



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 case of Hashim Thaçi, Bashkim Smakaj, Fadil Fazliu, Isni Kilaj and Hajredin Kuci concerning allegations about the illegal influencing of witnesses, the Trial Judge ordered the continued detention of Hashim Thaçi on 3 February 2026.

The Judge found that there remains a real risk that Mr Thaçi may obstruct the progress of the Specialist Chambers proceedings and commit further offences. The Judge accepted that the risk of obstructing justice is reduced compared to previous detention reviews, in light of the closure of the evidentiary proceedings in Mr. Thaçi's war crimes trial and in light of the fact that the Prosecution seeks to rely almost exclusively on documentary evidence in Mr. Thaçi's trial on charges of illegally influencing witnesses.

However, the Judge assessed that a real risk remains based on the grounded suspicion of extensive efforts by Mr Thaçi to obstruct the proceedings in his war crimes trial and the allegation that these efforts included seeking the cooperation of, and giving instructions to, individuals who remain at liberty in Kosovo. The Judge also considered the ongoing potential that individuals who might be called as Defence witnesses in Mr. Thaçi's upcoming trial, whose identities are not known, could be subject to influence.

The Trial Judge also found that no possible conditions outside of detention could sufficiently reduce the risks of obstruction of proceedings, noting that the measures in place at the Specialist Chambers Detention Facilities substantially reduce the possibility of witnesses being influenced by Mr Thaçi, by direct or indirect means. Finally, he found that the period of detention remains reasonable and proportionate, noting that it will be regularly reviewed every two months.

In the same case, on 29 January, the Trial Judge set a protocol and deadlines for any challenges which the parties may wish to make to the accuracy of transcripts of Mr. Thaçi's detention visits. This relates to transcripts, which form part of the proposed evidence of the prosecution in this case, in which Mr. Thaçi allegedly gave instructions about the influencing of witnesses. All of the accused in this case have pleaded not guilty.

In a separate decision on 29 January, the Trial Judge took judicial notice of an adjudicated fact related to a prevalent climate of witness intimidation in Kosovo. The rules say that in the interests of a fair and expeditious trial, judges in one case may take note of facts determined in other cases before Specialist Chambers and other Kosovo courts. The judge took notice of the fact that "there is a prevalent climate of witness intimidation in Kosovo, in particular in respect of investigations/prosecutions of crimes attributed to ex KLA members."





In his decision, the Trial Judge cited established findings in three separate cases, including one case where evidence was provided by a witness protection expert and witness protection practitioner, and two trial judgments, in which this fact was established based on the testimony of several witnesses who described their own experiences with witness intimidation.

In the case of the Specialist Prosecutor v. Pjetër Shala, on 29 January, the Court of Appeals Panel issued the first decision of the Kosovo Specialist Chambers on an appeal against a reparation order. A public redacted version of the decision is available online.

The Appeals Panel affirmed the reparation order entered by the Trial Panel against Mr Shala following his conviction for the war crimes of arbitrary detention, torture and murder. A total of eight victims participated in the proceedings and claimed reparations. On 29 November 2024, the Trial Panel ordered Mr. Shala to pay a sum of 208,000 euros as compensation for the physical, mental and material harm suffered by the participating victims.

In the trial of Hashim Thaçi, Kadri Veseli, Jakup Krasniqi and Rexhep Selimi, as a reminder, closing statements are scheduled to take place next week, from 9 to 13 February, and on 16 and 18 February. The hearings are scheduled to begin at 9:00 and end at 16:30 and can be followed online in the three languages of the court, Albanian, English and Serbian, via the [streaming function on the KSC website](#), with a 45-minute delay. The agenda for closing statements is based on current estimates and may vary, for example if a party needs less time than anticipated.

Due to the high interest in attending the hearings on these days, as previously announced, pre-registration was required to attend the hearings from the public gallery at the premises in The Hague. The deadline for pre-registration has passed and pre-registration is no longer possible. Confirmations related to pre-registration will be sent by tomorrow, 6 February. Preregistration is not required to follow the hearings online via the streaming function.

During the closing statements, the Prosecution and the Defence will each summarize their arguments. Victims' Counsel will speak about the impact of the alleged crimes on victims.

After this, the Trial Panel will start its confidential deliberations.

The judges will carefully assess the credibility of witnesses, the reliability and weight of the testimony of witnesses and each piece of evidence.

The accused are presumed innocent unless the prosecution proves their guilt beyond a reasonable doubt.

