



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.

The President of the Kosovo Specialist Chambers, Judge Ekaterina Trendafilova, on 12 October 2023, decided to modify Mr Hysni Gucati's sentence to provide for his release, under specific conditions. These conditions will continue to apply for the duration of the sentence imposed by the Court of Appeals Panel. Mr. Gucati arrived in Kosovo on 17 October 2023.

Also on 12 October, the President decided that she will consider the modification of Mr Nasim Haradinaj's sentence after receipt of a report from Registrar Fidelma Donlon on Mr Haradinaj's behaviour while at the KSC Detention Facilities.

While the President considered a number of factors that could weigh in favour of a modification of the sentence, she also noted that Mr Haradinaj has a disciplinary record at the Detention Management Unit. Therefore, she ordered the Registrar to submit a report on Mr Haradinaj's future conduct at the Detention Facility within a certain time period as part of the assessment on whether to modify his sentence.

On 12 October 2023, the public redacted versions of the confirmed indictment against Sabit Januzi and Ismet Bahtjari originally dated 2 October became available, followed by the public redacted decision on the arrest warrants and transfer orders on 13 October.

The Pre-Trial Judge on 12 October decided that the working language in this case will be English. This was the preference of all parties. Parties and participants shall therefore submit their filings in English. If annexes, supporting material or other evidence the parties rely on are in a language other than English, a translation must be provided. Filings and other material will be translated into all languages of the court, Albanian, Serbian and English, in accordance with the translation requirements under the Law and the Rules of Procedure and Evidence.

In the case of Hashim Thaçi and his co-accused, the Trial Panel on 16 October ordered the continued detention of Hashim Thaçi and Kadri Veseli. The Panel noted that in light of the stage of the trial proceedings, the names and personal details of sensitive witnesses are continuously being disclosed to the accused. The Panel further referred to a persistent climate of intimidation of witnesses and interference with criminal proceedings against former KLA members in Kosovo. As such, the Panel concluded that there continues to be a risk that Mr. Thaçi and Mr. Veseli will obstruct the progress of proceedings and/or commit further crimes. The Panel also found that it is only through the communication monitoring framework applicable at the Specialist Chambers detention facilities that their communications can be restricted in a manner that would sufficiently mitigate these risks.





During the week, the 29th and 30th witnesses testified in this case. Both witnesses testified with protective measures and mostly in private session.

Hearings in the *Thaçi et al.* trial resume on Monday, 30 October at 9:00 in the morning.

In the case of Salih Mustafa, the Appeals Panel on 12 October issued an order for the preparation of the appeals hearing scheduled to take place on 26 and 27 October. In order to ensure the efficiency of the time used at the hearing, the Panel invited the parties to address a number of specific issues during their oral submissions. The parties were also reminded to focus their submissions on the grounds of appeal.

In the case of Pjetër Shala, the public redacted version of the 'Decision on the Defence Urgent Request for Interim Release of Mr Shala on Humanitarian Grounds' from 17 August became available. The Trial Panel rejected the request stating that the Defence of Mr Shala was not able to provide the Panel with information that is central to its decision. The Panel however emphasized that its decision is without prejudice to any renewed requests the Defence may file in the future.

The next hearing in this case is scheduled for Monday, 23 October, starting at 9:30 in the morning.

All public filings and decisions mentioned here are available on the KSC website.

Yesterday, the Specialist Prosecutor's Office announced that Specialist Prosecutor Kimberly West signed a solemn declaration that she will exercise her functions independently, impartially and conscientiously. Ms West is the third Specialist Prosecutor, following Jack Smith, who served as Specialist Prosecutor between 2018 and 2022, and David Schwendiman, who served between 2016 and 2018.

The solemn declaration is in accordance with Article 36 of the Law on Specialist Chambers and Specialist Prosecutor's Office.

Journalist Questions

There were no questions asked.

