



## 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, a look ahead at next week and the opportunity to ask questions.

In the trial of Hysni Gucati and Nasim Haradinaj, the last witness called by the Haradinaj Defence finished his testimony last Friday. On Monday, 31 January, a status conference was held to discuss next steps in the case, after which the Trial Panel ordered the Defence teams to formally close their case, bearing in mind that no more witnesses are to be called or evidence to be presented.

The Defence teams formally closed their case yesterday, and the Trial Panel is expected to issue an order on the next steps in due course.

In the trial of Salih Mustafa, the last witness to be called by the Prosecution, a former KLA member, began his testimony on Tuesday, and was questioned by the Specialist Prosecutor's Office and Defence Counsel over the following two days. The Judges also asked the witness questions. The witness testified about the structures of the KLA in the Llap Operational Zone, the BIA unit and the role Mr. Mustafa played in that unit, and the Serb offensive in the area of Zllash/Zlaš in April 1999.

The Presiding Judge of Trial Panel I was present via video-link due to COVID-related quarantine requirements.

The SPO is expected to close its case on 4 February 2022 with an official notice filed in the record of the case.

On 11 February, the Defence and Victims' Counsel in the Salih Mustafa case will file their respective lists of witnesses and exhibits and, on 17 and 18 February 2022, Trial Panel I will hold the defence preparation conference and the victims' status





conference. Thereafter, the Panel will decide on the number and modalities of witnesses to be heard and on dates and times for the hearings.

So far, a total of 27 witnesses have testified before the court in the two ongoing trials before the Kosovo Specialist Chambers.

In the case of Mr. Pjetër Shala, the Specialist Prosecutor filed his pre-trial brief as well as the Prosecution's witness and exhibit lists on 28 January. The filing of the pre-trial brief and associated lists is an important step that needs to take place before the Pre-Trial Judge transmits the case file to a trial panel.

Also on 28 January, the Registrar assigned Mr Simon Laws to represent the victim participating in Shala case. The process for victims to apply to participate in the proceedings remains open in this case.

The next pre-trial hearing in the *Thaçi et al.* case is scheduled for tomorrow, 4 February, at 2:30 in the afternoon. During this hearing, matters to be addressed include disclosure and the status of investigations by the Prosecution and the Defence.

In other news, as part of the court's outreach activities, spokespersons of the Kosovo Specialist Chambers participated this week in an online panel discussing the monitoring of court proceedings conducted by the Humanitarian Law Centre.

The spokespersons explained the reasons why the public versions of documents in a case may be redacted and why some court sessions go into private session even though proceedings are in principle public. The spokespersons explained that such measures are ordered by judges, usually for security reasons in order to protect witnesses or victims.

However, it is important to emphasise that, in light of the principle of publicity, confidential filings are regularly reviewed and whenever the reason justifying their





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classification is no longer there, they are reclassified as public or public redacted versions are issued. For example, filings related to Mr. Veseli's recent custodial visit were made public following the visit.

**Journalist Questions**

There were no questions asked

