



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.

Mr Isni Kilaj was released in Kosovo yesterday, under strict conditions, pursuant to the decision of a Single Judge of the Kosovo Specialist Chambers (KSC), taken on 3 May 2024. This decision was subsequently upheld by a KSC Court of Appeals Panel on 13 May 2024.

In his decision, the Single Judge found that a grounded suspicion remains that Mr Kilaj committed, alone or together with others, offences against the administration of justice. The Single Judge also found that a moderate risk of flight continues to exist, as well as a risk that Mr Kilaj may obstruct the progress of criminal proceedings and commit further crimes. He further found that none of the conditions put forth by the Defence for Mr Kilaj, nor any other conditions imposed by the Single Judge, could fully restrict Mr Kilaj's ability to obstruct the progress of KSC proceedings and commit further offences.

However, the Single Judge concluded that extending Mr Kilaj's detention at this time would be unreasonable, having duly considered his presumption of innocence and right to liberty in the light of new developments.

The Single Judge considered that (i) Mr Kilaj has been detained for nearly six months; (ii) the offences for which Mr Kilaj is considered a suspect carry a possible penalty between one and five years; and (iii) a recent request by the Specialist Prosecutor's Office for the Single Judge to suspend his consideration of the submitted indictment given the SPO's intent to submit an amended indictment, substantially delays the timeline of proceedings. Therefore, the Single Judge decided that the risks that would result from Mr Kilaj's release do not outweigh his fundamental right to liberty.

Although he has been released, Mr Kilaj remains a suspect in KSC proceedings and his release is subject to strict conditions imposed by the Single Judge, including: providing bail in the amount of EUR 30,000; not leaving the territory of Kosovo unless permitted by a competent panel of the KSC; reporting on a weekly basis to the Kosovo Police; refraining from public statements to the media and/or on social media regarding the KSC, the SPO and/or any KSC proceedings; attending any hearing required by the KSC; and abiding by any other decisions or orders of the court.

The Single Judge emphasised that, should any of the conditions not be met, a warrant would be immediately issued for Mr Kilaj's arrest.

For more information, public redacted versions of the Decisions of the Single Judge and the Court of Appeals Panel related to Mr. Kilaj's conditional release can be found on the KSC website.





In the *Thaçi et al* case, the Trial Panel on 10 May granted in part a request by the Defence for an extension of time to respond to a request by the Prosecution to include additional materials in the exhibits list. The materials in question are related to witnesses whom the Prosecution intends to call to testify between June and July of this year.

On 14 May, the Trial Panel in the *Thaçi et al* case granted a request by the Prosecution for a witness to testify via video-conference, noting security risks and other factors raised by the Prosecution. The judges also altered the schedule for the witness's planned testimony on 27 and 28 May.

In the same case, on 15 May, in separate decisions, the Trial Panel ordered the continued detention of Rexhep Selimi and Jakup Krasniqi, finding for both accused that there is a continued risk 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 Kosovo Specialist Chambers.

The judges also concluded that it is only through the communication monitoring framework applicable at the KSC Detention Facilities, that the communications of the accused can be restricted in a manner that would sufficiently mitigate the risks of obstruction and commission of further crimes.

The next trial hearing in this case is scheduled for Tuesday, 21 May starting at 09:00 am.

In the case of Sabit Januzi, Ismet Bahtijari and Haxhi Shala, on 13 and 14 May, the Registrar notified the Pre-Trial Judge of the conditional assignment of Dr Felicity Gerry as Counsel to Ismet Bahtijari and of Mr Toby Cadman as Counsel to Haxhi Shala, following requests from both Counsel for legal aid under the KSC's Legal Aid Regulations.

Journalist Questions

There were no questions asked.

