



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.

On 17 January, KSC President Trendafilova assigned a Supreme Court Panel to decide on a request filed by the Defence of Salih Mustafa, asking for an extension of time to file its request for protection of legality. The members of the Panel are Judges Ekaterina Trendafilova (Presiding), Christine van den Wyngaert, and Daniel Fransen .

On 25 January, the Supreme Court Panel issued two decisions in relation to the potential request for protection of legality.

In its first decision, the Panel determined that Venkateswari Alagenda did not notify Trial Panel II (in which Jakup Krasniqi is accused and whom she also represents) that she intended to represent Mr Mustafa, as is required by the Code of Conduct, in order to obtain the Trial Panel's determination on whether a conflict of interest exists. Accordingly, the Supreme Court Panel declared that the appointment of Alagenda as new counsel to Mustafa has no legal effect and ordered the Registrar to appoint duty counsel to represent Mustafa until the matter has been resolved.

In the second decision, the Panel dismissed the Mustafa Defence's request for an extension of time to file its request for protection of legality, noting that the time lines provided in the Law regarding requests for protection of legality cannot be varied by the Rules of Procedure and Evidence and that Ms Alegandra did not have standing to file the request.

In the trial of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, hearings have been held on Tuesday, Wednesday and Thursday of this week. The 41st witness called by the Prosecution resumed their testimony on Tuesday. According to the Prosecution, this witness is a family relative of a murder and enforced disappearance victim from Drenoc/Drenovac. The witness testified under protective measures and mostly in private session.

During today's session, the 39th witness called by the Prosecution, Mr Dejan Jeftic, resumed his testimony, which started on 11 December 2023. According to the short summary read out by the Prosecution in court in December, the witness was arrested by armed Albanians in July 1998, some of whom were wearing black uniforms, and was then taken to Budakovë/Budakovo.

In the same case, on 22 January, the Trial Panel found that certain parts of a witness's testimony from October 2023 can be reclassified as public, and the Judges directed the Prosecution to communicate a new version of the relevant transcript, with fewer redactions, to the Registry.





This follows the Trial Panel's oral order in November, which set out a procedure for reviewing private session transcripts, with the aim of making more of the proceedings public, while continuing to ensure the protection of witnesses.

In the Pjetër Shala case, on 19 January, the Trial Panel ordered the continued detention of Mr Shala, finding that there continues to be a risk that he will obstruct the progress of proceedings and commit further crimes including against witnesses who have provided evidence in the case and/or appeared before the court. The Trial Panel maintained the view that these risks can only be mitigated through the communication monitoring framework applicable at the Specialist Chambers detention facilities.

Journalist Questions

There were no questions asked.

