



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 Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi on war crimes and crimes against humanity, closing statements concluded this week. During the closing statements, the prosecution, defence and victims counsel presented their final arguments and the accused made unsworn statements.

After the announcement of the closure of the case on 18 February, the Trial Panel will now deliberate to reach a judgment within 90 days. Where the circumstances require additional time, a further extension of 60 days is possible.

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

The Trial Panel shall decide separately on each charge, including each applicable mode of liability. In cases of joint trials, such as this one, separate findings shall be made for each of the accused.

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

In the case of Hashim Thaçi, Bashkim Smakaj, Fadil Fazliu, Isni Kilaj and Hajredin Kuçi concerning allegations about the illegal influencing of witnesses, opening statements are scheduled to take place next Friday, 27 February.

The hearing is scheduled to begin at 9:30 and end at 16:00. It can be followed online in the three languages of the court, Albanian, Serbian and English, via the streaming function on the KSC website, with a 45-minute delay, or from the public gallery at the premises of the Kosovo Specialist Chambers.

Pre-registration is required to attend the hearing from the public gallery at the premises in The Hague. Please note that the deadline to pre-register is tomorrow, 20 February.

During opening statements, the prosecution and the defence each have the opportunity to give a principled overview of their cases and a concise explanation of the evidence to be called. Under the rules, the Defence may choose whether to deliver their opening statement after the opening statement of the Specialist Prosecutor or later, after the conclusion of the presentation of evidence by the Specialist Prosecutor, or not at all.





On 27 February, the Prosecution will make its opening statement. Based on current public filings, the Defence of Mr. Thaçi and Mr. Fazliu have indicated that they will not make opening statements at this time. Following the opening statements, the Prosecutor will call the first of its three witnesses.

In terms of next steps, the Prosecution is expected to present its case and call witnesses over the course of the following week. The defence will have the opportunity to cross-examine the witnesses. Trial hearings are scheduled from 2-6 March.

The Prosecution alleges that between at least 12 April 2023 and 2 November 2023, during separate, unprivileged visits to the Detention Facilities, Hashim Thaçi provided Messrs Smakaj, Kilaj, Fazliu and Kuçi with confidential information about witnesses called by the prosecution in the Thaçi et al war crimes case, instructed them to influence the testimonies of the witnesses, and provided details about how to do so.

The confirmed indictment further alleges that Mr. Thaçi coordinated three distinct groups, formed with Messrs Smakaj, Fazliu and Kilaj, and other uncharged individuals, and with Mr. Kuçi, in an aim to interfere with the testimonies of witnesses called by the prosecution in the ongoing Thaçi et al war crimes trial.

All accused in this case have pleaded not guilty to all charges.

In the same case, the Single Trial Judge on 12 February denied a request by the Thaçi and Kilaj Defence to be permitted to appeal a previous decision by the Single Judge in which he found a witness statement from the war crimes case involving Mr. Thaçi to be admissible as evidence in this case.

The Single Trial Judge denied the request finding that his previous decision was misrepresented and that the defence merely disagreed with his previous decision.

On 11 February, the Single Trial Judge granted a request by the Prosecution to take judicial notice of facts and filings from the Thaçi et al war crimes case. The Trial Judge noted that for a fact to be judicially noticed as a matter of common knowledge, it has to be relevant, not be subject to reasonable dispute, be sufficiently well defined, not include any findings that are essentially legal in relation to the proceedings in which they are to be noticed and not attest to the criminal responsibility of the accused.

Considering that the Defence disagreed concerning the characterisation of some of the exhibits and filings in question, the Single Trial Judge did not take judicial notice of the truth-value of the content of any filing or exhibit, but only of the fact that the filings in question existed and that their content was shared among the parties.

On 18 February, the Single Trial Judge denied in part a Joint Defence Request for Partial Reconsideration and Clarification of the Single Judge's previous "Decision on Prosecution Request for Transcription/Translation Verification Deadline".





The Defence had challenged some transcripts and translations of audio recordings provided by the Prosecution and asked for changes and clarifications in the decision the Single Judge had taken in order to verify the correctness of the transcripts or translations in question.

In his Decision, the Single Trial Judge clarified that the Language Services unit of the Specialist Chambers may provide any methodological indications it deems appropriate as part of its review of the challenged transcripts and translations, in particular where necessary to specify the precise nature of the error identified.

The Single Trial Judge amended his previous decision in the sense that he directed the defence to provide the time-marker of the passages that need to be reviewed, as far as they know them. The Prosecution shall then verify the passage in question before it responds to the Defence.

In the same case, two decisions were made public from last week, in which the Trial Judge granted requests from the Prosecution to add items to its exhibit list. The items include text messages and items extracted from a mobile phone, which the prosecution considers support its case.

A decision from November 2025 was made public this week, which relates to a request by the Prosecution for access to a document allegedly printed at the Specialist Chambers' Detention Facilities in 2023, which the Prosecution assesses makes reference to a witness. The Judge ordered the Registry to take steps to obtain the extracted document from an external forensics company while ensuring strict confidentiality, and to make the document available for review by Independent Counsel. The Independent Counsel will ensure that no legally privileged document nor any document that is not relevant to the case will be handed over to the Prosecution.

