out the remaining procedural steps in the pre-trial phase. The decision noted that the issue of funding for the Defence needs to be resolved in order to ensure the rights of the accused and expeditiously prepare the case for trial. In particular, the decision states that if the Defence teams intend to apply for KSC legal aid, they should submit the required forms and any necessary supporting documentation by 12 April 2024. The Registry was urged to process any applications received on an urgent basis.

The Pre-Trial Judge also set a number of other deadlines related to the parties' pre-trial obligations including the disclosure of evidence, and the filing of pre-trial briefs. The Pre-trial Judge set the date for transmitting the case file to the Trial Panel for Friday, 21 June.





In the same case, on 26 March, the Registrar notified the Pre-Trial Judge about the appointment of Ms Almudena Bernabeu Garcia as Co-Counsel to Haxhi Shala.

In the Salih Mustafa case, a public redacted version is now available of the Registrar's 24 January submissions to the Single Judge, in which she provides information on issues related to the implementation of the Reparation Order. The submission can be found on the KSC website.

In other news, the Kosovo Specialist Chambers Outreach team visited Kosovo last week, where they held meetings with law students and civil society in Prizren and in Pristina. Since 2018, the Outreach team has met with some 3,600 people all over Kosovo, providing information about the court, listening to people's views and answering their questions.

Journalist Questions

There were no questions asked.

