



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.

In the trial of Hashim Thaci, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, a status conference took place on 23 April. The hearing started with the Trial Panel issuing several oral orders. Among others, the Trial Panel ruled on some requests by the prosecution as well as by the defence to admit certain items into evidence. The Panel granted the request where it found that the evidence was relevant, authentic and where its admission was not outweighed by any prejudice. Items that did not meet the requirements or lacked relevance were not admitted.

The Panel further granted a request by the Veseli and Thaci defence to access and use some confidential filings from the cases against Salih Mustafa; Pjetër Shala, Hysni Gucati and Nasim Haradinaj. The Trial Panel's reasoning included that these cases overlap in part with this case. The Panel however reminded the parties that protective measures ordered in other cases continue to be valid.

During the status conference, the defence teams announced that they intend to file a joint motion to request the dismissal of all or some charges. The Panel set the deadline to file this motion to 2 June or to 14 days after the Panel's last ruling on admission of evidence in this case, whichever date is later. The Prosecution is ordered to file their response to the motion, if any, by 1 July or 30 days after the defence motion has been filed. The Panel highlighted that it will not entertain any further reply by the defence teams.

Victims' Counsel announced that they intend to call two expert witnesses who have already prepared reports, one on psychological and psychiatric damage and the other one on material harm. Victims' Counsel did not yet know how many victims, who have not already testified, will testify as part of the Victims case, if any at all. Overall, Victims' Counsel estimated that they will need about a week to present their case.

The Panel ordered Victims' Counsel to be ready to present their case in July.

The Panel further set the deadline of 28 May for Victims' Counsel to provide a list of witnesses they intend to call including a summary of what they are expected to say and a time estimate for their questioning. Victims' Counsel is further ordered to provide a list of evidentiary items by the same deadline. The Panel asked the parties to file any objections to the Victims' Counsel's submission by 9 June.

Victims' Counsel announced that they will compile a list of victims' statements to demonstrate the harm caused to the victims, and the Panel ruled that these statements be made available to the parties on a rolling basis and be completed latest on 1 July.

The Panel has vacated the current court schedule, so this trial is adjourned until further notice.





As such, the next hearing scheduled before this court is an appeals hearing in the Pjetër Shala case on 15 May starting at 13:30.

On 17 April 2025, the Specialist Chamber of the Constitutional Court delivered its judgment on the referral made by Salih Mustafa, finding that there had been no violation of the Kosovo Constitution or the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Mr Mustafa had complained about a violation of his right to a fair trial as a result of an alleged lack of reasoning by the Trial Panel and the Appeals Panel in relation to his conviction for the war crime of murder. In this regard, the Constitutional Chamber did not detect any factual or legal errors in the criminal chambers' reasoning that would call their findings into question.

Mr Mustafa had further complained that the Supreme Court Panel had failed to correctly identify the more lenient Kosovo law for the purpose of his sentence. In this regard, the Constitutional Chamber recalled that, under the Kosovo Constitution, the Specialist Chambers function in accordance with their own legal framework. Accordingly, the fundamental rights and freedoms guaranteed by Chapter II of the Kosovo Constitution apply with reference to that autonomous framework. It further found that the only binding law applicable to sentencing before the Specialist Chambers is the Law on Specialist Chambers and Specialist Prosecutor's Office. This Law does not require the criminal chambers to apply other Kosovo laws when determining sentences for international crimes, but only to take them into account. Thus, the Constitutional Chamber found that Mr Mustafa could not successfully claim a violation of the Kosovo Constitution or the European Convention for the Protection of Human Rights and Fundamental Freedoms.

