



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 Pjetër Shala, the Trial Panel decided on 8 November that the Reparation Order will be pronounced on Friday, 29 November at 11:00 in public session and in the presence of Mr. Shala. Eight victims participated in the proceedings in this case. This will be the second Reparation Order issued in a war crimes case by a Trial Panel of the Specialist Chambers

The Trial Panel in this case on 7 November granted a request by Victims' Counsel to allow for a partial variation of protective measures in regards to a participating victim who is also a witness. The Panel found that the requested disclosure will not pose a risk to the victim or their family. The Panel also noted that the victim expressed their consent and that the Prosecution was not opposed.

On 13 November, the Appeals Chamber granted, in part, a request by the Prosecution and Victim's Counsel and extended their time limit to file their responses to Mr. Shala's appeal brief to 17 January 2025. The Panel based its decision on staff limitations during the judicial recess period. Mr. Shala is expected to file his appeal brief by 25 November 2024.

The start of the trial in the case of Sabit Januzi, Ismet Bahtijari, and Haxhi Shala which was scheduled for 14 November, was adjourned by the Trial Panel on 12 November, following a request by the parties.

The Accused are charged with obstructing official persons in performing official duties and intimidation during criminal proceedings.

On 11 November, the Trial Panel granted a request by the Prosecution to amend its exhibits list and add six supplemental reports from an external forensic institute and a note related to a video recording. The Panel considered that the reports provide significant additional information and that the note on the video clip will assist the parties and the Panel in its evaluation of the video recording.

On 13 November, the Trial Panel ordered the parties and the Registry's Witness Protection and Support Unit to facilitate a familiarization process for the witnesses so they know the courtroom, are familiar with certain processes and know the parties involved. The Panel further asked that the witnesses be provided with their prior statements. The Panel rejected the Prosecution's request to allow for a preparation meeting with each witness, on the basis that the events at issue took place in April 2023, the witnesses called by the Prosecution have been recently interviewed, and as such, the events are fresh on the witnesses' minds.

In the trial of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, the Trial Panel on 11 November rejected a request by the Defence to be allowed to appeal a decision by the Panel to admit into evidence the





testimony of six witnesses in written form only. The Panel was of the view that the issues the Defence raised were a mere disagreement with the Panel's previous decision to admit said evidence.

On 13 November, the Panel granted a request by Victims' Counsel to allow for a variation of protective measures in regards to a participating victim to specific authorities. The Panel found that the requested disclosure of the victims' identity and status to the mentioned authority will not pose a risk to the victim or their family.

On 13 November the Trial Panel ordered the continued detention of Jakup Krasniqi and Rexhep Selimi finding that the risks that the Accused may obstruct the progress of proceedings and/ or commit further crimes continued to exist. The Panel was of the view that in light of the ongoing nature of the trial, the names and personal details of certain, sensitive witnesses have been and will continue to be disclosed, which increases the risk of sensitive information becoming known to members of the public. In this context, the Trial Panel found that the release of an accused with such information would not be conducive to the effective protection of witnesses who are yet to testify.

Regarding the conduct of Mr Selimi in the Detention Facilities, the Panel recalled its finding that it appears that Mr Selimi disclosed privileged information to unauthorised third parties which reinforced the Panel's finding that the release of Mr Selimi constitutes a risk of obstruction with the progress of proceedings.

So far, 103 witnesses testified in court in this case.

The next hearing in the *Thaçi et al.* trial is scheduled for Monday, 18 November, starting at 09:00 in the morning.

In other news, Kosovo Specialist Chambers President Ekaterina Trendafilova on Tuesday met with Kosovo civil society and with journalists online. During these events, she provided an update on the status of the cases currently before the court, and she answered questions.

In her discussion with civil society, President Trendafilova was, among other things, asked about court sessions which are closed to the public. Emphasizing the importance of transparency, she explained the different measures which are taken by the Judges to ensure that proceedings are as public as possible, and also explained that when sessions are closed to the public it is done for the protection of witnesses.

