



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.

During the status conference in the *Thaçi et al.* case on 4 November 2022, the Pre-Trial Judge confirmed that he intends to transfer the case to a Trial Panel by the end of this year. He also said that this probably would be the last status conference in the pre-trial phase, unless otherwise necessary.

A public redacted version of Mr *Thaçi's* pre-trial brief, which was filed on 21 October, is now available.

In terms of remaining deadlines, the Pre-Trial Judge ordered the Defence to provide their objections, if any, regarding the admissibility of evidentiary material, by 18 November.

The deadline for the Prosecution to file a provisional list of the first 40 witnesses they intend to call during the trial is also the 18 November.

In the same case, pursuant to an order of the Pre-Trial Judge, the Prosecution has reviewed the classification of evidentiary material and the Pre-Trial Judge has granted their request that more than 8,000 documents and exhibits be reclassified as public.

In the case of *Pjetër Shala*, Victims' Counsel filed a submission before the Trial Panel on reparation proceedings in the case. In the submission, Counsel asks that proceedings on eventual reparations for the victims be conducted in parallel with criminal proceedings. Counsel further submits that if the Trial Panel finds Mr *Shala* guilty, the Judges should issue an order on reparations themselves, rather than referring the matter for civil litigation in Kosovo.

The Victims' Counsel also asked that the Panel include in its judgment a decision on the scope and extent of any damage, loss or injury to the victims, independent of any reparations order and regardless of whether the Trial Panel finds Mr *Shala* guilty or innocent. The Trial Panel has not yet issued a decision on these submissions.

In the case of Mr *Hysni Gucati* and Mr *Nasim Haradinaj*, on 3 November, the Court of Appeals Panel denied applications by the Defence requesting the Appeals Panel to reconsider its earlier decision rejecting the Defences' request to amend their notices of appeal.

The issues raised by the Defence in their earlier requests related to an alleged disclosure violation by the Prosecution during the trial proceedings. In its decision, the Appeals Panel reminded the Defence that if a party identifies a potential disclosure violation alleged after the conclusion of trial proceedings, it may seek





alternate relief by filing a motion before the Appeals Panel. In other words, the Panel concluded that the notices of appeal are not the correct way to challenge an alleged disclosure violation.

Considering that all submissions filed before the Specialist Chambers shall be public unless there are exceptional reasons for keeping them confidential, the Court of Appeals Panel ordered the two Defence teams to file public redacted versions of their requests within seven days.

The Court of Appeals Panel also issued a decision on the agenda for the upcoming appeal hearing scheduled on 1 and 2 December 2022. The session on 1 December will start with introductory statements by the Presiding Judge. Afterwards, the two Defence teams may present their arguments before the Panel.

On 2 December, the Prosecution may respond to the arguments of the Defence teams and the Defence teams may thereafter reply to the Prosecution. Mr Gucati and Mr Haradinaj will also have the option of addressing the Panel. The hearing will finish with concluding statements by the Presiding Judge.

The appeal hearing can be followed from the public gallery or with a 45 minutes delay via the streaming function on the KSC website.

Journalist Questions

No questions were asked

