



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 Ismet Bahtijari, Sabit Januzi and Haxhi Shala, the Trial Panel on 25 October 2024 set the date for the start of the trial to Thursday, 14 November 2024. At the start of the hearing, the Presiding Judge will open the trial and the Prosecution will read the indictment or a summary thereof and ask the accused if they understand the charges. The Presiding Judge will give them the opportunity to confirm their initial pleas of not guilty and will then inform them of their rights before the court.

The Panel allocated two hours for the opening statements of the prosecution. Following the prosecution, the Shala and the Januzi defence indicated that they would like to make their opening statements at this stage of the trial. The Bahtijari defence announced that they prefer to make their opening statements after the closing of the prosecution's case. The Presiding Judge allocated one hour to the Januzi defence and 30 minutes to the Shala defence for their opening statements.

The opening statements will continue on Friday, 15 November if need be. The presentation of the Prosecution's case will start on Monday, 9 December 2024 at 9:30 in the morning. Any motions that require a decision prior to the start of the trial have to be filed by latest 1 November. The Panel announced it may rule orally on such motions prior to the opening statements.

Bearing in mind the importance of the principle of publicity of the proceedings, the Panel directed the Parties to present their opening statements in open session to the greatest extent possible.

On 28 October 2024, the President of the Specialist Chambers, Judge Ekaterina Trendafilova, dismissed a motion by Mr. Haxhi Shala in its entirety. After the Trial





Panel had communicated potential dates for hearings in the case, Mr. Shala had requested information on court room availability with a view to minimising the prospect of trials being unduly long.

The President noted that the legal framework of the Specialist Chambers provides that it is for the relevant trial panel to schedule court hearings. She pointed out that the Trial Panel had clarified that its request for prosecution and defence to be available on certain dates was not a determination of the expected duration of the trial. Judge Trendafilova further observed that Mr Shala did not raise any arguments in relation to actual ongoing delays in the proceedings and recalled that the legal framework of the Specialist Chambers provides sufficient guarantees and remedies through which Mr. Shala's concerns may be raised should they in fact materialize.

On 30 October, the public redacted version of the Trial Panel's decision on Mr. Bahtijari's request to disclose certain material to an expert in order to facilitate a medical assessment of Mr. Bahtijari was published. The Panel noted that the defence in their request did not specify a legal basis for the disclosure of the material, and that their request was broadly formulated and lacked substantiation. As such, the Panel rejected the request and invited the Bahtijari defence to file a properly motivated request for the disclosure of the material. The Panel also provided the defence with guidance on structure and relevant content of such request.

In the trial of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, six witnesses testified this week. As per the summary provided by the SPO, Fatmir Sopi was a KLA member involved in the organization of KLA structures in Gollak region within the Llap operational zone and was instrumental in the creation of Brigade 153. He testified mostly without protective measures about the creation, structure, training and operations of Brigade 153.

After Mr. Sopi's testimony, three witnesses testified under protective measures and mostly in private session. Some testified via video link.





Yesterday afternoon, Haxhi Mazreku took the stand. He was the 102nd witness to testify in court in the trial so far and he completed his testimony in public this morning. After this, Nuredin Ibishi resumed his testimony, which began last week, answering questions from the Defence.

The next hearing in the *Thaçi et al.* trial is scheduled for Monday, 4 November, starting at 09:00 in the morning.

