



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 Hashim Thaçi et al. case, the fourth witness called by the Specialist Prosecutor's Office continued their testimony this week. The Defence cross-examined the witness during this time. The witness's testimony was conducted in private session.

Yesterday, the Trial Panel expressed its concern that almost all of the evidence so far in this case has been heard in private or closed session, and reminded the parties that there is a public interest in these proceedings taking place, to the extent possible in a public fashion. The Trial Panel instructed the parties to duly take into account the principle of publicity and issued an oral order seeking submissions on concrete steps to ensure a greater degree of publicity in the proceedings.

After this, the fifth witness began their testimony yesterday, part of which has been conducted in private session and part of which has been public.

Hearings before the KSC are public unless the Trial Panel decides to close the proceedings or go into private session in accordance with the Rules of Procedure and Evidence. The decision by a Trial Panel to conduct parts of the proceedings in private or closed session is taken on a case-by-case basis and the main reason is to protect the security and identity of witnesses and victims.

The Defence, Prosecution or Victims' Council may request that all or part of a session is held in private or closed session. The decision by the Judges whether to grant the request is taken after careful consideration, including consideration of the specific circumstances of the testimony or arguments planned for that day.

The Judges make sure to balance the need to protect witnesses with the rights of the accused. So even when a witness testimony is not public, the accused and their lawyers can hear what the witness says and have the right to cross-examine the witness.

In their Order on the Conduct of Proceedings, the Trial Panel in the Thaçi et al. case made clear that "legal arguments and presentation of evidence by the Parties and participants shall be heard in closed or private session only where strictly necessary..."

Hearings in the trial of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi are scheduled to continue next week from Monday to Wednesday.

In the trial of Pjetër Shala, hearings continue the week after next, starting on Tuesday 30 May.





Having in mind the public nature of the proceedings, on 15 May, the Trial Panel in the Pjetër Shala case ordered the parties and Victims' Counsel to undertake a revision of the transcripts of the trial hearings from 1 to 3 May and to make submissions on whether existing redactions can be lifted and/or transcripts can be reclassified as public.

As a general matter, information which is confidential at one stage of the proceedings is regularly reviewed and may be made public later, if this can be done without risk to witnesses or other participants in the proceedings.

Journalist Questions

A journalist raised an issue about the streaming during today's court session, whereby sometimes if one participant spoke immediately after another, the first few seconds of what they said could not be heard.

The spokesperson explained that sometimes if a speaker begins before the previous speaker has switched off their microphone, then the start of the second speaker's part might not be heard. He said that the KSC encourages journalists to inform the court when such issues arise and that he would inform the relevant staff to see if something could be done to address the issue.

