KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

Weekly Press Briefing
Chambers and Registry
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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 against Hashim Thaçi and his co-accused, the Court of Appeals Panel on 20 May decided on the appeals by Mr Thaçi and Mr Veseli against the Pre-Trial Judge's "Decision on Motions Challenging the Legality of the SC and SPO and Alleging Violations of Certain Constitutional Rights of the Accused". The Appeals Panel denied the appeal and confirmed the Pre-Trial Judge's finding that there was no error in relation to the temporal mandate of the Specialist Chambers and that no violation of the Accused's constitutional rights had occurred.

In the same case, the Pre-Trial Judge in a status conference held on 20 May, issued a number of oral orders. He set a deadline of 30 June 2022 for the Specialist Prosecutor's Office to complete the disclosure of any potentially exculpatory material obtained after January 2022 and to file any requests for protective measures as appropriate.

The Pre-Trial Judge further set 30 September 2022 as the deadline for the SPO to complete the disclosure process in regards to Defence requests for material and evidence in the SPO's possession that the SPO does not intend to rely on at trial.

The Pre-Trial Judge also ordered the Defence to file their pre-trial briefs, should they wish to file one, by Friday, 21 October 2022.

On 25 May 2022, the Pre-Trial Judge issued the third decision on victims' participation in this case. Twelve new applicants were admitted to the proceedings as participating victims. They will be included in the existing Group of 20 participating victims and will be represented by the same Victims' Counsel.

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In the same case, public redacted versions of the Pre-Trial Judge's most recent decisions reviewing the detention of Jakup Krasniqi and Rexhep Selimi were made public yesterday. Both decisions, issued on 13 May, ordered the continued detention of the Accused, citing the risk that they would obstruct the progress of proceedings or commit further offences.

The Judge also found that it is only through the communication monitoring framework applicable at the Specialist Chambers Detention Facilities that these risks could be mitigated.

On 20 May, Trial Panel I ordered the continued detention of Mr Salih Mustafa. The Panel saw a continued risk that the Accused will obstruct the progress of proceedings if released due to his intelligence background, the contacts he has and in view of a general climate of witness intimidation.

 The public redacted version of all three recent decisions on detention can be found on the KSC website.

In the case vs. Hysni Gucati and Nasim Haradinaj, President Ekaterina Trendafilova on 24 May assigned a Court of Appeals Panel to deal with a request by the Haradinaj defense for clarification of the timeline for filing an appeal against the judgement. The defense had asked for the deadline to file an appeal to be 30 days after the Albanian translation of the judgement was available rather than 30 days after the Judgment was pronounced as it is provided in Rule 176(2) of the Rules of Procedure and Evidence.

The Appeals Panel, composed of the Judges Michèle Picard, Kai Ambos and Nina Jørgensen, rendered its decision on 25 May. In its decision, the Panel recognised the importance of the Accused's right to receive the Trial Judgment in a language he understands, but considered that the fairness of the proceedings at this stage will not be negatively impacted by the unavailability of such translation. Thus, the Panel found

that the Parties shall file their notices of appeal, if any, within the time limit prescribed by Rule 176(2) of the Rules, namely by Friday, 17 June 2022.

Journalist Questions
No questions asked.