



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 trial of Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi, three witnesses testified this week, two witnesses in public and one witness under protective measures.

The 107th witness began his testimony on Monday. According to the Prosecution's summary read out in court, the witness, Halil Qadraku joined the KLA around March 1998 and occupied various roles in multiple locations, including the Pashtrik operational zone. Mr Qadraku's testimony continued on Tuesday, Wednesday and Thursday morning.

After this, the Prosecution called the 108th witness, who testified under protective measures, followed by the 109th witness. The 109th witness is Sokol Bashota and his testimony is expected to last over several days.

The next hearing in the Thaçi et al. trial is scheduled for Monday, 2 December, starting at 09:00 in the morning.

On 26 November, in the *Januzi et al.* case, Trial Panel I decided to extend Ismet Bahtijari's detention, finding that there remain risks that he will obstruct the progress of proceedings or commit further crimes and that it is only through the communication monitoring framework applicable at the KSC Detention Facilities that such risks can be sufficiently mitigated. Under the KSC's legal framework, the Judges must review whether detention is still justified every two months.

In the case of Pjetër Shala, the Trial Panel pronounced its Reparations Order this morning in public session. This was the second Reparations Order issued in a war crimes case before the Kosovo Specialist Chambers.

Pjetër Shala was found guilty on 16 July 2024 of the war crimes of arbitrary detention, torture, and murder and was sentenced to 18 years of imprisonment, with credit for time served. In this case, eight participating victims claimed reparations.

The Panel ordered Mr. Shala to pay a sum of €208,000 as compensation for the physical, mental and material harm inflicted on the victims of the crimes for which he was convicted. The individual compensation for the eight victims ranges between €100,000 and €8,000, while seven victims were also collectively awarded, in addition, the sum of €50,000. These amounts followed the Victims' Counsel's request, which the Trial Panel considered to be reasonable and to reflect the scope and extent of the harm suffered by the victims.

The Panel noted that its jurisdiction in this case will cease with the issuance of this Reparation Order. The Panel therefore invited the President of the KSC to designate a Single Judge to be in charge of monitoring and overseeing the implementation and execution of the Reparation Order.

1





While the Panel recalled that the responsibility to pay the compensation lies exclusively with Mr. Shala, they noted that Mr. Shala currently does not appear to have the means to comply with the order. Therefore, the Panel discussed other actors that may step in, in order to execute the Reparation Order, in particular Kosovo.

The Panel first noted that Kosovo's current Crime Victim Compensation Program could be one way to execute the Reparation Order, although the maximum sums per victim which can be awarded under this program are less than the amounts awarded in the Reparation Order.

The Panel also noted that Kosovo has still not taken any concrete steps to ensure that reparations for victims of crimes under the jurisdiction of the Specialist Chambers are effective. Therefore, the Panel again invited Kosovo to enact the necessary laws and establish a reparation mechanism for victims of crimes within the jurisdiction of the Specialist Chambers.

The Panel explained that such a step would (i) ensure Kosovo's obligation pertaining to victim's rights under international treaties; (ii) bring about equal treatment between the victims, on the one hand, and suspects or accused before the Specialist Chambers, on the other hand, who are financially supported for their defence through the Kosovo budget; and (iii) avoid a discrimination between the victims of the armed conflict in Kosovo in 1998-1999.

In addition, the Panel noted that there is now the possibility for donors [to contribute with non-earmarked donations to the Specialist Chambers](#), if they wish to support the payment of reparations awarded to victims by a reparation order issued by the Specialist Chambers.

The Panel emphasized that the above initiative neither absolves Mr Shala from compensating the victims in accordance with the Reparation Order, nor Kosovo from upholding its obligations towards victims in a reasonable time through the establishment of a proper reparation mechanism.

