



Press 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.

On 1 July, the Trial Panel in the case of Hashim Thaci, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, granted in part a joint request by the Defence to vary the timelines connected with the presentation of evidence by the four Defence teams in the trial.

Depending on the outcome of Defence motions to dismiss the charges, the Defence teams are to notify the Trial Panel by 16 July 2025 whether they intend to present cases and to submit their witness and exhibit lists no later than 21 July. A status conference has been scheduled for Tuesday, 22 July at 14:00 with a view to ensuring that all steps are being diligently taken to carry out all necessary preparations for the completion of this case.

In its decision, the Trial Panel granted the Defence's request to hold the Defence Preparation Conference after the summer judicial recess, scheduling this hearing for Tuesday, 19 August 2025, starting at 10:00 am. The Panel asked the parties and participants to be prepared for the start of the Defence case the following week with presentation of the case of the first defendant named on the indictment, if he opts to present a case, if not, with the presentation of the next named defendant who chooses to present a case.

On the same day, the Trial Panel in this case granted in part three requests by the Defence teams to appeal previous decisions in which the Trial Panel had admitted into evidence certain reports as "source material" rather than as "expert reports". The Panel was satisfied that the question of whether documents expressing some kind of expertise must be considered and treated as expert reports is an appealable issue as the resolution of this question may impact the fairness of the proceedings and could also affect the way in which the Panel should approach this evidence when assessing its weight and probative value.

The Panel also considered it beneficial for the conduct of the proceedings and the rights of the Accused that any dispute regarding the application and interpretation of the Rule dealing with the admission of expert reports be addressed by the Court of Appeals Panel, and that the resolution of the issue may affect the scope of the Prosecution's case, the ability of the Parties and participants to make informed submissions in respect of such evidence, and the Defence's presentation of their cases, if any.

In the case of Hashim Thaci, Bashkim Smakaj, Isni Kilaj, Fadil Fazliu and Hajredin Kuci related to allegations of unlawful witness influencing, a decision from 7 May became public this week. In her decision, the Pre-Trial Judge ordered the Registrar to appoint an independent counsel to review material seized during special investigative measures with a view to identifying any privileged information, before authorizing the prosecution's access to said material, considering that Mr. Kuci was part of the Veseli Defence team.





Following the filing of the final report by the Independent Counsel, the Pre-Trial Judge will issue further orders, as appropriate, and provide further instructions as to the handling of any privileged material identified by the Independent Counsel.

On 1 July, the Pre-Trial Judge rejected the accused's Preliminary Motions for Adjournment and Severance of the Proceedings.

The Defence of Mr. Thaci had asked for Mr. Thaci's trial to be separated from the trial of his co-accused and to adjourn his trial until the war crimes trial has concluded. He argued that he would otherwise have to face the most critical proceedings in both cases at the same time which would place a severe burden on his ability to effectively participate in the proceedings. In his view, it would also violate his right to effective legal representation as he lacks the financial means to fund two separate defence teams. In addition, he said it would violate the rights of his co-accused as conducting both cases in parallel would slow down the proceedings. Arguing that both cases overlap to a certain extent, he further submitted that a risk of conflicting judicial rulings would arise. Bashkim Smakaj, Isni Kilaj, Fadil Fazliu and Hajredin Kuci fully supported Mr. Thaci's motion.

The Pre-Trial Judge noted that, should resource and time- intensive phases of the proceedings be scheduled to occur concurrently, appropriate measures can be adopted to accommodate parallel proceedings in a manner that safeguards Mr. Thaci's effective participation in the trials. These may include scheduling hearings with adequate intervals to allow meaningful preparation, granting extensions of time where necessary, adjourning proceedings for the purpose of preparation by the defence and coordinating procedural timelines. Such adjustments can be implemented while also mitigating any potential delays or prejudice to the other accused in this case, thereby preserving the fairness and efficiency of the overall proceedings.

The Pre-Trial judge also noted that two Specialist Counsel are representing Mr. Thaci in each of the two cases and can organise the work accordingly. She further emphasized that it is the responsibility of the Specialist Counsel to determine whether they are able to fulfil their duties and obligations. In view of the Pre-Trial Judge, arguments relating to Mr. Thaci's budgetary constraints cannot be considered at the expense of his co-accused in this case and should be raised with the Registrar as the appropriate authority to deal with any requests for legal aid.

Considering that the two cases involve different accused, different charges and different Panels, the Pre-Trial judge found that the Defence arguments on the risk of conflicting legal rulings or legal uncertainty are without merit.

In regards to Mr. Thaci's request to separate his trial from the proceedings against his co-accused, the Pre-Trial Judge found that all accused in this case are facing similar charges that are all rooted in the same alleged course of conduct by Mr. Thaci who is characterised as the leader of each group and main beneficiary of the obstruction efforts. As such, separate trials would duplicate the evidence and related procedural decisions,





cause inconvenience to any witness who would be required to testify in two separate trials and would inevitably increase judicial time and resources.

The next hearing at the Specialist Chambers will be the Appeals Judgment in the Pjetër Shala case which is scheduled on 14 July starting at 11:30. Mr. Shala had appealed his verdict as well as the reparations order. Those who would like to follow the pronouncement of the Appeals Judgment from the public gallery at the Specialist Chambers in The Hague, please kindly register under PUBLIC@scp-ks.org. The hearing can also be followed through the streaming function on the Specialist Chambers website.

