



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 Pjetër Shala case, the Trial Panel has scheduled the pronouncement of the trial judgment for 16 July 2024 at 14:00.

The hearing will be public and can be followed in Albanian, English, or Serbian through the streaming page of the KSC website (<https://www.scp-ks.org/en/streaming>) with a short delay.

In this case, the Prosecution alleges that Pjetër Shala and certain other Kosovo Liberation Army soldiers, police and guards between approximately 17 May 1999 and 5 June 1999 participated in the arbitrary detention, cruel treatment, torture and in one case the murder of detainees at the Kukës Metal Factory in northern Albania.

According to the indictment, the victims of these crimes were persons suspected of collaborating with Serbia or not supporting the KLA, and were not actively taking part in hostilities. Eight victims participated in the court proceedings through a lawyer.

The indictment states that the detainees at the metal factory were routinely assaulted both physically, including through beatings with various instruments, and psychologically, including through threat of death, humiliation, harassment, interrogation, and forced or coerced statements and confessions.

The indictment alleges that Pjetër Shala significantly contributed to the alleged crimes through direct participation, as well as by failing to take adequate measures to ensure the humane treatment of detainees at the Kukës Metal Factory, and otherwise aiding and abetting the charged crimes.

In the case of Hashim Thaçi and co-accused, Bislim Zyraipi resumed his testimony this week with cross-examination by the Defence teams. His testimony has continued through the week and will resume on Monday, 15 July, at 09:00. Meanwhile, another witness started their testimony today, which was done through a video link. As per the Prosecution's summary in court, this witness was arrested and detained by KLA members in 1998.

Prior to the hearing in this case on 8 July, Mr Krasniqi was asked to remove his tie. Since this issue has received some attention in the media, I would like to clarify once again what was communicated earlier this week.

Before the hearing on 8 July, KSC Security asked Mr Krasniqi to remove his tie while seeking clarification from the Chief Detention Officer about whether detention rules prohibiting certain clothing would apply in this case.





The tie was returned to Mr. Krasniqi the same day and the Chief Detention Officer confirmed that wearing the tie is permissible.

In the same case, I would also like to address certain incorrect media reports over the last week about visits and communications with family members for the accused in the Detention Facilities.

In December 2023, the Trial Panel introduced some restrictions on visits and communications which apply only for three of the detainees: Hashim Thaci, Kadri Veseli and Rexhep Selimi. This was done to protect witnesses after the prosecution provided transcripts of communications between the three detainees and their visitors in which it appears that the accused shared confidential information with their visitors about the testimony of protected witnesses. In the case of Mr Thaci, the transcripts suggest that he passed on to a visitor instructions pertaining to a future SPO witness regarding the form and content of that witness's upcoming testimony.

When it comes to visits and communications, the KSC would like to emphasise that despite some limits imposed by the Trial Panel for these three accused, all of the detainees are still allowed 10 visiting days in a 30-day period and when it comes to family visits and communications with spouses and children these have not been restricted or limited.

In the same case, on 5 July, the Trial Panel decided to reclassify portions of the testimony of two witnesses as public and ordered the preparation of lesser redacted versions of the transcripts from the relevant hearings. This follows orders by the Judges for the review of confidential transcripts, in the interests of guaranteeing to the greatest possible extent the publicity of the proceedings.

Hearings in the *Thaçi et al.* case resume next Monday, 15 July, at 09:00am.

In the *Januzi et al.* case, the Pre-Trial Judge confirmed amendments to the joint indictment on 8 July.

The main confirmed amendment adds the charge of intimidation through a promise or gift, as defined in the Kosovo Criminal Code, to the charges against Mr. Januzi and Mr. Bahtijari. The Pre-Trial Judge found that the supporting material showed that, during the second approach to a witness on 12 April 2023, Mr Januzi brought up the issue of the testimony of the witness and explained that, according to Haxhi Shala, the witness was a witness against Rexhep Selimi.

According to the supporting material, Mr Januzi conveyed a message from Mr Shala, namely that if there was a possibility that the witness agreed to withdraw his testimony against Mr Selimi, then Mr Shala and others "would be ready to meet any of [Witness 1]'s needs" or, in other terms, "he [Witness 1] helps us, and we [Mr Shala and others] help him."

The Pre-Trial Judge ordered the Prosecution to file an updated version of the indictment by 10 July.





According to the KSC Rules of Procedure and Evidence, if an amended indictment includes new charges, then the accused should appear again before the Judge for a further appearance. Since the new factual allegations were part of the original indictment against Haxhi Shala already, his presence at the hearing is not required. Therefore, the Pre-Trial Judge scheduled further appearances for Sabit Januzi and Ismet Bahtijari for this Friday, 12 July, at 09:30. This will be a public hearing. More information about the amended indictment in this case can be found on the case page of the KSC website.

Journalist Questions

There were no questions asked.

