



## 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.

Today's briefing covers developments in the proceedings since shortly before the start of the judicial recess period in late December. The judicial recess concluded on 6 January.

During the status conference held on 16 December in the *Thaçi et al* case, the Trial Panel announced its intention to convene this case for opening statements at the start of March 2023. The Panel further stated that in order to achieve this, a trial preparation conference is to be scheduled in January, followed by a prosecution Preparation Conference in February. Once public scheduling orders for these hearings have been issued, these will be reflected on the KSC's online court calendar.

On 19 December, the Trial Panel in this case ordered the continued detention of Hashim *Thaçi* and Kadri Veseli. The Panel found that the risks that Mr *Thaçi* and Mr Veseli will obstruct the progress of proceedings and/or commit further crimes continued to exist and could not be sufficiently mitigated through alternatives for detention.

On 22 December, the Trial Panel in the *Thaçi et al* case issued a draft Order on the Conduct of Proceedings. This draft order, which is available on the KSC website, covers issues related to the conduct of the trial such as steps to ensure fair and expeditious proceedings, the working language of the case, disclosure, redactions, witness testimonies, and other issues. The Trial Panel ordered the parties and participants in the case to submit any written observations or objections to the proposals made in the draft order by 13 January 2022.

On 27 December 2022, an Appeals Panel denied appeals by the *Thaçi*, Veseli, Selimi and Krasniqi Defence teams challenging parts of the Pre-trial Judge's earlier decision on the handling of confidential information during investigations and contact by parties with witnesses of the opposing party.

On 28 December, the Registrar notified the Trial Panel that she had assigned two Counsel to represent victim applicants whose applications to participate in the proceedings were denied through the Fourth Decision on Victims' Participation. In this decision, the Pre-Trial Judge had admitted 21 additional victims to participate in the proceedings, and denied 20 further applications. Under the rules, denied applicants have the right of appeal.

In the same case, on 6 January an earlier Decision on a *Thaçi* Defence request for disclosure of witnesses with dual status was made public. The *Thaçi* Defence has asked the Trial Panel for permission to appeal this decision.

In the *Salih Mustafa* case, following the Trial Panel's pronouncement of a judgment on 16 December, the Defence asked for an extension of the time limit for filing its notice of appeal. The KSC President assigned a

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Court of Appeals Panel on 3 January consisting of Judge Michèle Picard, Judge Kai Ambos and Judge Nina Jørgensen. The Panel granted the Defence motion in part and authorised the Defence, as well as the prosecution, to file any notices of appeal by 3 February 2023.

In the Pjetër Shala case, the Trial Panel rejected a request by the prosecution to restrict Mr. Shala's communications before the commencement of the trial on 11 January. The Trial Panel was not persuaded that the requested measures would be proportionate.

#### **Journalist Questions**

No questions asked.

