



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.

Trial hearings in the case of Hashim Thaçi, Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi resume next Monday, 10 November. Monday's hearing starts at 14:00 and finishes by 17:00. Hearings are also planned on Tuesday, Wednesday and Thursday, from 09:00 to 16:30 each day.

The Thaci Defence has called four witnesses so far and, according to current public submissions, intends to call three more witnesses as part of its case.

On 4 November, the Trial Panel granted requests by the Thaçi Defence related to the week after next and the testimony of Wesley Clark, who is the last witness whom the Thaci defence plans to call.

Having been informed that his testimony can only commence in the afternoon of 18 November, and after reviewing the parties' time estimates, the Trial Panel granted the Defence's request to reserve an additional hearing day, on 21 November, to complete the testimony, and the panel granted the addition of the witness's written statement into the Defence exhibit list.

The most up-to-date information on scheduled hearings can be found on the court calendar on the KSC website in all three official languages of the court.

In the same case, on 4 November, the Trial Panel issued a decision rejecting a request by the Defence teams to appeal the admission into evidence of a video and pages of a document introduced by the Prosecution during the cross-examination of the first witness called by the Thaci Defence. In the decision, the judges provided detailed reasons for why they found that the issues raised were not appealable.

Also on 4 November, the Trial Panel issued a decision on the September request by the Thaçi Defence for a finding of prosecution disclosure violations, in relation to Rule 102 (3). The Trial Panel noted that "[f]ull and timely compliance by the SPO with its disclosure obligations is an important element and guarantee of the fairness of the proceedings and of the equality of arms between the SPO and the Defence." The Panel found that the SPO had not provided detailed notice to the Defence of some material and evidence in its possession, and the judges reminded the SPO of the importance of listing material in its Rule 102 (3) notice. At the same time, the Panel found that disclosures had been made without delay and did not cause prejudice to the Defence, and they dismissed the request.

In the case of Hashim Thaçi, Isni Kilaj, Bashkim Smakaj, Fadil Fazliu, and Hajredin Kuçi, concerning allegations of the illegal influencing of witnesses, a number of decisions granting special investigative measures in 2023 were made public this week and can be found on the website.





As a reminder, the indictment charges the accused with offences related to alleged unlawful efforts to influence witness testimonies in the Taçi et al war crimes and crimes against humanity trial.

According to the confirmed indictment, between at least 12 April 2023 and 2 November 2023, during separate, unprivileged visits to the Detention Facilities, Mr Taçi provided Mr. Smakaj, Mr. Kilaj, Mr. Fazliu and Mr. Kuçi with confidential information about prosecution witnesses, instructed them to influence the testimonies of prosecution witnesses, and provided details about how to do so.

In response to a question from a journalist, the spokesperson explained that:

“A letter of Prime Minister Kurti was transmitted to the President in September 2022 and she did respond to this letter. The President has generally highlighted in her response that the KSC and the Judges are independent in their functioning and that they are conducting trials within the KSC’s legal framework and the highest human rights standards. She also highlighted that decisions about detention are conducted by the competent panel of judges in each case, and not by the President

