

KOSOVO SPECIALIST CHAMBERS &  
SPECIALIST PROSECUTOR'S OFFICE

# 2024 REPORT



KOSOVO SPECIALIST CHAMBERS &  
SPECIALIST PROSECUTOR'S OFFICE

The Kosovo Specialist Chambers and Specialist Prosecutor's Office were established pursuant to an international agreement ratified by the Kosovo Assembly, a Constitutional Amendment and the Law on Specialist Chambers and Specialist Prosecutor's Office.

They are of temporary nature with a specific mandate and jurisdiction over crimes against humanity, war crimes and other crimes under Kosovo law, which were commenced or committed in Kosovo between 1 January 1998 and 31 December 2000 by or against citizens of Kosovo or the former Federal Republic of Yugoslavia.

The Kosovo Specialist Chambers and the Specialist Prosecutor's Office have a seat in The Hague, the Netherlands. Their staff is international, as are the Judges, the President, the Registrar and the Specialist Prosecutor.

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# KOSOVO SPECIALIST CHAMBERS



# Foreword

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It is with great pleasure that we present the 2024 annual report of the Kosovo Specialist Chambers (KSC). The KSC has progressed efficiently and effectively in the fulfilment of its mandate and a number of significant milestones were reached over the course of the year. One war crimes case reached its conclusion, a trial judgment was issued in a second war crimes case, and one case involving offences against the administration of justice was transferred to a trial panel. Following the confirmation of indictments against five accused for offences against the administration of justice, three arrests were made and pre-trial proceedings initiated. The proceedings in the largest case involving war crimes and crimes against humanity is progressing in an efficient manner. Finally, the first two persons convicted of offences against the administration of justice completed the service of their sentences, bringing this case to a close. The KSC has been able to undertake its proceedings in such a well-organized and effective manner thanks to the steadfast commitment and professionalism of the KSC Judges, staff members, and other personnel across the court.

The judicial activities at the KSC continued to progress significantly over the course of 2024. Specifically, one case involving war crimes reached its finality with the issuance of the final judgment and an amended sentence of imprisonment. The trial judgment in the second war crimes case was issued, and appeal proceedings in that case have commenced. A third case involving offences against the administration of justice, with three accused, was transferred by the Pre-Trial Judge to a trial panel. Before the start of the trial, all accused entered into a plea agreements. Proceedings in relation to offences against the administration of justice against five accused are ongoing. The trial proceedings in the largest case involving war crimes and crimes against humanity are progressing significantly, with the SPO anticipated to be closing its case in April 2025. Finally, the first two persons convicted of offences against the administration of justice completed the service of their sentence, bringing this case to a close.

Panels at all levels of the proceedings were seised with different matters, namely the Single Judge, the Pre-Trial Judge, the two Trial Panels, the Court of Appeals Panels, the Supreme Court Panel, the Specialist Chamber of the Constitutional Court and the President.

In 2024, the KSC Judges held their annual plenary in March, during which the Judges were updated on relevant institutional matters and engaged with different topics on the agenda of the plenary session. The Judges also gathered in December for a colloquium, during which they engaged with various speakers on topics concerning international criminal law.

Over the course of 2024, the KSC has continued to engage with Member States of the European Union (EU) and Third Contributing States. Indeed, bilateral cooperation is crucial to the KSC's ability to fulfil its mandate and we have continued to emphasise at every diplomatic meeting the importance of concluding agreements for the enforcement of sentences of persons convicted by the KSC.

In October, the President travelled to Kosovo to meet the KSC's stakeholders, as well as the Minister of Justice of Kosovo, to inform them about the ongoing public nature of the court's work. In November, the President hosted online meetings with members of Kosovo's civil society and media, providing information about the KSC's activities and allowing them to pose any questions they had in relation to the public work of the court.

The outreach team has continued to organise a wide range of events in Kosovo with a variety of audiences. The KSC organised a workshop for the Court Information Network (CIN) in Pristina in October, during which CIN members provided invaluable insight on the content and effectiveness of the court's outreach programme. In December, the Registrar met online with CIN members to provide an update on the most recent judicial developments. The KSC's robust Outreach programme was made possible thanks to the continued generous financial contribution of Switzerland.



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The KSC's proceedings can be followed by visiting the public gallery, as well as online. Specifically, the KSC live-streams its proceedings on its website. Hearings can also be followed through its YouTube channel. The most important developments are announced on the KSC website on the "LiveUpdate" function, as well as on the KSC's X-account. Members of the KSC Public Information and Communication Unit hosted a weekly online briefing during which they provided updated information about the KSC's proceedings and answered any questions in relation to the court's activities. The KSC further opened its doors to the public in September 2024 as part of the Just Peace Open Day, including a tour of the courtroom.

We are tremendously grateful to the Host State, the Netherlands, for their staunch commitment to the mandate of the KSC and the invaluable assistance they have provided throughout the year. We further very much appreciate the unwavering support provided by the EU Member States and Third Contributing States to the KSC over the course of 2024. We are similarly grateful to the EU Rule of Law Mission in Kosovo for their support during operations in the country and to the Kosovo police for their assistance.

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Judge Ekaterina Trendafilova  
*President of the Kosovo Specialist Chambers*

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*The Hague, December 2024*

We also want to express our sincere gratitude to the KSC's counterparts at the EU External Action Service, the Civilian Planning and Conduct Capability and the European Commission's Service for Foreign Policy Instruments for their assistance and cooperation with the KSC during 2024.

We further very much appreciate the States, members of the diplomatic community, as well as international and internationalised courts and tribunals in The Hague and non-governmental organisations in the field of international justice for their constructive exchanges on organisational and administrative matters.

We look forward to the year ahead, as the KSC continues to undertake its proceedings in a secure, independent, impartial, fair and efficient manner in accordance with its mandate.

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Dr Fidelma Donlon  
*Registrar of the Kosovo Specialist Chambers*

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# KSC at a Glance

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In June 2008, the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe appointed a special rapporteur to investigate allegations of serious crimes committed during and in the aftermath of the 1998-1999 conflict in Kosovo.

In January 2011, the Parliamentary Assembly of the Council of Europe, through Resolution 1782 (2011), adopted the report prepared by the special rapporteur (Council of Europe Report), which alleged that numerous crimes were committed against Serbs, Kosovo Albanians suspected of being collaborators, and other individuals.

Further to the Council of Europe Report, in May 2011, EU Member States considered the matter in the framework of the Political and Security Committee, a body dealing with the EU Common Foreign and Security Policy. Thereupon, the Special Investigative Task Force (SITF) was established and mandated to conduct an independent investigation into allegations of unlawful detention, deportation, inhumane acts, torture and killings, as well as any other crimes related to the Council of Europe Report. Based in Brussels, the SITF commenced its operations in September 2011.

Whilst this investigation was ongoing, in an Exchange of Letters between the President of Kosovo and the High Representative of the European Union for Foreign Affairs and Security Policy in April 2014, an international agreement was reached for the establishment and operation of separate judicial chambers and specialist prosecutor's office for the prosecution and adjudication of crimes arising from SITF investigations.

The Exchange of Letters provides that these dedicated and separate judicial chambers would be established in accordance with Kosovo law. These judicial chambers and the specialist prosecutor's office would be governed by their own statute and rules of procedure and evidence, while being staffed and managed by international staff and have only international judges.

The Exchange of Letters also states that the separate

judicial chambers would have a seat in a third state and that sensitive proceedings, including hearing of witnesses, would take place outside Kosovo. The Exchange of Letters was ratified in April 2014 by the Kosovo Assembly with a two-thirds majority and incorporated into domestic law. It has superiority over the laws of Kosovo.

## 2014

In July 2014, the SITF Chief Prosecutor issued a statement, concluding that the SITF "will be in a position to file an indictment against certain senior officials of the former Kosovo Liberation Army".

## 2015

In March 2015, the President of the Kosovo Assembly referred to the Kosovo Constitutional Court a constitutional amendment proposed by the Kosovo government to implement the Exchange of Letters. According to the Constitution, the Kosovo Constitutional Court had to assess whether the proposed amendment diminished any of the rights and freedoms guaranteed by Chapter II of the Constitution.

In April 2015, the Kosovo Constitutional Court held that the amendment proposal was in conformity with the Kosovo Constitution and held that "[t]he structure, scope of jurisdiction and functioning of the Specialist Chambers will be regulated by further laws in compliance with the Constitution".

This amendment was implemented through Article 162 of the Kosovo Constitution, adopted by the Kosovo Assembly in August 2015. At the same time, the Law on the establishment of both institutions was also adopted, which serves as the foundational instrument for the Kosovo Specialist Chambers (KSC) and the Specialist Prosecutor's Office (SPO).

## 2016

In April 2016, Dr Fidelma Donlon was appointed Registrar of the KSC, marking the commencement of the work of the Registry in The Hague.

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In **September 2016**, Mr David Schwendiman was appointed Specialist Prosecutor.

In **December 2016**, Judge Ekaterina Trendafilova was appointed President of the KSC. She took office in January 2017.

## 2017

On **1 January 2017**, the Host State Agreement between Kosovo and the Netherlands entered into force, allowing the KSC to conduct criminal proceedings in the Netherlands.

Subsequently, in **February 2017**, 19 Judges were appointed to the Roster of International Judges of the Kosovo Specialist Chambers. In **March 2017**, during the first plenary, the KSC Judges adopted the Rules of Procedure and Evidence.

After a constitutional review by the Specialist Chamber of the Constitutional Court, the Rules of Procedure and Evidence entered into force in **July 2017**, rendering the KSC fully judicially operational.

In **November 2017**, the Registrar adopted the Directive on Counsel regulating matters such as the eligibility of lawyers to represent suspects, accused and victims before the KSC. Since then, 241 practitioners from Kosovo, Serbia and a number of other countries have been admitted to the Lists of Defence and Victims' Counsel.

## 2018

In **May 2018**, Mr Pietro Spera was appointed Ombudsperson of the KSC.

In **June 2018**, the Court Information Network comprised of local NGOs from Kosovo and Serbia, was established.

In **September 2018**, Mr Jack Smith succeeded Mr David Schwendiman as Specialist Prosecutor.

## 2019

In **March 2019**, the Judges of the KSC convened for the fourth plenary. In that same month, the Code of Professional Conduct for Counsel and Prosecutors before the KSC was adopted.

In **June 2019**, the KSC and the SPO moved to their new premises in The Hague.

## 2020

In **February** and **April 2020**, the Specialist Prosecutor filed the first indictments.

In **April 2020**, Registrar Fidelma Donlon was reappointed for another term of four years.

In **September 2020**, six new Judges were sworn in, the Specialist Prosecutor arrested the first accused, Mr Salih Mustafa, for alleged war crimes and the Specialist Prosecutor arrested Mr Hysni Gucati and Mr Nasim Haradinaj for alleged crimes against the administration of justice.

In **November 2020**, the Specialist Prosecutor arrested Mr Hashim Thaçi, Mr Kadri Veseli, Mr Rexhep Selimi and Mr Jakup Krasniqi for alleged crimes against humanity and war crimes.

In **December 2020**, President Ekaterina Trendafilova was reappointed for a term of four years.

## 2021

On **16 March 2021**, Mr Pjetër Shala was arrested in Belgium and transferred to the KSC Detention Facilities on **15 April 2021**.

On **5 May 2021**, the President assigned Trial Panel I to the case of the *Specialist Prosecutor v. Salih Mustafa*, which commenced trial proceedings on **15 September 2021** with the opening statement of the Specialist Prosecutor.

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On **15 July 2021**, the President assigned Trial Panel II to the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*, which commenced trial proceedings on **7 October 2021** with the opening statement of the Specialist Prosecutor.

## 2022

On **8 May 2022**, Specialist Prosecutor Jack Smith was reappointed for a term of four years.

On **18 May 2022**, Trial Panel II rendered the first judgment at the KSC in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*, finding both accused guilty of obstructing official persons in performing official duties, intimidation during criminal proceedings and violating the secrecy of proceedings.

On **17 June 2022**, Mr Gucati and Mr Haradinaj filed their notices of appeal against the trial judgment.

On **21 September 2022**, the Pre-Trial Judge transferred the case of the *Specialist Prosecutor v. Pjetër Shala* to Trial Panel I.

On **19 November 2022**, Mr Alex Whiting became the Acting Specialist Prosecutor following Mr Jack Smith's departure.

On **1 and 2 December 2022**, the Court of Appeals Panel held an appeal hearing in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*.

On **15 December 2022**, the Pre-Trial Judge transferred the case of the *Specialist Prosecutor v. Hashim Thaçi et al.* to Trial Panel II.

On **16 December 2022**, Trial Panel I issued the trial judgment in the case of the *Specialist Prosecutor v. Salih Mustafa*, finding the accused guilty of arbitrary detention, torture and murder as war crimes.

## 2023

On **2 February 2023**, the Court of Appeals Panel rendered its judgment in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*, affirming the trial judgment, but reducing the sentences to four years and three months' of imprisonment.

On **21 and 22 February 2023**, trial proceedings commenced in the case of the *Specialist Prosecutor v. Pjetër Shala* with the opening statements of the parties and Victims' Counsel.

On **3 April 2023**, trial proceedings in the case of the *Specialist Prosecutor v. Hashim Thaçi et al.* commenced with the opening statements of the Specialist Prosecutor.

On **2 June 2023**, Ms Kimberly West succeeded Mr Jack Smith as the Specialist Prosecutor.

On **31 July 2023**, Mr Dritan Goxhaj was arrested in Albania by local authorities pursuant to an arrest warrant of the KSC and thereafter released after a decision by the Albanian Court of Appeal.

On **5 October 2023**, Mr Ismet Bahtijari and Mr Sabit Januzi were arrested in Kosovo for alleged offences against the administration of justice.

On **12 October 2023**, Mr Hysni Gucati's sentence was modified to provide for his release to Kosovo with certain conditions.

On **2 November 2023**, Mr Isni Kilaj was arrested in Kosovo for alleged offences against the administration of justice.

On **11 December 2023**, Mr Haxhi Shala was arrested in Kosovo for alleged offences against the administration of justice.

On **12 December 2023**, Mr Nasim Haradinaj's sentence was modified to provide for his release to Kosovo with certain conditions.

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On 14 December 2023, Court of Appeals Panel issued the appeal judgment in the case of the *Specialist Prosecutor v. Salih Mustafa*, upholding the trial judgment, in part, and reduced his sentence to 22 years of imprisonment.

## 2024

On 15 May 2024, Mr Isni Kilaj, who is a suspect, was released to Kosovo on order of the Single Judge under strict conditions.

On 6 June 2024, Judge Marjorie Masselot was appointed to the Roster of International Judges following Judge Nicolas Guillou's resignation therefrom on the same day and assigned as Single and Pre-Trial Judge.

On 16 July 2024, Trial Panel I pronounced its judgment in the case of the *Specialist Prosecutor v. Pjetër Shala*.

On 4 September 2024, the Pre-Trial Judge transferred the case of the *Specialist Prosecutor v. Sabit Januzi et al.* to Trial Panel I.

On 10 September 2024, the Court of Appeals Panel reduced Mr Salih Mustafa's sentence from 22 years to 15 years of imprisonment.

On 5 December 2024, Mr Isni Kilaj, Mr Bashkim Smakaj and Mr Fadil Fazliu were arrested in Kosovo on charges related to offences against the administration of justice.

On 6 December 2024, the parties in the case of the *Specialist Prosecutor v. Januzi et al.* filed plea agreements.

On 8 and 9 December 2024, Mr Hashim Thaçi, Mr Bashkim Smakaj, Mr Isni Kilaj, Mr Fadil Fazliu and Mr Hajredin Kuçi had their initial appearances in relation to charges of offences against the administration of justice.

On 24 December 2024, the case involving Mr Hysni Gucati and Nasim Haradinaj came to a close with the conclusion of the service of their sentences.



## 2011



### January 2011

The Council of Europe (CoE) Parliamentary Assembly approves a Report on "Inhuman treatment of people and illicit trafficking in human organs in Kosovo".

### September 2011

The Special Investigative Task Force (SITF), established by the EU to conduct criminal investigations into the allegations of the CoE Report, commences its work.

## 2014

### April 2014

The Kosovo President and the High Representative of the EU for Foreign Affairs and Security Policy exchange letters on the establishment of "separate judicial chambers".

## 2015

### August 2015

The Kosovo Assembly adopts Article 162 of the Kosovo Constitution and the Law on Specialist Chambers and Specialist Prosecutor's Office.

## 2016



### April 2016

Dr Fidelma Donlon is appointed Registrar of the KSC, marking the commencement of the work of the judicial institution in The Hague.



### September 2016

Mr David Schwendiman is appointed Specialist Prosecutor.



### December 2016

Judge Ekaterina Trendafilova is appointed President of the KSC.

## 2017

### January 2017

The Host State Agreement between Kosovo and the Netherlands enters into force, allowing the KSC to conduct criminal proceedings in the Netherlands.



### February 2017

19 Judges are appointed to the Roster of International Judges.

### March 2017

Judges adopt the Rules of Procedure and Evidence, subject to review by the Specialist Chamber of the Constitutional Court.

### July 2017

Following the constitutional review conducted by the Specialist Chamber of the Constitutional Court, the Rules of Procedure and Evidence enter into force and the KSC becomes judicially operational.

### November 2017

The Registrar adopts the Directive on Counsel regulating matters such as the eligibility of lawyers to represent suspects, accused and victims before the KSC.

## 2018



### May 2018

Mr Pietro Spera is appointed Ombudsperson of the KSC.



### September 2018

Mr Jack Smith succeeds Mr David Schwendiman as Specialist Prosecutor.

## 2019



### June 2019

The KSC and the SPO move to their new premises.



# Timeline

## 2020

### February and April 2020

The Specialist Prosecutor files the first indictments.

### April 2020

Registrar Fidelma Donlon is reappointed for another term of four years.

### September 2020

Six new Judges are sworn in and the Specialist Prosecutor arrests Mr Salih Mustafa for alleged war crimes and then Mr Hysni Gucati and Mr Nasim Haradinaj for alleged crimes against the administration of justice.

### November 2020

The Specialist Prosecutor arrests Mr Hashim Thaçi, Mr Kadri Veseli, Mr Rexhep Selimi and Mr Jakup Krasniqi for alleged crimes against humanity and war crimes.

### December 2020

President Ekaterina Trendafilova is reappointed for a term of four years.

## 2021



### March 2021

Mr Pjetër Shala is arrested in Belgium for alleged war crimes.



### September 2021

Trial proceedings in the case of the *Specialist Prosecutor v. Salih Mustafa* start.

### October 2021

Trial proceedings in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj* start.

## 2022



### March 2022

Trial in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj* closes.

### May 2022

Specialist Prosecutor Jack Smith is reappointed for a term of four years.

### May 2022

Trial Panel II issues first KSC trial judgment in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*.

## June 2022

Mr Hysni Gucati and Mr Nasim Haradinaj file notices of appeal against their trial judgment.

## September 2022

Trial in the case of the *Specialist Prosecutor v. Salih Mustafa* closes.



## November 2022

Mr Alex Whiting becomes the Acting Specialist Prosecutor following Mr Jack Smith's departure.



## December 2022

Appeal hearing in the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*.



## December 2022

Trial Panel I issues the KSC's first war crimes trial judgment in the *Specialist Prosecutor v. Salih Mustafa*.

## 2023

### February 2023

Court of Appeals Panel renders its judgment in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*.



### February 2023

Trial proceedings in the case of the *Specialist Prosecutor v. Pjetër Shala* start.



### April 2023

Trial proceedings in the case of the *Specialist Prosecutor v. Hashim Thaçi et al.* start.



## June 2023

Ms Kimberly West is appointed as the new Specialist Prosecutor.

## July 2023

Mr Dritan Goxhaj is arrested in Albania by local authorities for alleged offences against the administration of justice and thereafter released by the Albanian Court of Appeals.



## October 2023

The Specialist Prosecutor arrests Mr Ismet Bahtijari and Mr Sabit Januzi for alleged offences against the administration of justice.

## October 2023

Mr Hysni Gucati's sentence is modified to provide for his release to Kosovo with certain conditions.



## November 2023

The Specialist Prosecutor arrests Mr Isni Kilaj in Kosovo for alleged offences against the administration of justice.



## December 2023

The Specialist Prosecutor arrests Mr Haxhi Shala for alleged offences against the administration of justice.

## December 2023

Mr Nasim Haradinaj's sentence is modified to provide for his release to Kosovo with certain conditions.



## December 2023

Court of Appeals Panel renders its judgment in the case of the *Specialist Prosecutor v. Salih Mustafa*.

## 2024

### May 2024

Mr Isni Kilaj is released to Kosovo under strict conditions.



### June 2024

Judge Marjorie Masselot is appointed to the Roster of International Judges and assigned as Single and Pre-Trial Judge.



### July 2024

Trial Panel I pronounces its judgment in the case of the *Specialist Prosecutor v. Pjetër Shala*.

### September 2024

The Pre-Trial Judge transfers the *Sabit Januzi et al.* case to Trial Panel I.

### September 2024

The Court of Appeals Panel reduces Mr Salih Mustafa's sentence from 22 to 15 years of imprisonment.



### December 2024

Mr Bashkim Smakaj, Mr Isni Kilaj and Mr Fadil Fazliu are arrested in Kosovo on charges related to offences against the administration of justice.

### December 2024

The parties in the *Sabit Januzi et al.* case file plea agreements.

### December 2024

Initial appearances of Mr Hashim Thaçi, Mr Bashkim Smakaj, Mr Isni Kilaj, Mr Fadil Fazliu and Mr Hajredin Kuçi in relation to offences against the administration of justice.

### December 2024

Mr Hysni Gucati and Mr Nasim Haradinaj complete the service of their sentences.



### December 2024

Judge Piotr Hofmański appointed to the Constitutional Court.

The Kosovo Specialist Chambers (KSC) and the Specialist Prosecutor's Office (SPO) are two independent institutions established following an Exchange of Letters in accordance with Kosovo law and through a constitutional amendment in 2015. The Law on Specialist Chambers and Specialist Prosecutor's Office (Law) was adopted by the Kosovo Assembly in August 2015.



#### ■ The mandate of the KSC is

- "To ensure secure, independent, impartial, fair and efficient criminal proceedings in relation to allegations of grave trans-boundary and international crimes committed during and in the aftermath of the conflict in Kosovo, which relate to those reported in the Council of Europe Parliamentary Assembly Report [...] and which have been the subject of criminal investigation by the Special Investigative Task Force" (Article 1 of the Law).

#### ■ The KSC is established in accordance with the Exchange of Letters and Kosovo law

- having the same court levels as the Kosovo judicial system (basic, appeal, supreme, constitutional)
- having a seat outside Kosovo
- having Judges and staff who are citizens of EU Member States or Third Contributing States
- applying international customary law and domestic substantive criminal law as provided for in the Law
- applying its own rules of procedure and evidence.

#### ■ The KSC is a temporary judicial institution

- it will only be in existence for the time necessary to deal with charges presented by the Specialist Prosecutor and until Kosovo is notified by the EU Council that investigations and proceedings have concluded.

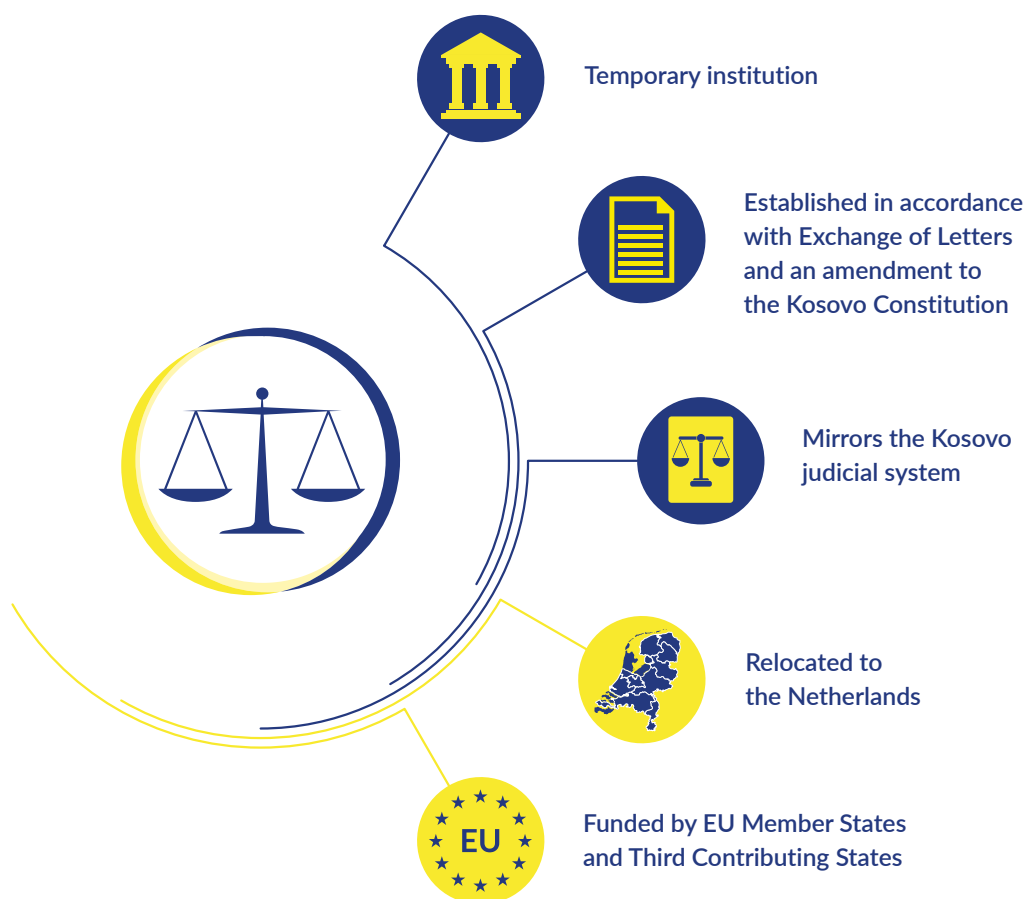
#### ■ The jurisdiction of the KSC covers

- crimes against humanity, war crimes and other crimes under the applicable criminal law at the time the crimes were
  - committed between 1 January 1998 and 31 December 2000
  - either commenced or were committed in Kosovo, or committed by or against persons of Kosovo/Federal Republic of Yugoslavia citizenship
- certain offences against the administration of justice when they relate to its official proceedings and/or officials.

#### ■ The KSC deals with individual criminal responsibility only - groups or organisations cannot be put on trial.

#### ■ The KSC allows victims' participation in proceedings.

- The KSC and the SPO are funded by EU Member States and Third Contributing States, and are independent in the fulfilment of their mandate and work.
- The official languages of the KSC and the SPO are Albanian, Serbian and English.
- The KSC has an Ombudsperson, who acts independently to monitor, defend and protect the fundamental rights and freedoms of persons interacting with the KSC and the SPO, including by
  - operating a complaints procedure, which individuals can make use of if
    - the complaint involves an interaction between the complainant and the KSC or the SPO
    - there is undue delay in a proceeding before the KSC
    - all other remedies have been exhausted
    - the complaint has been filed within six months of the alleged violation
  - entering and inspecting the KSC Detention Facilities to assess the conditions of detention at any time and without notice.













# CHAMBERS

The Kosovo Specialist Chambers (KSC) has continued at a very efficient and effective pace with its proceedings and has reached a number of significant milestones throughout the year. Specifically, the war crimes proceedings in the case of the *Specialist Prosecutor v. Salih Mustafa* concluded with a reduced sentence, which was handed down by the Appeals Panel on 10 September 2024, following a decision issued by the Supreme Court Panel. The KSC second trial judgment in a war crimes case was pronounced on 16 July 2024 in the case of the *Specialist Prosecutor v. Pjetër Shala* and appeal proceedings have subsequently commenced.

The KSC's first plea agreements were filed in the case of the *Specialist Prosecutor v. Sabit Januzi et al.* in November 2024, which were being considered by Trial Panel I by the end of 2024. Trial proceedings in the case of the *Specialist Prosecutor v. Hashim Thaçi et al.*

continued at an efficient pace and the first two sentences handed down by the KSC were served in full by the convicted persons in the case of the *Specialist Prosecutor v. Hysni Gucati and Nasim Haradinaj*, in a case that involved offences against the administration of justice. The case against Hashim Thaçi and four other persons on administration of justice charges was ongoing by the end of the reporting period and led to three arrests.

Every level of the Specialist Chambers was seised during 2024, including the Single Judge, the Pre-Trial Judge, two Trial Panels, Court of Appeals Panels, a Supreme Court Panel, the Specialist Chamber of the Constitutional Court (SCCC), as well as the President. During the course of the year, these Panels and the President issued a combined 978 decisions and orders, of which 137 were rendered orally.

## a.

## PROCEEDINGS BEFORE THE PRE-TRIAL JUDGE

### *Specialist Prosecutor v. Hashim Thaçi et al.* (offences against the administration of justice)

On 2 November 2023, Mr Isni Kilaj was arrested in Kosovo pursuant to an order issued by the Specialist Prosecutor. The arrest order was issued for offences against the administration of justice including obstructing official persons in performing official duties and violating secrecy of proceedings. Mr Kilaj was transferred to the Detention Facilities on 3 November 2023.

The SPO submitted an initial indictment in relation to Mr Kilaj on 15 December 2023, followed by a revised indictment on 11 March 2024. On 2 May 2024, the SPO requested that consideration of the revised indictment for confirmation be suspended.

The Single Judge granted the SPO's request, but on 15 May 2024 ordered Mr Kilaj's release to Kosovo under strict conditions. The Single Judge reasoned that extending Mr Kilaj's detention in The Hague in these circumstances would be unreasonable, given, inter alia, the presumption of innocence and the right to liberty. The SPO thereafter filed a further amended indictment on 18 July 2024, which was later confirmed on 29 November 2024. Mr Kilaj was rearrested on 5 December 2024. He pleaded not guilty during his initial appearance on 9 December 2024.

Two other individuals were arrested in Kosovo on 5 December 2024 and brought to the Detention Facilities in The Hague the following day, namely Mr Bashkim Smakaj and Mr Fadil Fazliu.

This is the newest case involving offences against the administration of justice before the KSC. The indictment in this case alleges that Mr Hashim Thaçi, Mr Bashkim Smakaj, Mr Isni Kilaj, Mr Fadil Fazliu and Mr Hajredin Kuçi unlawfully attempted to influence witnesses who are testifying in the case related to war crimes and crimes against humanity against Mr Hashim Thaçi and his co-accused.



Mr Isni Kilaj during his initial appearance, 9 December 2024



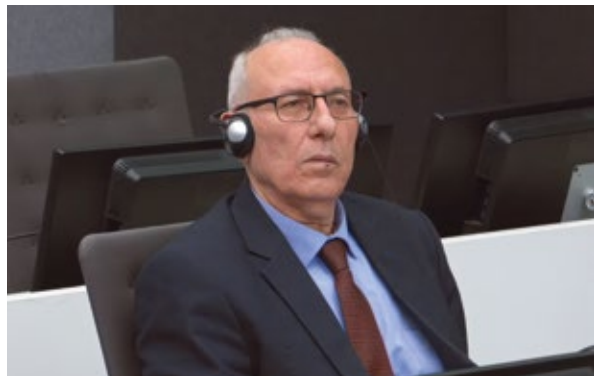
Mr Hashim Thaçi during the initial appearance,  
8 December 2024



Mr Hajredin Kuçi during his initial appearance,  
9 December 2024



Mr Bashkim Smakaj during his initial appearance,  
8 December 2024



Mr Fadil Fazliu during his initial appearance,  
8 December 2024

Mr Thaçi, Mr Smakaj and Mr Fazliu had their initial appearances before the Pre-Trial Judge on 8 December 2024, during which they either chose not to enter a plea or plead not guilty.

Mr Kuçi was summoned to appear before the Specialist Chambers on 9 December 2024, during which he pleaded not guilty to the charges against him.

*Specialist Prosecutor v. Hashim Thaçi et al.*

Trial proceedings in the case against Mr Hashim Thaçi, Mr Kadri Veseli, Mr Rexhep Selimi and Mr Jakup Krasniqi commenced on 3 April 2023 with the opening statements of the Specialist Prosecutor. By the end of 2024, the SPO had called 110 witnesses to testify and over 80 witness statements were admitted into evidence.

Trial Panel II held several hearings throughout the year dedicated to discussing with the parties ways in which the proceedings can be streamlined and undertaken in more efficient ways. This resulted in, *inter alia*, the SPO indicating on 1 October 2024 that it intends to call 12 fewer witnesses to testify than originally anticipated and that it will present certain witness testimony in written form, rather than calling them live. During these status conferences Trial Panel II further

encouraged the parties to continue to evaluate the possibility of ensuring the publicity of the proceedings as much as possible without compromising the security of any witnesses.

Mr Thaçi, Mr Kadri, Mr Selimi and Mr Krasniqi are charged each with 10 counts – four counts of war crimes and six counts of crimes against humanity. The indictment states that the crimes charged were committed from at least March 1998 through September 1999 and took place in several locations across Kosovo as well as in Kukës and Cahan, in Northern Albania. The crimes were allegedly committed by members of the KLA against hundreds of civilians and persons not taking part in hostilities.

There are 154 participating victims in this case.



Hearing in the Thaçi et al. case, 15 July 2024

Trial Panel II, assigned by the President to this case, is composed of Judges Charles Smith III (Presiding), Christoph Barthe, Guénaél Mettraux and Fergal Gaynor (reserve).



Trial Panel II during hearings in the Thaçi et al. case, 15 July 2024

*The Panel accepts that Victim-296/06 is a lay person who was not aware of the deadline to apply to participate as a victim in the proceedings, that the VPO made several efforts in good faith to contact the applicant, and that those efforts were unsuccessful. Therefore, considering the circumstances set out above, and noting that no party opposes the application, the Panel is satisfied that good cause has been shown to consider as valid the transmission of Victim-296/06's application after the time limit set in the Order.*

KSC-BC-2020-06/F02439/RED, Public Redacted Version of Decision on the Sixteenth Registry Report on Victims' Applications for Participation in the Proceedings, 10 July 2024, para. 10

## *Specialist Prosecutor v. Pjetër Shala*

Trial proceedings commenced on 21 and 22 February 2023 in the case against Specialist Prosecutor v. Mr Pjetër Shala with the opening statements of the Acting Specialist Prosecutor, the Defence Counsel and the Victims' Counsel. According to the indictment, Mr Shala, who was a member of the Kosovo Liberation Army (KLA) stationed in Kukës, Albania, is charged with four counts of war crimes (arbitrary detention, cruel treatment, torture and murder). The war crimes in question took place between approximately 17 May 1999 and 5 June 1999 against persons detained at the Kukës Metal Factory used by the KLA.

The evidentiary proceedings in this case were closed on 9 February 2024 and closing arguments took place from 15 to 17 April 2024.

Trial Panel I pronounced its judgment on 16 July 2024, the written public version of which was published on 24 September 2024. The Trial Panel found Mr Shala guilty of arbitrary detention, torture and murder as war crimes and sentenced Mr Shala to 18 years of imprisonment, with credit for time served.



*Throughout their time in detention, the detainees were interrogated and accused of being “collaborators” of the Serbian authorities, “spies”, “traitors”, sympathisers of Serbia, or of not being sufficiently supportive of the KLA effort. The inhumane conditions of detention, and the corresponding physical and psychological assaults, were inflicted on these detainees for the purpose of obtaining information or a confession from them, and/or to punish, intimidate, coerce and/or discriminate against them on political grounds.*

KSC-BC-2020-04/F00847/RED, Public redacted version of Trial Judgment and Sentence, 16 July 2024, para. 1089.



Trial Panel I during the pronouncement of the trial judgment in Pjetër Shala case, 16 July 2024

During the proceedings, a total of 22 witnesses testified (10 for the SPO, two for Victims' Counsel and 10 for the Defence). A further 11 witness statements were admitted into evidence (seven for the SPO and four for the Defence). There were eight participating victims in this case, all of whom are Kosovo Albanian.

On 29 November 2024, the Trial Panel issued the reparation order in this case. The Trial Panel ordered Mr Shala to pay EUR 208,000 in compensation for the physical, mental and material harm inflicted on the victims of the crimes for which he was convicted.

Trial Panel I, which was assigned to this case, was composed of Judges Mappie Veldt-Foglia (Presiding), Roland Dekkers, Gilbert Bitti and Vladimir Mikula (reserve).



Mr Pjetër Shala during the rendering of the trial judgment, 16 July 2024



## *Specialist Prosecutor v. Sabit Januzi et al.*

On 5 October 2023, Mr Sabit Januzi and Mr Ismet Bahtijari were arrested in Kosovo by the SPO pursuant to arrest warrants, transfer orders and a confirmed indictment issued by the Pre-Trial Judge at the time, Judge Nicolas Guillou on 2 October 2023. Both accused were transferred to the Detention Facilities on 6 October 2023.

On 4 December 2023, the Pre-Trial Judge confirmed the charges against Mr Haxhi Shala for offences against the administration of justice and issued a warrant for his arrest. According to the indictment, Mr Shala, together with other individuals, including Mr Januzi and Mr Bahtijari, coordinated between at least 5 and 12 April 2023 to approach a witness who has or is likely to provide information to the SPO or KSC about crimes falling within the court's jurisdiction.

Mr Shala was arrested in Kosovo on 11 December 2023 and transferred to the Detention Facilities on 12 December 2023.

On 8 February 2024, the Pre-Trial Judge granted the SPO's request to join the cases of Mr Januzi and Mr Bahtijari with that of Mr Shala and the case was transmitted to Trial Panel I on 4 September 2024.

Trial preparations conferences were held on 7 and 8 October 2024 and the start of the SPO's case, which was to take place on 14 November 2024, was adjourned following a request by the parties.

On 6 December 2024, the SPO and the three accused filed their plea agreements before Trial Panel I, which convened a hearing to discuss the agreements on 18 December 2024. Trial Panel I was considering the plea agreements in accordance with the KSC's Rules by the end of 2024.

Trial Panel I, which was assigned to this case, was composed of Judges Mappie Veldt-Foglia (Presiding), Roland Dekkers, Gilbert Bitti and Vladimir Mikula (reserve).



Mr Sabit Januzi during his further appearance, 12 July 2024



Mr Ismet Bahtijari during his further appearance, 12 July 2024



Mr Haxhi Shala during the plea hearing, 18 December 2024

*The Panel recalls the principle of publicity of proceedings under Article 40(4) of the Law. The Panel also recalls that the reason why it maintained the confidentiality of the plea agreement proceedings was in view of the pending submission of the Revised Plea Agreements. Since the latter have now been submitted by the SPO and the Parties have further filed their respective submissions on sentencing, the Panel finds that it is no longer justified to maintain the confidentiality of the plea agreement proceedings. (...) By the same token, the Panel decides that the hearings on plea agreement proceedings, as scheduled below, will be held in public session.*

KSC-BC-2023-10/F00626/RED, Public redacted version of Decision Setting the Agenda for Hearings on Plea Proceedings, Requesting Submissions and on Related Matters, 13 December 2024, para. 17.

**c.**

## PROCEEDINGS BEFORE COURT OF APPEALS PANELS

### *Specialist Prosecutor v. Salih Mustafa*

The Court of Appeals issued its appeal judgement on the case of Salih Mustafa on 14 December 2023. The Appeals Panel affirmed Mustafa's convictions for the war crimes of arbitrary detention (count 1), torture (count 3), and murder (count 4). The Panel granted in part Mustafa's challenge to the Trial Panel's imposition of a sentence of 26 years of imprisonment, after analysing cases both in international tribunals and Kosovo courts. The Appeals Panel reduced the overall single sentence from 26 years to 22 years of imprisonment with credit for time served. The Panel also noted that the Reparation Order, issued on 6 April 2023, was not affected by the appeal judgment.

Following a referral to the Supreme Court and its subsequent 29 July 2024 decision, the matter was remanded to the Appeals Panel, in accordance with Rule 194(1)(b) of the Rules, to consider reducing the

sentence. On 10 September 2024, the same Court of Appeals Panel imposed a new overall single sentence of 15 years, with credit for time served.

The Court of Appeals Panel was composed of Judges Michele Picard (Presiding), Kai Ambos and Nina Jorgensen.



### *Specialist Prosecutor v. Pjetër Shala*

Following the issuance of the trial judgment on 16 July 2024, Mr Shala filed his notice of appeal on 2 September 2024 and a pre-appeal conference took place on 20 September 2024. Appeal proceedings in this case were ongoing at the end of 2024.

The Court of Appeals Panel that was assigned to this case is composed of Judges Michèle Picard (Presiding), Kai Ambos and Nina Jørgensen.



Pre-appeal conference in the P. Shala case, 20 September 2024

## Interlocutory appeals

With the extensive progress made in the cases before the KSC, Court of Appeals Panels were also seised with a wide range of appeals in 2024. They issued decisions

on a number of appellate issues, including on continued detention, victims' participation, and the questioning of witnesses.

*The Panel also notes that the requirement of diligence and expeditiousness is heightened even more when a person is detained prior to the filing of an indictment, as the Specialist Chambers' legal framework limits this possibility to a maximum period of one year and specifically requires the SPO to justify each request for an extension by the necessity to take further investigative measures.*

KSC-BC-2018-01/IA007/F00007RED, Public Redacted Version of Decision on the Specialist Prosecutor's Office's Appeal Against Decision on Isni Kilaj's Review of Detention, 15 May 2024, para. 19.

*The Appeals Panel first recalls that: (i) the privilege against self incrimination does not protect against making an incriminating statement per se but against providing evidence by coercion or oppression, and (ii) it is when the degree of compulsion involved destroys the very essence of the privilege against self-incrimination that Article 6 of the ECHR is violated.*

KSC-BC-2020-06/IA030/F00009, Decision on Krasniqi and Selimi Appeals against "Decision on Prosecution Motion for Admission of Accused's Statements", 31 May 2024, para. 42.

d.

## SUPREME COURT PANEL

The Supreme Court Panel was seised with a variety of matters over the course of 2024.

On 25 January 2024, the Supreme Court Panel issued two decisions in relation to a request for protection of legality in the case of Salih Mustafa.

In the first decision, the Panel determined that Defence Counsel Venkateswari Alagendra 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 Article 28(4)(1)(b) of the Code of Conduct, to obtain the Trial Panel's determination on whether a conflict of interest exists. Accordingly, the Panel declared that the appointment of Ms Alagendra as new Counsel to Mr Mustafa had no legal effect and ordered the Registrar to appoint duty counsel to represent Mr Mustafa until the matter was resolved.

In the second decision, the Panel dismissed Mr Mustafa's request for an extension of time to file

its request for protection of legality as Ms Alagendra at the moment had no standing to file any request on his behalf, including the request for an extension of time. Furthermore, the Panel also noted that, even if Ms Alagendra had standing, the timelines provided in the Law (requests for protection of legality are to be filed within three months from the final judgment) cannot be varied by the Rules.

On 29 July 2024, the Supreme Court Panel granted, in part, a request for protection of legality filed by Mr Mustafa following the issuance of the appeal judgment in his case, insofar as it related to the determination of his sentence. The Supreme Court Panel remanded the matter to the Appeals Panel, in accordance with Rule 194(1)(b) of the Rules, to consider reducing Mr Mustafa's sentence in light of the reasoning set out in the decision of the Supreme Court Panel. On 10 September 2024, the Court of Appeals Panel reduced Mr Mustafa's sentence from 22 years of imprisonment to 15 years, with credit for time served.

*The Panel notes that while Article 44(2) of the Law does not contain references to specific domestic laws, it does expressly require that the Specialist Chambers identify the applicable sentencing ranges provided under Kosovo law pursuant to subparagraphs (a) and (b). In this context, the Specialist Chambers are bound to consider which of the relevant sentencing ranges under Kosovo law contains the most lenient sentencing range in accordance with the lex mitior principle. The sentencing panel shall thereafter take this range into account when determining the sentence of imprisonment.*

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KSC-SC-2024-02/F00018, Decision on Salih Mustafa's Requests for Protection of Legality, 29 July 2024, para. 87.

On 9 September 2024, the Supreme Court Panel rejected a request for protection of legality by Mr Haxhi Shala, finding that there was no substantial violation of the procedures on the part of the Pre-Trial Judge, who initially ordered Mr Shala's continued detention, nor by the Appeals Panel that upheld the decision. Mr Shala had complained that the Pre-Trial Judge failed to issue a reasoned decision on his

continued detention during his initial appearance before the Pre-Trial Judge.

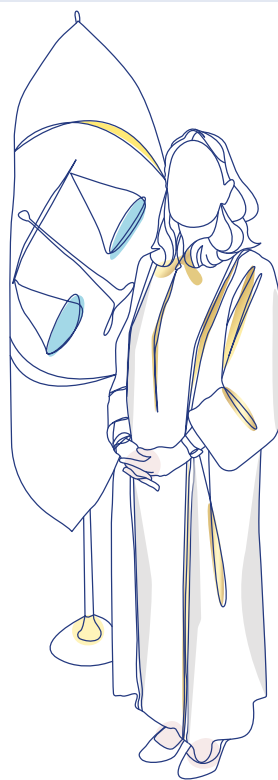
The Supreme Court Panel thereafter rejected Mr Shala's request for reconsideration of its decision, finding that Mr Shala had failed to demonstrate an error in its reasoning or a miscarriage of justice.

*Importantly, the Panel notes that during the initial appearance and in the presence of Mr Shala's Counsel, the Pre-Trial Judge invited Mr Shala to raise any issue in relation to his arrest, transfer to The Hague or to his detention. Mr Shala responded that he had nothing to add and that "everything was fine", after which the Pre-Trial Judge decided that Mr Shala thus remains in detention. In other words, the Pre-Trial Judge gave Mr Shala the opportunity to raise any concerns regarding his detention within the meaning of Article 5(3) of the ECHR and thereafter, having heard the response of Mr Shala, confirmed his continued detention, consistent with the relevant ECtHR jurisprudence.*

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KSC-BC-2023-10/PL001/F00006, Decision on Haxhi Shala's Requests for Protection of Legality, 9 September 2024, para. 42.

The Supreme Court Panel was seised with a referral from Mr Mustafa and the SPO, filed on 9 and 10 December 2024, respectively, in relation to the Court of Appeals Panel's decision to reduce Mr Shala's sentence to 15 years of imprisonment. The Supreme Court Panel was considering both referrals by the end of 2024.



The SCCC was seised with a variety of referrals over the course of 2024.

On 24 April 2024, the SCCC issued its decision on a referral by Mr Sabit Januzi, Mr Ismet Bahtijari, and Mr Haxhi Shala filed on 3 April 2023 regarding the

constitutional validity of the Legal Aid Regulations of the KSC. The SCCC declared the referral inadmissible as the Kosovo Constitution and the Law do not authorise individuals to raise questions of constitutional compatibility of laws before the Chamber.

*The Chamber notes at the outset that the 2024 Legal Aid Regulations provide for avenues through which the Applicants can challenge any determination made by the Registrar in relation to the disbursement of legal aid. The Chamber recalls in this respect that, pursuant to Article 113(7) of the Constitution, as well as Article 49(3) of the Law and Rule 20(1)(a) of the SCCC Rules, an individual may only make a referral to the Chamber after exhaustion of all effective remedies provided for by law against the alleged violation. The Chamber observes in this regard that the Applicants do not appear, as of yet, to have either requested legal aid, nor has there been a determination on their indigency. In other words, the Applicants did not allege that any specific decision was taken pursuant to the 2024 Legal Aid Regulations, or that any such decision violated any of their rights as such.*

KSC-CC-2024-23/F00006, Decision on the Referral of Sabit Januzi, Ismet Bahtijari and Haxhi Shala to the Constitutional Court Panel Concerning the Constitutional Validity of the Legal Aid Regulations of the Specialist Chambers, 24 April 2024, para. 16.

On 31 May 2024, the SCCC delivered its judgment on Mr Nasim Haradinaj's referral, who had alleged violations of his individual rights and freedoms in relation to the criminal proceedings against him before the KSC. In its judgment, the SCCC declared part of his

complaints inadmissible, and rejected the remainder, finding that there had been no violation of the Constitution of the Republic of Kosovo or the European Convention for the Protection of Human Rights and Fundamental Freedoms.

*[...] the Chamber notes that the Applicant never claimed that the unknown persons who delivered the three sets with confidential material, or anyone else for that matter, had, either at the time of the deliveries or thereafter, attempted to pressure him into committing the illegal acts. Rather, the Applicant was merely the recipient of confidential documents, delivered to him by unknown persons. It was therefore up to the Applicant to react to the events in question in a lawful manner. Instead, the Applicant chose, of his own free will, to respond in a deliberately illegal manner.*

KSC-CC-2023-22/F00011, Judgment on the Referral by Nasim Haradinaj to the Specialist Chamber of the Constitutional Court, 31 May 2024, para. 112.

On 15 December 2024, the SCCC issued its decision, denying a referral by Mr Hashim Thaçi in relation to alleged violations of his fundamental rights guaranteed by the Kosovo Convention and the European Convention for the Protection of Human Rights and Fundamental Freedoms with regards to the regime of special investigative measures imposed on him while in

detention on remand pending trial at the KSC Detention Facilities.

By the end of 2024, the SCCC was further seised of a referral by Mr Salih Mustafa and referral by Mr Haxhi Shala. Decisions on the referrals are expected in early 2025.

On 8 April 2024, KSC President Ekaterina Trendafilova rejected the request by Mr Hashim Thaçi to substitute Judge Nicolas Guillou as a Single Judge in the case number KSC-BC-2018-01 following his appointment as a Judge of the International Criminal Court. The President clarified that she can only replace a Judge if the Judge is unable to perform his duties because they are engaged in another activity or occupation. This was not the case with Judge Guillou.

Furthermore, the President of the KSC summarily dismissed the Defence's alternative request for Judge Guillou's disqualification. The President found, *inter alia*, that the request was lacking in substance and that the Defence did not provide any arguments on how Judge Guillou's judicial position at another court, which has no overlapping jurisdiction with the KSC, may affect his independence.

*The President further notes in this respect that Mr Thaçi does not provide any arguments as to how Judge Guillou's judicial position at the [International Criminal Court] - a court which has no overlapping jurisdiction with the KSC, may affect his independence. Similarly, Mr Thaçi does not demonstrate what instructions, if any, Judge Guillou would be taking from either President - other than those related to administrative matters or assignments to cases - which would have no bearing on Judge Guillou's independence. Instead, Mr Thaçi conflates arguments related to Judge Guillou's availability, which are for the President to consider and are administrative in nature, with Judge Guillou's judicial independence.*

KSC-BC-2018-01/F00630, Decision on Defence Requests for Substitution or Recusal of a Judge, 8 April 2024, para. 17.



President Trendafilova

On 12 October 2023, President Trendafilova issued the KSC's first decisions on commutation, modification or alteration of sentences. The President decided that Mr Gucati's sentence should be modified to provide for his release to Kosovo with conditions on or before 18 October 2023. On 12 December 2023, after having received a report from the Registrar on Mr Haradinaj's behaviour at the Detention Facilities, the President decided to modify Mr Haradinaj's sentence to provide for his release to Kosovo with conditions on or around 14 December 2023.

On 13 June 2024, President Trendafilova issued a final warning to Mr Haradinaj to abide by all conditions set out in her decision on modification of sentence issued in December 2023. This warning came after receiving reports from the Registrar, alerting the President to Mr Haradinaj's contacts or interviews with the media over the past few months, without seeking the required approval as mandated in the President's decision.

Mr Gucati and Mr Haradinaj served their sentences in full without further incident on 24 December 2024. This was the first KSC case to have concluded the enforcement phase of the proceedings.



## 2

# Activities of the President and the Judges

The Judges of the KSC are appointed to a Roster of International Judges (Roster) and exercise their judicial functions as necessary and only at the request of the President. In accordance with Article 26 of the Law, the Judges appointed to the Roster do not receive remuneration or other benefits by virtue of this appointment. Moreover, Judges are only remunerated if they are assigned by the President to exercise official functions. Once assigned, and insofar as possible, the Judges perform their duties remotely.

In July 2023, a Call for Nomination of Judges to a reserve list for the Roster was published to ensure the continued and uninterrupted efficient operations of the KSC. The call closed on 15 March 2024. Any appointment to the Roster will only be effectuated where the number of Judges from the Roster appears insufficient. The reserve list for the Roster is intended to ensure that in case of future resignations of Judges, they can be immediately replaced, thereby preventing any delays in the proceedings.

On 6 June 2024, the Appointing Authority, Major General Giovanni Pietro Barbano, appointed Judge Marjorie Masselot (France) to the Roster of International Judges (Roster) in accordance with Article 28(4) of the Law. Judge Masselot took her solemn oath on the same day.

Judge Masselot's appointment followed the resignation from the Roster of Judge Nicolas Guillou, who was elected as a Judge at the International Criminal Court. Upon her appointment, Judge Masselot was assigned to replace Judge Guillou as Single Judge and Pre-Trial Judge in the relevant cases.



Judge Marjorie Masselot

On 3 December 2024, the Appointing Authority appointed Judge Piotr Hofmański (Poland) to the Roster in accordance with Article 28(4) of the Law. Judge Hofmański took his solemn oath on 9 December 2024.

Judge Hofmański's appointment followed the resignation of Judge Antonio Balsamo as a Judge of the SCCC. The Appointing Authority therefore appointed Judge Hofmański to the SCCC to replace Judge Balsamo as one of the three SCCC Judges in accordance with Article 26(5) of the Law.



Judge Piotr Hofmański



a.

## ANNUAL PLENARY

On 15 March 2024, the Judges gathered for their ninth plenary at the KSC. During the plenary, the Judges were updated by the President on ongoing institutional matters, heard introductions from the Specialist Prosecutor and the President of the Executive Committee of the Independent Representative Body of Specialist Counsel and were provided with an update from the Registrar.

The Judges further heard presentations from two external professionals on matters relevant to the field of international criminal justice.



The ninth plenary of the KSC Judges, 15 March 2024

b.

## GATHERING OF THE JUDGES

On 6 December 2024, the Judges gathered in The Hague for a colloquium, during which distinguished speakers presented and discussed with the Judges matters relevant to the field of international criminal justice.

# Judges on the Roster of International Judges



**Judge Ekaterina Trendafilova**  
President  
(Bulgaria)



**Judge Charles L. Smith III**  
Vice-President  
(United States of America)



**Judge Vidar Stensland**  
Constitutional Judge  
(Norway)



**Judge Roumen Nenkov**  
Constitutional Judge  
(Bulgaria)



**Judge Piotr Hofmański**  
Constitutional Judge  
(Poland)



**Judge Romina Incutti**  
Reserve Constitutional Judge  
(Italy)



**Judge Christine van den Wyngaert**  
(Belgium)



**Judge Michèle Picard**  
(France)



**Judge Thomas Laker**  
(Germany)



**Judge Emilio Gatti**  
(Italy)



**Judge Roland Dekkers**  
(Netherlands)



**Judge Antonio Balsamo**  
(Italy)



**Judge Kai Ambos**  
(Germany)



**Judge Kenneth Roberts**  
(Canada)



**Judge Mappie Veldt-Foglia**  
(Netherlands)



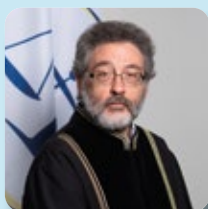
**Judge Christoph Barthe**  
(Germany)



**Judge Vladimír Mikula**  
(Czech Republic)



**Judge Guénaél Mettraux**  
(Switzerland)



**Judge Gilbert Bitti**  
(France)



**Judge Daniel Fransen**  
(Belgium)



**Judge Fergal Gaynor**  
(Ireland)



**Judge Nina Jørgensen**  
(Norway)



**Judge Marjorie Masselot**  
(France)

### 3

## External activities

Over the course of 2024, President Trendafilova kept members of the public as well as stakeholders abreast of the KSC's activities. To this end, the President met representatives of EU institutions, EU Member States, Third Contributing States, the Host State and Kosovo in The Hague and Brussels. The President was also in touch with the Head of Mission of the EU Rule of Law Mission in Kosovo, Major General Giovanni Pietro Barbano, where necessary in relation to the KSC.

The President visited Kosovo from 7 to 9 October 2024. During her visit, she met the Kosovo Minister of Justice, H.E. Albulena Haxhiu, and various members of the international community, including the Ambassadors to Kosovo of the EU Member States and Third Contributing States, the EU Special Representative and the Head of the EU Rule of Law Mission in Kosovo.

On 13 November 2024, President Trendafilova met with members of Kosovo civil society and journalists online to provide information on the KSC proceedings and she answered questions that were posed.



President Ekaterina Trendafilova during the online meeting with Kosovo civil society, 13 November 2024

*We have to take care of people who decided to come and to testify before the court. One of the reasons for the relocation, one of the reasons for these specific elements, is to really protect people, and since my first visit to Kosovo, I always used to say that even the best judgment, the most brilliant judgment, wouldn't be worth a penny if that would be at the expense of the safety and the security of people.*

President Trendafilova, online meeting with Kosovo civil society, 13 November 2024.

On 27 November 2024, the President travelled to Brussels, where she had meetings with several Political and Security Committee Ambassadors and the Office of the Managing Director for Europe and Central Asia at the European External Action Service, Mr Matti Maasikas, the Civilian Operations Commander, Mr Stefano Tomat, and members of the Committee for Civilian Aspects of Crisis Management, to discuss matters of importance to the KSC, including the urgent need for the conclusion of bilateral enforcement agreements.

# EXTERNAL RELATIONS



# External relations

Given the large number of judicial activities, the President and the Registrar have continued to take a prominent role in explaining to the public in Kosovo and the region how the KSC works to ensure fair, secure and effective judicial proceedings in line with its mandate and the highest international criminal justice standards.

From 26 to 28 January 2024, the President and the Registrar travelled to Sierra Leone, where they took part in a legacy conference for the Specialist Court for Sierra Leone, during which they, inter alia, discussed matters of mutual importance to the KSC.

On 19 March 2024, the President, the Registrar and the Specialist Prosecutor met with Ms Emily Rakhorst, Deputy Head of the EU Rule of Law Mission in Kosovo (EULEX), at the KSC and SPO premises.

On 12 April 2024, the President, the Registrar and the Specialist Prosecutor welcomed the Head of EULEX and Appointing Authority, Major General Giovanni Pietro Barbano, to the court, during the visit they spoke about the ongoing judicial activities of the KSC, the SPO and the support provided by EULEX in this respect.

On 21 June 2024, the Registrar and the Specialist Prosecutor welcomed Mr Edoardo Manfredini, Head of Europe Sector of the EU External Action Service Civilian Planning and Conduct Capability, to the KSC and SPO premises.

On 12 July 2024, the three Principals of the KSC and the SPO held meetings with Major General Giovanni Pietro Barbano, Head of EULEX, at the KSC.

On 4 September 2024, a representative of the President, the Registrar and the Specialist Prosecutor met with Ms Emily Rakhorst, Deputy Head of the EULEX, at the KSC and SPO premises.

On 6 November 2024, the President and the Registrar participated in a thematic review on the end of the justice cycle of the International Residual Mechanism for Criminal Tribunals (IRMCT), which was organised by the IRMCT together with the International Committee of the Red Cross.

On 8 December 2024, during their annual briefing, the three Principals updated EU Member States and Third Contributing States based in The Hague on the work of the KSC and the SPO.

The President and the Registrar further welcomed members of the diplomatic, international, and national authorities to the KSC, including a wide range of EU Ambassadors to the Netherlands; the Dutch Ambassador for International Organisations; the German Minister of State, H.E. Katja Keul and her delegation; H.E. Eric Nussbaumer, President of the Swiss National Council and his delegation; a second German delegation; a delegation from the Philippines; the Presidency of the International Criminal Court; a judicial delegation from Armenia; and a delegation of Judges from Ukraine.



President Ekaterina Trendafilova with a judicial delegation from Armenia, 2 July 2024



President Trendafilova and KSC Registrar Fidelma Donlon with H.E. Eric Nussbaumer, President of the Swiss National Council, 1 October 2024



# KOSOVO SPECIALIST CHAMBERS HIGHLIGHTS 2024



Proceedings underway in 5 cases  
involving 13 accused



Trial judgment in  
1 case



3 plea agreements entered



128 public hearings in the  
3 languages of the court



72 witnesses testified



Over 840 decision and orders  
rendered by the panels



864 documents comprising  
11,509 pages translated



13 victims admitted to  
participate in the proceedings  
in three cases



92,000 views of streaming page,  
over 540 people in Kosovo participated  
in outreach events



# REGISTRY

# Registry

The Registry provides services to the Kosovo Specialist Chambers (KSC) and the Specialist Prosecutor's Office (SPO) through its Division of Administration and Judicial Services Division. It is neutral and independent in its provision of services. The Registry is managed by Dr Fidelma Donlon who consults with the President and the Specialist Prosecutor on institutional matters.

The administrative services provided by the Registry are budget and finance, procurement, information technology, facility management, human resources and security and safety. The judicial support services include protection and support for witnesses, administration of the Lists of Counsel, provision of legal aid and the victims' participation process, translation and interpretation services, and management of the courtroom and the KSC Detention Facilities.

In 2024, the Registry staff continued under the Registrar's leadership to provide the highest quality of services in support of the efficient administration of the KSC and the SPO and the fair, safe and effective advancement of the judicial proceedings before the court. This entailed the management of a system of prior approval and monitoring of visits to the KSC Detention Facilities based on a Trial Panel's decision, the implementation of the reparation order in the Mustafa case, indigence enquiries and assessments for legal aid, ensuring the safety and well-being of testifying witnesses, the translation of judicial decisions and judgments, and the release of one suspect on bail and execution of two custodial visits of detainees to Kosovo and the transfer of three accused to the KSC Detention Facilities following their arrests in Kosovo by the SPO. In addition, outreach work remained a focus to maintain dialogue with people in Kosovo and with the Court Information Network, as well as to ensure accurate information is published about the court and the proceedings before it.

The European Union (EU) is the main funder of the KSC and the SPO. This financing is provided through a two-year grant agreement signed by the Registrar on behalf of the KSC and the SPO. Further financing is provided by Switzerland for KSC outreach activities in Kosovo since 2018.



Registrar Fidelma Donlon

The Registrar ensures sound management of the financial resources granted to the KSC and the SPO. In line with governing regulations, the court is subject to internal and external audits. By the end of 2024, 20 external audits had been carried out with no irregularities identified.

The Registrar together with the President and the Specialist Prosecutor engaged with EU Member States and Third Contributing States during briefings and bilateral meetings in 2024. The support of States is necessary for the success of the court. In particular, the conclusion of cooperation agreements on enforcement of sentences and on witness protection remained pivotal.

At the KSC, legal aid is provided to suspects and accused who do not have sufficient means to pay for their defence. In early 2024, the Registrar adopted the revision of the KSC Legal Aid Regulations introducing a distinction between the maximum legal aid fees that can be granted in cases involving international crimes versus those involving offences against the administration of justice. Legal aid continued to be determined per stage of proceedings, depending on the specific complexity of the case and following indigence assessment. The majority of accused before the KSC have elected to receive legal aid solely from the Kosovo government.

One of the strategic priorities set by the Registrar is in the field of records management and retention. In 2024, the KSC Information Asset Register was further enhanced. It now includes over 23TB of items. Furthermore, options papers were developed on how to securely retain and keep accessible the administrative, judicial support and case file records of the court with the view of a future residual mechanism and the creation of an archive.

In 2024, cross-sectional work on the electronic court management system, Legal Workflow, culminated following years of preparatory work in the full upgrade of the system and the successful migration of all

records to the upgraded system. At the end of 2024, 10,120 filings and decisions and 260,993 disclosure items have been processed through the system. In the year 2024 alone, 2,848 filings and decisions and 4,332 disclosure items were processed.

Throughout 2024, the Registry continued to cooperate closely with the Host State in regard to the services it provides to the KSC under the Host State Agreement and other cooperation agreements such as detainee transfers, detention services and in the field of security. The support provided by the EU Rule of Law Mission in Kosovo remained important for KSC operations carried out in Kosovo.

## 1

# Immediate Office of the Registrar

The Immediate Office of the Registrar (IOR) provides support to the Registrar in the execution of her mandate. The Office includes functions such as legal and non-legal support related to the judicial proceedings and court administration, Host State and diplomatic relations, public relations and outreach, as well as reporting and management of protocol services. Information Governance (InfoGov) and Information Security (InfoSec) functions are also part of the IOR.

In 2024, the IOR legal team provided legal advice on a variety of judicial matters, including the implementation of the KSC's legal aid system, detention matters, requests for assistance and cooperation to various entities, the implementation of court orders, and other operational matters. In particular, the legal team supported the Registrar in constructing an effective system to implement court orders relating to modifications on the conditions of detention and ensuring effective access to legal aid. The legal team also provided legal support in matters related to overall good administration, including human resources. In total, the legal team managed 468 submissions on behalf of the Registrar in judicial proceedings before the KSC related to, among other things, the effective delivery of judicial services, detention, legal aid, and witness protection.

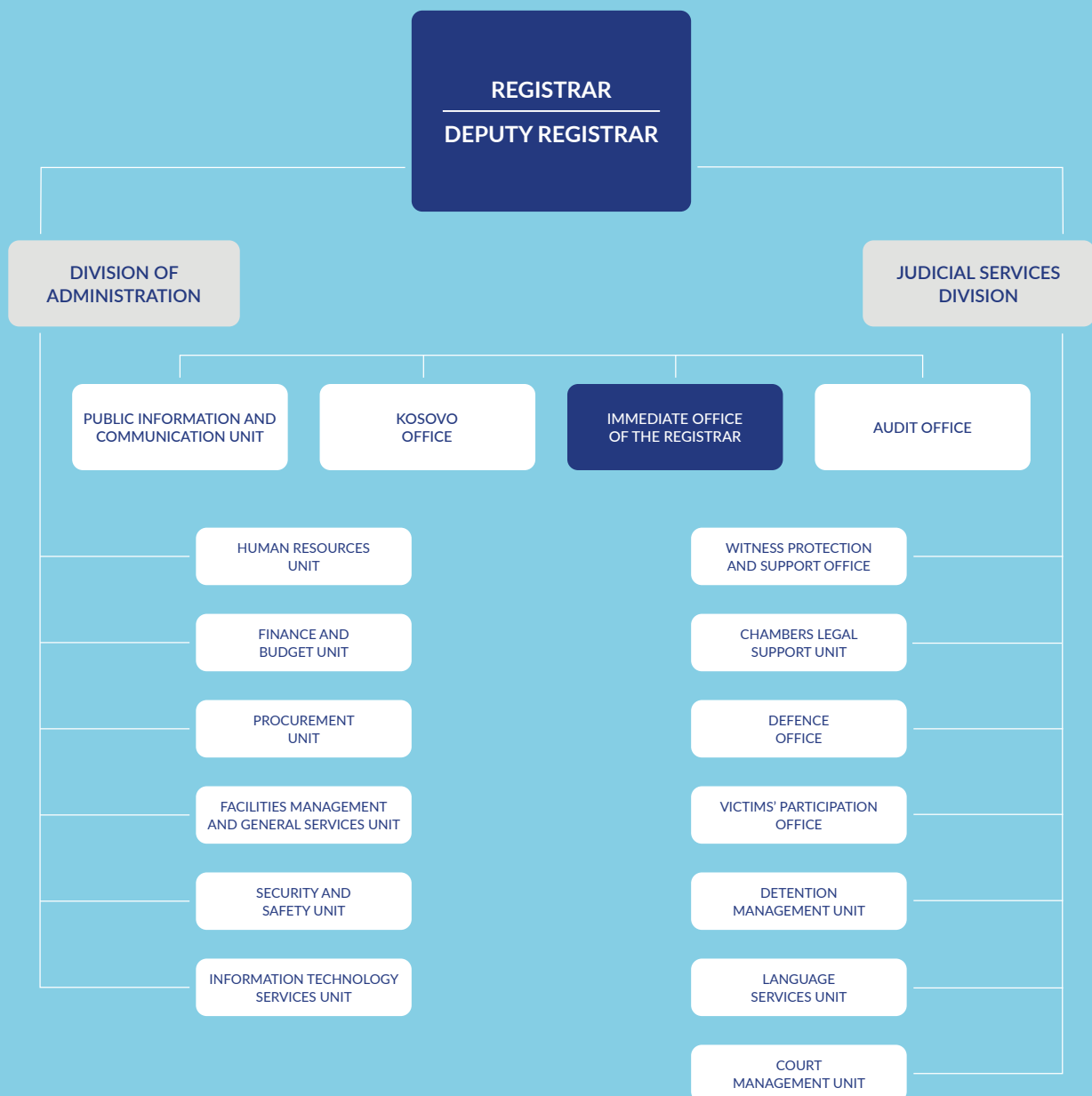
The IOR further supported the Registrar in her efforts to conclude cooperation agreements with States on enforcement of sentences and witness protection.

The drafting and coordination of KSC reports is the responsibility of the IOR as is the provision of internal protocol arrangements. Furthermore, the IOR leads the cross-sectional work on records and evidence management within which the successful upgrade and migration of the electronic court management system was accomplished and important advancement made for the creation of a KSC archive. More specifically, in 2024, the dedicated working group on records management and retention made recommendations to the Registrar on how to technically develop the KSC archive with a view of long-term preservation and content integrity compliant with international standards. Additionally, advice was provided to the Registrar on how to transfer the KSC records and archives to a possible future residual mechanism. Within this project, InfoGov carried out a comprehensive review of the KSC Information Asset Register confirming both physical and electronic assets, a total of 23TB and 229 linear metres, to prepare for its adoption by the Registrar and the setting of retention periods.

InfoGov continued to provide library services and research support to a variety of stakeholders. The library services on the KSC intranet were improved in 2024 to provide for a more seamless experience especially for users working remotely. A total of 314 research requests were received and facilitated through the KSC's internal collection, its cooperation with the Peace Palace library and its institutional network.

InfoSec provided advice and support on policy development for effective information security management and integration of industry best practices

and standards at the KSC. In 2024, the KSC information security risk management was updated and projects launched to further enhance cyber and information security across the court. Several information security assessments were performed on key IT systems supporting the court operations including the translation system MultiTrans and the electronic court management system Legal Workflow. In addition, InfoSec took steps to further raise staff awareness of cyber and information security, including by promoting the use of the European External Action Service information security training platform, regular newsletters and phishing simulation tests.



## Public Information and Communication Unit

With trials taking place in The Hague, the KSC ensures that its outreach and communications activities bring the ongoing judicial proceedings closer to people in Kosovo and to the general public through interactive outreach events, a robust visitors' programme, frequent engagement with journalists, and by providing information online. The Public Information and Communication Unit (PICU) produces all materials in the three languages of the court: Albanian, Serbian and English.

The year 2024 saw significant judicial developments in the proceedings before the KSC that are closely followed by Kosovo and regional media. The streamed public testimonies of witnesses in the Hashim Thaçi et al. case, as well as written exchanges between the parties, were a source of almost daily news in Kosovo. The issuance of the second judgment in July 2024 in the Pjetër Shala case, which involved war crimes, and decisions in the war crimes case of Mr Salih Mustafa by the Supreme Court Panel and the Court of Appeals Panel in July and September 2024, respectively, also generated interest and questions from the media and the public.

In addition, in the Januzi et al. case which deals with obstruction of justice, the Pre-Trial transferred it to Trial Panel I on 4 September 2024. Before the trial

proceedings were scheduled to begin, the three accused in this case reached plea arrangements with the SPO. Towards the end of 2024, a separate case of alleged offences against the administration of justice committed in the Thaçi et al. proceedings began its pre-trial proceedings.

Throughout the year, outreach meetings were held all over Kosovo during which representatives of the court answered questions and participants expressed their views and heard first-hand about the KSC's activities. The court also continued to broadcast informational video clips on the main television stations in Kosovo and to post regularly about the proceedings on its website and social media channels.

Through its visitors' programme, the KSC offers groups of students and legal professionals the chance to visit the public areas, follow hearings and participate in interactive presentations. The interest from international students and legal professionals in the work of the court grew substantially in 2024, and the KSC hosted 75 groups at its premises over the course of the year. In September 2024, the KSC participated in The Hague Open Day event, during which the public was welcomed to the premises to learn about the court and follow a tour.



Student visit to the KSC, 29 October 2024



## 2.1 Media

PICU maintained regular engagement with the media throughout 2024. Weekly online press briefings simultaneously translated between the three languages of the court provided participating journalists from anywhere in the world with updates on the proceedings and the opportunity to pose questions. In addition, the KSC spokespersons replied to 165 individual questions from journalists, answering queries within 24 hours, and gave 17 longer interviews to Kosovo and regional media.

The KSC Principals remained committed to the KSC's mission to communicate publicly about the court and its proceedings and the KSC President gave three longer media interviews. In November 2024, the President spoke to civil society and journalists in Kosovo in two online events.

Developments in the courtroom were closely followed by the media in Kosovo and elsewhere. The Prosecution in the *Thaçi et al.* case continued the presentation of its case and the calling of witnesses to provide evidence. While a number of testimonies were not public due to the need to protect witnesses, a large number of testimonies did take place in public session, and could be followed in Albanian, Serbian and English through the streaming function on the KSC website. Media representatives were also able to follow hearings in person at the KSC premises and make use of the dedicated media centre near the public gallery.

PICU engaged with interested media in Kosovo and the region, continued to meet with the major news editors in Kosovo and increased the number of journalist roundtables held by the spokespersons in Pristina. Six such events were held over the course of 2024 providing journalists background information and the possibility to ask questions. Furthermore, after each briefing, journalists were invited to conduct on-camera interviews with the KSC spokespersons.



KSC Spokesperson Michael Doyle during an interview with  
ATV Kosovo



KSC Spokesperson Angela Griep during an interview with  
Klan Kosova



KSC Spokesperson Michael Doyle during a weekly  
online press briefing

## 2.2 Outreach

Conducting a dialogue with people in Kosovo about the mandate of the KSC and its proceedings has been a priority since the KSC became judicially operational in 2017. The KSC Outreach programme has evolved overtime but always with consideration to the fact that as proceedings take place outside Kosovo misunderstandings and information gaps may arise. The lessons learnt from the work of other relocated tribunals further highlighted the need for a robust Outreach programme.

Through the generous financial support of Switzerland, the KSC has held 185 events directly reaching more than 4,000 persons across Kosovo since 2018. The outreach team travels to Kosovo monthly to engage in dialogue with students, civil society representatives, victims' groups, journalists and others, at meetings organised in cooperation with civil society organisations. Each event is tailored to the interests of the audience and designed to initiate a discussion so that participants can express their views and ask questions, resulting in very lively and interactive

events. Based on the anonymous participant feedback forms, 80% of participants find the events informative and 90% would be interested in attending again.

In 2024, 29 KSC outreach events were held reaching a total of 542 participants in the following communities in Kosovo: Prishtina/Pristina, Prizren, Gjakova/Djakovica, Ferizaj/Urosevac, North Mitrovica, South Mitrovica, Lipjan/Lipljan, Velika Hoca/Hoçë e Madhe, Novobërda/Novo Brdo, Strpce/Shtërpçë, Lapje Selo/Llapllaselle; Ranilug/Ranillug; Zubin Potok; Gračanica/Gračanicë. Of these, 27 were in-person meetings and two were held online.

In order to reach an even wider audience, the KSC also produces explanatory video clips on topics such as witness protection, victims' participation and on questions frequently posed at outreach events. In 2024, the court continued to broadcast these videos on the main Kosovo TV channels in Albanian and in Serbian, and to show them on its YouTube channel, where they were viewed 3,900 times during the year.



Outreach event in Mitrovica North, Kosovo, 17 April 2024

## 2.3 Cooperation with Civil Society and the Court Information Network

The Kosovo Specialist Chambers consults regularly with NGOs from Kosovo and Serbia through its Court Information Network (CIN). The feedback and recommendations received on how to improve the outreach and communications activities are invaluable and have allowed the Outreach programme to evolve in step with developments in the courtroom. Participating NGOs working on transitional justice, human rights, youth, and minorities all bring a different perspective on the needs and interests of communities and on how to convey sometimes technical legal matters to a general audience.

In October 2024, the court hosted a meeting in Pristina with CIN representatives, at which various issues were discussed, including how the KSC could best explain complex legal matters to a non-legal audience. The KSC also hosted two online meetings with CIN representatives in 2024, to receive feedback on the KSC social media channels and explanatory video clips. In December 2024, the KSC Registrar met with members of the CIN online, in order to provide the court's NGO partners with an update on recent significant developments.



Registrar Fidelma Donlon and Deputy Registrar Jonas Nilsson during an online meeting with members of the Court Information Network, 12 December 2024

## 2.4 KSC Online

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All public information about the KSC legal framework, operations and proceedings is published on the KSC website in Albanian, Serbian and English, in an easy-to-understand and easily accessible format. Public hearings are streamed online in the three languages of the court and over 6,000 public filings in the various cases can be accessed through the Public Court Records database on the KSC website. The website also includes a live update highlighting the most important daily developments in the cases, as well as all informational material such as fact sheets, infographics and reports about the court.

In 2024, the streaming page remained the most popular page attracting a total of 92,000 views. Overall, the KSC website received 791,000 views in 2024, with the most views coming from the Netherlands, Kosovo and Serbia.

The court posts video clips on frequently asked questions and the basics of its mandate on its YouTube channel, along with recordings of public hearings. The YouTube channel has over 660 subscribers and was viewed 39,400 times during a total of 3,800 hours in 2024. The most watched video overall is the opening statements in the *Thaçi et al.* case, which took place in April of 2023.

The KSC launched its presence on Instagram and X (formerly Twitter) in 2023 in the three languages of the court. In 2024, the KSC posted regularly on trial developments, its outreach activities and how the KSC delivers justice. The court has over 1,100 social media followers. In 2024, the KSC began posting monthly videos highlighting significant developments in the proceedings, and posting videos and updates from its outreach missions to Kosovo.









The Judicial Services Division provides legal and operational support to the court and the parties to proceedings through the Court Management Unit, the Language Services Unit, the Defence Office, the Victims' Participation Office, the Witness Protection and Support Office and the Detention Management Unit.

In 2024, the KSC continued to reach milestones with the pronouncement of the second war crimes judgment before the KSC, and a Supreme Court Panel decision following which the Appeals Panel imposed a new sentence. Furthermore, pre-trial proceedings in a case dealing with offences against the administration of justice commenced and plea agreements in another were entered.

During the year, the number of detainees in the KSC Detention Facilities changed from ten to nine following the release of one suspect under strict conditions to Kosovo. Following arrests in December 2024, the number of detainees increased to 12 by the end of the year.

The units in the Judicial Services Division provided extensive support such as witness protection and psychological support, and ensured legal representation and the provision of legal aid. The Division also provided safe and secure detention conditions for the detainees at the KSC Detention Facilities.

## 3.1 Court Management Unit

The Court Management Unit (CMU) as the custodian of the KSC case records, manages the processing and distribution of all records filed through the KSC's electronic court management system Legal Workflow. CMU also has other responsibilities related to court operations, including the production of transcripts of hearings through the transcript software Transcend, and manages a dedicated physical repository.

In 2024, 130 court hearings were held. CMU supported courtroom familiarisations of 72 witnesses in coordination with the Witness Protection and Support Office, and facilitated 19 remote testimonies through video link. CMU processed and distributed a total of 710 transcripts of the hearings in the three official languages of the court. A total of 91 in-court and post-session redaction orders were implemented. Additionally, following the issuance of orders and decisions, 282 transcripts totalling over 31,020 pages of transcripts were re-classified, processed and re-distributed.

A total of 373 transcripts were published during the year in the Public Court Record database available on the KSC website. During the course of 2024, CMU received, processed and distributed a total of 2,848 filings with 1,164 annexes. Furthermore, CMU processed and distributed a total of 495 correspondence records.

**In 2024, CMU processed 68,000 pages of filings through the electronic court management system Legal Workflow.**

In total, 1,527 public filings and annexes were made available in the Public Court Record database online.

Additionally, following the issuance of orders by Panels, over 327 filings were re-classified, processed and re-distributed. In total, over 5,600 translation requests were processed through the system and over 4,300 records were disclosed between the parties totalling 150GB.

The underlying platform of the KSC Legal Workflow system was upgraded in April 2024 and continued to be further enhanced in order to provide the necessary technological tools to facilitate the needs of users and to increase performance and system reliability given the intensified use of the system. Preparations were also made for the roll-out of a new transcript system during 2025.

## 3.2 Language Services Unit

**In 2024, the Language Services Unit (LSU) continued delivering interpretation and translation services both at the seat of the KSC and during missions.**

During the year, LSU translated over 11,500 original pages. Translations were produced into the three official languages – Albanian, Serbian and English - as well as into other languages as required for the effective and smooth operations and external communications of the court. These include the translation of numerous filings, weekly press briefings, press releases and outreach materials, as well as Practice Directions, reports of the Ombudsperson and correspondence with external parties. On the judicial side the most notable translations are of the appeal judgment delivered in the Mustafa case, the decision on Salih Mustafa's new sentence and the trial judgment delivered in the Shala case.

Throughout the reporting period, LSU provided simultaneous interpretation during 130 court hearings in various stages, including pre-trial, trial and appeals. Furthermore, the Unit provided simultaneous interpretation during 47 weekly press briefings, as well as simultaneous and consecutive interpretation at meetings held at the KSC premises and during missions abroad. In addition, LSU supported other units with ad hoc requests for interpretation, translation and language assistance.

**In 2024, LSU translated 864 documents into the official languages of the court and others as required.**



### 3.3 Defence Office

The Defence Office (DO) administers a system of legal aid for representation of indigent or partially indigent suspects and accused. The Unit also administers, together with the Victims' Participation Office, a List of Counsel (List) eligible to practice before the KSC. At the end of 2024, the List contained 241 Counsel, of which 127 were Specialist Counsel, 28 were Victims' Counsel and 86 Counsel eligible to act as both Specialist Counsel and Victims' Counsel. The application process for admission to the List remains open.

As a Unit of the Registry, DO is neutral. It is the focal point for any administrative matters Defence teams may have with the Registry. The Unit guides and supports Defence teams on a multitude of topics such as requesting admission of team members in line with the Directive on Counsel and their consequent registration with the Dutch Ministry of Foreign Affairs, as well as facilitating their introduction to the KSC premises and to KSC systems in particular the electronic court management system Legal Workflow. In this regard, DO liaises with relevant units across the Registry.

At the end of 2024, there were 16 Defence teams, with a combined staff of 168 persons, including 16 Specialist Counsel. Of these, four teams were funded through the legal aid system of the KSC.

The KSC legal aid system is available to suspects and accused who demonstrate that they cannot afford to pay for their legal representation. While the KSC has received a couple of requests for legal aid in the past, in 2024 the first legal aid requests were conditionally granted and payments made. The conditionality lays in the finalisation of indigence enquiries and assessments.

Another aspect of the Unit's tasks in ensuring legal representation is safeguarding Duty Counsel services during legal proceedings when required. Furthermore, DO facilitates the communications between Defence teams and States, international organisations and other institutions with regards to their investigative requests.

**In 2024, an increasing number of accused before the KSC requested KSC legal aid.**



## 3.4 Victims' Participation Office

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The Victims' Participation Office (VPO) administers the system of victims' participation at the KSC by assisting applicants who wish to participate in the proceedings as victims, processing their applications and submitting them to the relevant Panel.

When victims are admitted to participate in proceedings before the KSC, VPO ensures that they are properly represented. For this purpose, VPO maintains a list, which contains 114 Counsel who are qualified to represent victims. VPO also administers a system of legal aid for participating victims.

Victims who participate in proceedings have the right to notification, acknowledgement and reparation. They exercise their rights through Victims' Counsel, assigned to a group of victims in each case. Victims' Counsel may be present at court hearings, make written and oral submission and will keep the victims informed throughout the proceedings.

There are participating victims in three cases before the KSC and in all three cases the deadline to apply to participate has expired.

In total, VPO has received 322 applications and submitted 24 reports including victims' applications to the relevant Panels. Since 2020, 170 applicants have been granted the status of participating victims before the KSC: eight in the case against Mr Shala, eight in the case against Mr Mustafa and 154 in the case against Mr Thaçi et al.

In the case against Mr Mustafa, the Trial Panel I issued the first Reparation Order in 2023, ordering Mr Mustafa to pay an overall sum of EUR 207,000 as compensation for the harm inflicted to the eight participating victims.

In 2024, several steps were taken in regard to the implementation of the Reparation Order. Following the President's assignment of a Single Judge to oversee the implementation of the Order by the Registrar, a number of submissions, reports and decisions were made to further the implementation.

In particular, the Single Judge issued orders regarding Mr Mustafa's potential assets to be used for the partial execution of the Order on the basis of proportional payments to the victims. The Single Judge further recalled that despite the partial enforcement of the Reparations Order, Mr Mustafa is not relieved from his obligation to pay the reparations in full, even if he is currently not able to do so.

At the end of 2024, Trial Panel I issued its second Reparation Order, ordering Mr Shala to pay a sum of EUR 208,000 as compensation for the physical, mental and material harm inflicted on the eight victims of the crimes for which he was convicted. Similarly as in the Mustafa case, the Panel ordered the Registrar, to implement the Order and to, in coordination with Victims' Counsel, seek compensation from the Kosovo Crime Victim Compensation Program, on behalf of the victims in this case.

In both the Mustafa and Shala case the Panel found the convicted persons indigent for which reason the Panel invited other actors to engage in the payment of reparations. The Panel recalled Kosovo's obligations to support the victims in this regard but also recommended the KSC to make arrangements to allow for voluntary contributions. Following the Registrar's adoption of the relevant legal framework, there is the possibility for donors to contribute with non-earmarked donations to the KSC, to support the payment of reparations awarded to victims by a reparation order issued by the KSC.

**In total, 170 applicants have been granted the status of participating victims before the KSC since 2020.**

## 3.5 Witness Protection and Support Office

The Witness Protection and Support Office (WPSO) safeguards the physical and psychological well-being, safety, dignity and privacy of witnesses and victims involved in the proceedings.

During 2024, WPSO continued to provide logistical support and assistance to witnesses who testified before the KSC. Out of the 72 witnesses, 19 witnesses testified via video-conference and 43 witnesses testified with in-court protective measures.

WPSO organised all necessary travel arrangements for witnesses in close coordination with the Host State and other relevant authorities. Prior to their appearance, each witness was also informed by WPSO of the support they would receive, including in relation to their appearance, their safety and well-being, their role, rights and obligations as witnesses and practical arrangements relating to their court appearance and stay. Based on an assessment of their security and other needs, WPSO escorted 25 witnesses in 2024. Prior to their appearance in court, witnesses were also familiarised with the courtroom and hearing procedures. During their stay at the location of testimony, witnesses received appropriate support and assistance from WPSO, including the constant availability of operational support staff.

Dedicated WPSO psychologists provided psychological support before, during and after testimony in order to safeguard the well-being of witnesses throughout the proceedings and to reduce the risk of re-traumatisation due to their testimony. Subject to the witness's consent, individual assessments on welfare, medical and other support needs were conducted. Especially vulnerable witnesses, including victim-witnesses as well as witnesses with special needs, reported a high level of satisfaction with the individually tailored support services.

These services included recommending special or protective measures to be implemented in court to safeguard vulnerable witnesses and protect their dignity and privacy throughout proceedings. The measures were granted by the competent Panel.

WPSO protection officers addressed the security needs of witnesses who testified, where appropriate in collaboration with the calling party, and provided designated protection measures and advice to witnesses and their families deemed at risk due to their testimony. WPSO implemented tailored protection measures for witnesses, participating victims, and accompanying support persons before, during and after their testimony to ensure their safety and security.

In its efforts to safeguard the identity of protected witnesses, WPSO also advised Trial Panels on the redaction of information from court records that could reveal a witness's identity or compromise their dignity or privacy. Additionally, WPSO reviewed transcripts of testimony given in private session to ensure that the integrity of court ordered protective measures remained in effect, while supporting the court's objectives regarding transparency and providing public proceedings.

WPSO also ensured that witnesses who appeared for testimony were provided appropriate security advice and protection and could raise any matters relating to their security and safety with WPSO's protection officers. WPSO continued to work in close coordination with relevant partners in Kosovo and the region, the Host State and internationally to effectively fulfil its mandate and provide protection and security to the KSC witnesses.

In 2024, WPSO staff had 272 psychological interactions with witnesses.



## 3.6 Detention Management Unit

The Detention Management Unit (DMU) manages and administers the KSC Detention Facilities located within a Dutch prison in The Hague. DMU ensures that detainees are held safely and securely. The Unit fully respects the dignity and rights of all accused and convicted persons detained at the KSC Detention Facilities in line with the KSC Rules of Detention and Regulations (Rules), best practices and all relevant international standards. Following the conditional release of Mr Isni Kilaj to Kosovo in May 2024 and the arrests in December 2024, the KSC's Detention Facilities accommodated 12 detainees at the end of 2024.

In line with fair trial principles, the KSC is committed to providing detainees adequate time and facilities for the preparation of their defence. As part of this commitment and ongoing judicial procedures with one case in trial and one in pre-trial at the end of the year, DMU facilitated Counsel visits, both in-person and via video conference, upon request and in accordance to the Rules. Detainees continued to be able to participate remotely in the court proceedings from the Detention Facilities when authorised by the relevant Panel.

Detainees' ability to maintain personal relations with family and friends was enabled by DMU through in-person and video visits. Following the December 2023 Trial Panel order in the *Thaçi et al.* case to place certain restrictions on visits, telephone communications and correspondence of three accused in the case, DMU implemented a new visiting system in early 2024 applicable to all detainees. DMU continued ensuring the detainees' rights to communicate with relatives and friends.

The detainees continued to be provided with the highest standard of health care and access to necessary healthcare services to ensure continuity of treatment and care.

The International Committee of the Red Cross (ICRC) and the KSC Ombudsperson conduct independent inspections to the KSC Detention Facilities to assess the conditions of detention. In 2024, the ICRC conducted one inspection and the KSC Ombudsperson three inspections.



KSC Detention Facilities

**In 2024, DMU managed 552 in-person visits by family and other personal visitors to the KSC Detention Facilities.**

The Division of Administration provides expert, administrative and technical support to the KSC and the SPO through the Human Resources Unit, the Information Technology Services Unit, the Facility Management and General Services Unit, the Security and Safety Unit, the Finance and Budget Unit and the Procurement Unit.

In 2024, the work of the Division focused on facilitating judicial proceedings by enabling remote participation at hearings, supporting the court's main application Legal Workflow through which all KSC records are filed and distributed, implementing Pre-Trial Judge, Single Judge and Panel decisions requiring the execution of custodial visits of detained persons to Kosovo on humanitarian grounds, transfer of accused to the KSC Detention Facilities following arrests in Kosovo as well setting up procedures with the Kosovo police to ensure the monitoring and reporting of

persons serving modified sentences or being under judicial restrictions in accordance with applicable judicial decisions.

As part of the KSC's commitment to sound management of both human and financial resources, the Head of the Division of Administration and the Head of the Finance and Budget Unit put in place a system of monthly expenditure forecasting at unit-level. In addition, targeted training was rolled out throughout the KSC to further enhance the appropriate implementation of resources and the approved budget for the period 15 June 2023 to 14 June 2025.

The Head of the Division, as the KSC Anti-Fraud Contact Person, continued to implement the KSC Anti-Fraud Action Plan by providing, together with the Internal Auditor and the Administrative Officer, anti-fraud awareness training to the KSC and SPO staff.

## 4.1 Human Resources Unit

The Human Resources Unit (HRU) provides support, advice and services to all personnel of the KSC and the SPO. HRU implemented its mandate by leading recruitment and selection procedures, administering and advising staff on a variety of personnel matters ranging from compensation and benefits to welfare and health insurance, supporting staff and managers in the process of contract renewals and performance evaluations, as well as by facilitating learning and development opportunities for staff.

In 2024, one Call for Contributions (CfC) for staff members was published in addition to two internship calls.

Within the CfC for staffing positions, a total of 767 applications were received from 360 applicants. Of these, 121 were female and 239 male applicants. Of the applicants, 89% were from EU Member States while 11% were from Third Contributing States.

Within the first internship call of the year, 332 applications were received from 118 candidates of whom 76 were female and 42 male. Within the second internship call, 287 applications were received from 102 candidates of whom 74 were female and 28 male. In total, 17 interns, of whom 15 female and two male, joined the KSC and the SPO during 2024. In addition, 12 placements/student visitors joined the KSC and the SPO as part of their academic research projects.

Overall 40 new staff members were deployed in 2024 of whom 19 female and 21 male. In addition, 25 internal candidates were successful in securing new positions advertised in the CfC of 2024.

The combined staffing of the KSC and SPO increased from 282 on 31 December 2023 to 293 on 31 December 2024. Out of the 210 KSC staff, 102 were female and 108 male, and of the 83 SPO staff members, 37 were female and 46 male.

The number of seconded staff remained at 12 most of 2024 but decreased to 10 seconded staff members at the end of the year. Of these, eight were from the EU Member States of Bulgaria, Germany, Hungary and Ireland, and two were from the Third Contributing States of Switzerland and the United States of America.

With the focus on strengthening HRU support to staff members, further enhancements were made in the delivery of staff administration services and in particular in the area of leave registration and provision of support to staff members during sick leave to ensure their successful re-integration to work following long-term absence. In parallel, enhanced internal guidelines and induction briefings on entitlements were designed and given to facilitate delivery of comprehensive information and guidance to new and existing staff members.

HRU also continued to deliver induction briefings for new staff and provided access to learning and development opportunities to all staff members on subjects such as prevention of psychological and sexual harassment, performance management, leadership and management and staff well-being.

With the continued support of the Principals in fostering a safe and respectful work environment free from harassment, HRU delivered mandatory briefings for line managers on 'How to Handle Harassment Allegations in a Supportive Environment' in 2024, achieving a 85% attendance rate. Staff members were also reminded of available internal and external support services, including the Counselling Psychologist and the KSC-SPO Welfare Advisor.

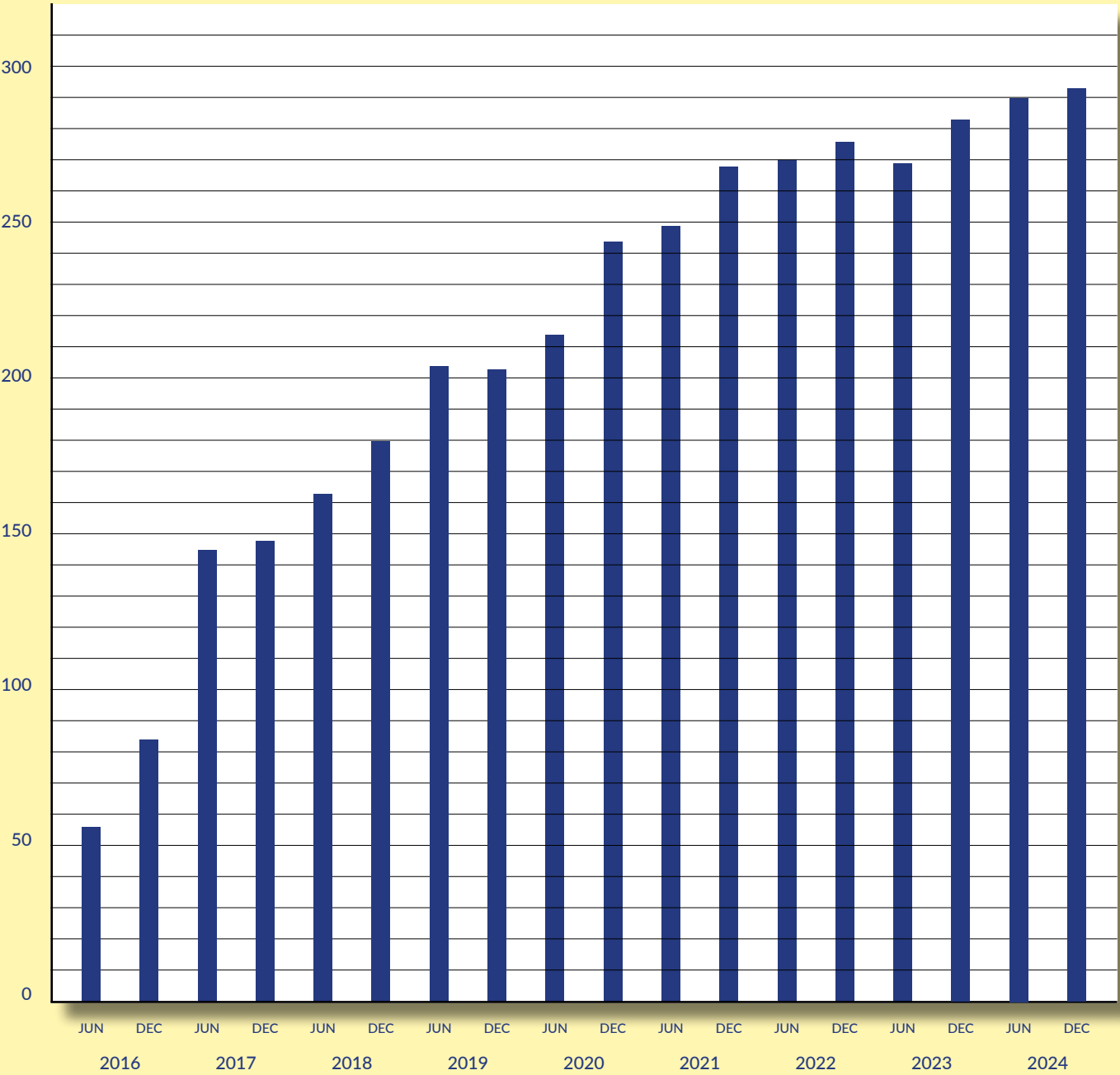
As part of its well-being programme and in recognition of Mental Health Awareness Week celebrated in May 2024 and World Mental Health Day on 10 October 2024, HRU organised a series of activities and presentations on related topics, and further updated the dedicated well-being page on the KSC intranet providing all staff with easy access to mental health resources.

In collaboration with the Finance and Budget Unit, HRU provided support during the transition of the provident fund administration and coordinated the successful closure of former administration model ensuring accurate and timely information to participating staff members.

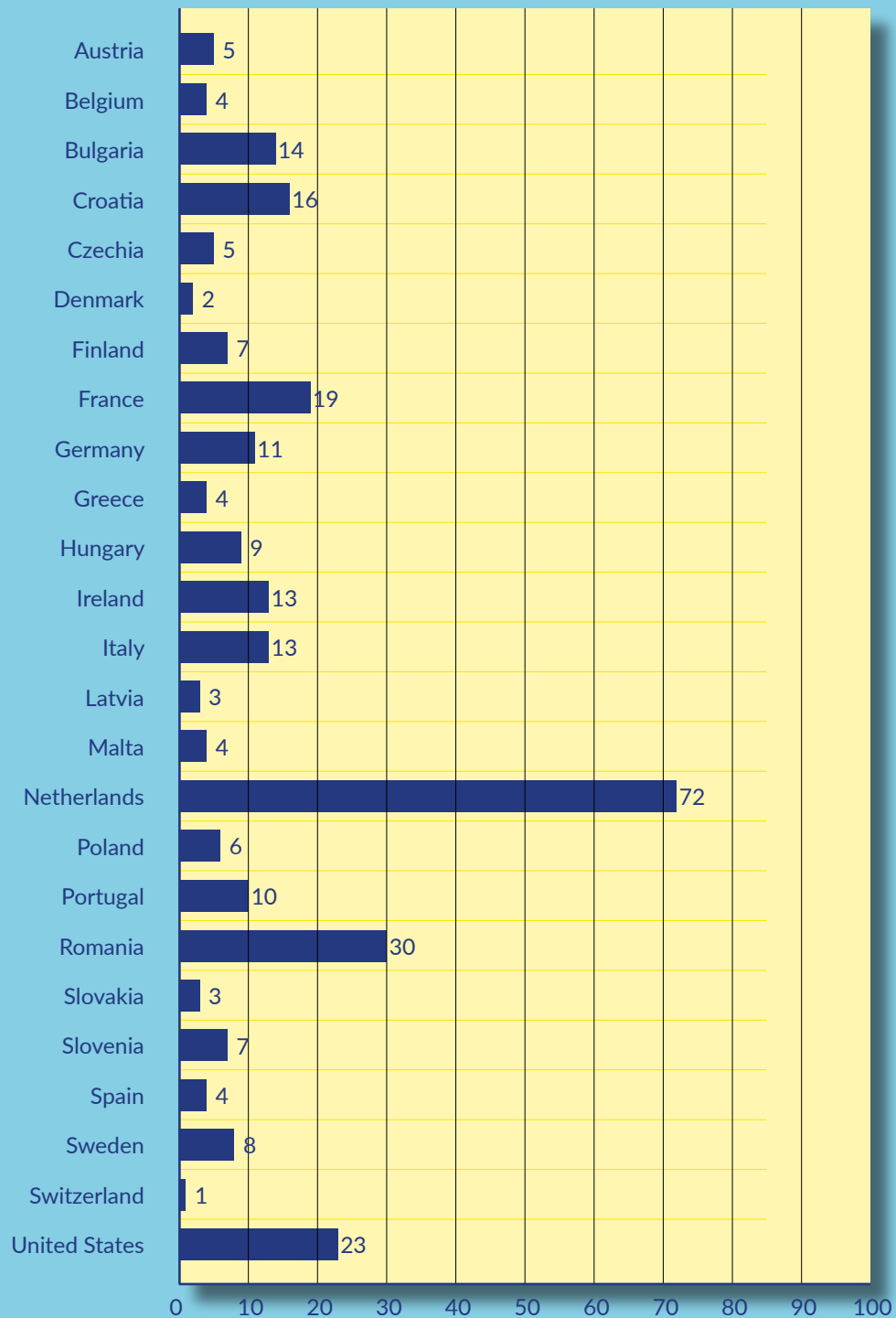
At the end of 2024, the combined KSC-SPO staffing was 293.



# Total KSC and SPO staff



## National Balance of KSC and SPO staff 31 December 2024





## 4.2 Information Technology Services Unit

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The Information Technology Services Unit (ITSU) supported 130 hearings during which over 13,100 audio-visual files consisting of 24TB of data were generated and processed in the three official languages of the court.

The hybrid sessions combined courtroom participants and remote participation through secured video teleconference equipment that were either mobile video teleconference setups or fixed installations in remote locations. In addition to the courtroom operations, ITSU provided technical support during various events at the premises, processed classified audio-visual material in support of its reclassification to public.

The KSC's main application is the bespoke electronic court management system Legal Workflow. Every decision, filing and related communication, as well as disclosures, are processed through the system. It is used both during and outside court sessions as well as

outside regular working hours for which support is available to assist parties in meeting their judicial deadlines. The safe migration and full upgrade of the Legal Workflow was concluded in April 2024 ensuring that this latest version is suitable to run for the coming period.

The ITSU Service Desk provided support to approximately 520 persons using the IT services, comprising the parties to the proceedings and the judicial support services at the KSC. Early 2024, ITSU took into use cloud services to further its IT and cyber security control.

**The electronic court management system Legal Workflow was fully upgraded in 2024.**

## 4.3 Facilities Management and General Services Unit

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The Facilities Management and General Services Unit (FMGSU) is responsible for the efficient and effective management of the KSC and the SPO premises while ensuring a quality work environment for its staff and visitors. This includes the delivery of support services related to real estate management, building maintenance and construction projects in consultation with relevant Host State authorities.

The Unit also ensures that services such as catering, hospitality and cleaning are provided. In addition, FMGSU manages internal space planning, protocol administration services, mail and pouch services, transport and maintenance of the KSC vehicle fleet and travel and logistics for which it works closely with the Security and Safety Unit and Protocol.

Furthermore, the Unit coordinates with the EU Rule of Law Mission in Kosovo on the management of the facilities used by the KSC and the SPO in Pristina, Kosovo.

In 2024, major construction works were executed on the water installation throughout the entire building. This work was urgently required and was initiated and financed by the Central Government Real Estate Agency (RVB). The works were carried out during recess and weekends so as not to disturb the KSC core business.

In order to comply with new Dutch sustainability rules, the RVB started planning major renovations of the KSC premises which will be executed in the coming years and financed by RVB.

The KSC and SPO premises at Raamweg 47 in The Hague were taken into use in June 2019. In order to maintain the building and installations within it in good condition and thus preventing malfunctions that would impede daily operations, steps were taken during 2024 to plan for a number of capital replacements taking place during the first half of 2025.

FMGSU continued to support KSC operations through efficient management of the premises while ensuring a quality work environment for staff and visitors.

## 4.4 Security and Safety Unit

The Security and Safety Unit (SSU) continued to provide broad spectrum security support to the KSC throughout 2024. Full staffing capacity was required throughout the year to carry out tasks in relation to judicial proceedings and other concurrent activities.

SSU further expanded the scope of its tasks in support of the Registrar to providing reviews and assessments beyond more traditional security and safety matters. In addition, relevant procedures were defined and implemented with the Kosovo police to ensure the monitoring and reporting of persons serving modified sentences or under judicial restriction in accordance with applicable judicial decisions. Furthermore, the Unit carried out custodial visits of two detained persons to Kosovo and the transfer of three persons to the KSC Detention Facilities following their arrests in Kosovo.

The Unit also undertook extensive work to streamline processes and information management. The SSU, as a fully digitised unit, ensured that all data processing is aligned with internal governance to support wider organisational objectives in the management and retention of information assets.

SSU remained committed in 2024 to safeguarding effective relationships and information sharing with relevant partners, both nationally and internationally, ensuring that matters of security and safety remained at the forefront of wider planning and decision making at strategic, tactical and operational levels. The Unit stayed abreast with all possible actions to ensure a conducive environment for the delivery of the mandate of the KSC.

The year 2024, continued the trend of 100% service support without serious security or safety incidents.

## 4.5 Finance and Budget Unit

The Finance and Budget Unit (FBU) supports the Registrar in the financial management of the funds granted to the KSC for the implementation of its mandate, in accordance with internal financial rules and regulations and with the principles of EU financial regulations.

In 2024, FBU continued to have a key role in the financial circuit, with the aim of ensuring the sound financial management of funds. In terms of regulatory framework, two administrative directives and one operational instruction relating to processes with financial impact were developed during the year. Additionally, one administrative directive and three operational instructions relating to processes with financial impact were updated. The Unit was also involved in the development of additional rules, by providing expertise and advice during the drafting process. In order to further enhance the procedures and the know-how, FBU delivered regular in-house trainings to staff members covering key aspects of the financial circuits of the KSC and the SPO.

The main activity during 2024 was the management of the budget for the sixth Grant Contract signed between the Registrar, acting on behalf of the KSC and the SPO, and the European Commission, as the grant donor. FBU worked with the European Commission for the swift disbursement of the second instalment which was received in July 2024.

Additionally, the KSC managed funds received from the EU in line with the fifth Grant Contract signed between the Registrar, acting on behalf of the KSC and the SPO, and the European Commission for the two-year period from 15 June 2021 to 14 June 2023 in the total amount of EUR 103,279,698. The final report for the grant expenditure was submitted to the European Commission and the balance was paid back. In addition to the funds granted by the EU, the KSC managed funds totalling EUR 132,300 from Switzerland for KSC outreach activities in Kosovo for the years 2024 and 2025.

In 2024, FBU processed over 4,500 financial actions, from budgetary commitments to payments. Over the course of 2024, the interim report of the sixth Grant Agreement from the EU for the period from 15 June 2023 to 31 March 2024 as well as the Final Report of the Grant Agreement from Switzerland for KSC outreach activities in Kosovo during 2022 and 2023, were submitted.

Furthermore, following the ceasing of the previous provident fund arrangement, the KSC Provident Fund Board took the decision that the fund would be managed by the KSC. In practice this meant that FBU took over the management of the provident fund towards the end of 2024. The Unit built a system to efficiently monitor and support the functional operation of the fund. A solid legal framework was also established giving the Provident Fund Board a central role in advising the Registrar, while FBU reports monthly on the implementation of the deposit policy.

The KSC financial accounts are subject to regular independent audits and expenditure verifications by both internal and external auditors as required by the EU Commission and the internal governance framework. In 2024, the audits and expenditure verifications conducted identified no irregularities. FBU maintained effective collaboration with the European Commission Service for Foreign Instruments contributing to effective monitoring and implementation of the KSC's financial resources.

**By the end of 2024, the KSC had been the subject of 20 external audits with no irregularities identified.**

## 4.6 Procurement Unit

The Procurement Unit (PU) is responsible for the KSC and the SPO procurement activities and thus ensures that goods, services and works required by the court to fulfil its mandate, are obtained timely and at the right cost.

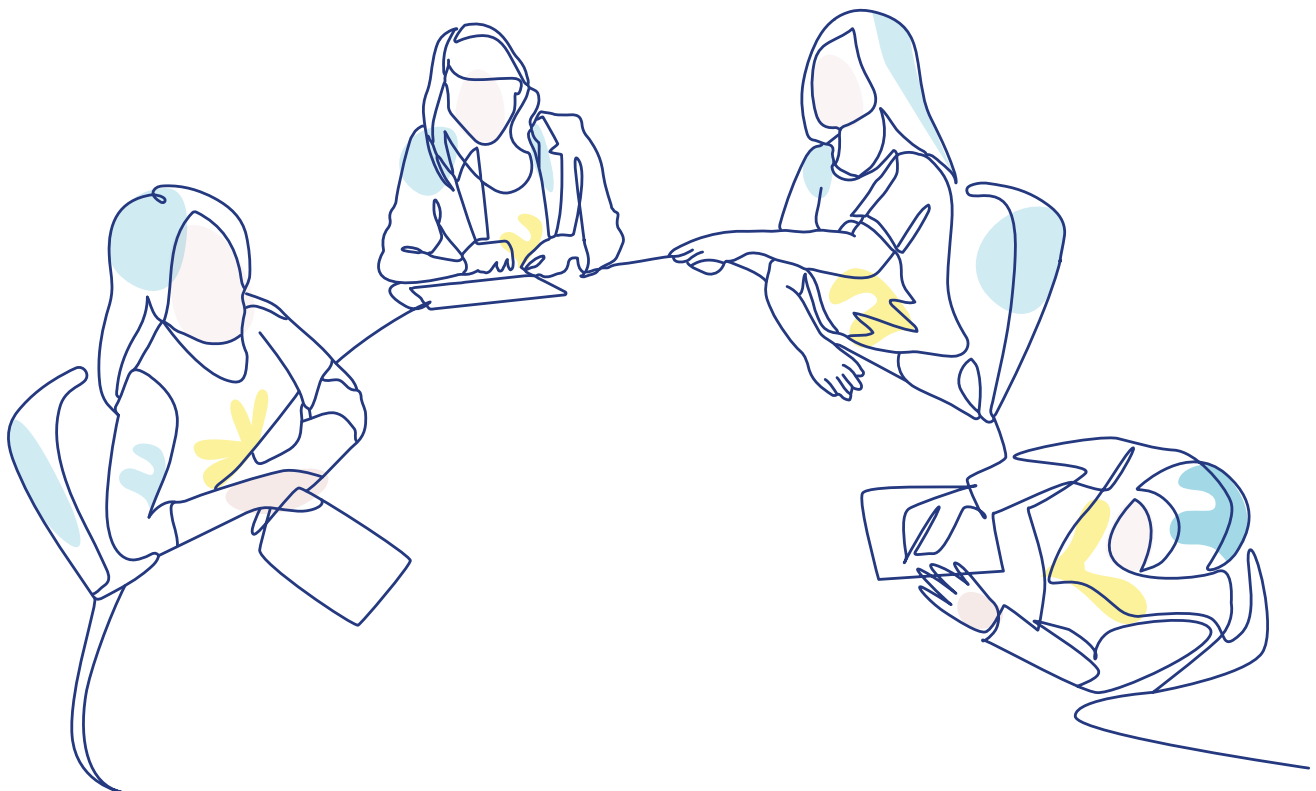
The field of procurement is one of the most heavily regulated in the public sector. KSC and SPO purchases undergo regular strict controls and audits to ensure that the KSC complies with EU regulations in this regard.

In 2024, PU continued to deliver in-house training for staff to ensure consistent and rigorous contract and market survey processes as well as to increase awareness and understanding of applicable tender processes and requirements among prospective suppliers in an effort to provide as many businesses as possible, regardless of their location, the opportunity to work with the KSC and the SPO. Through these efforts and the support provided to units in contract

administration and monitoring, the Unit ensured that the KSC and the SPO complied with good procurement practices and that the risk of non-compliance with the relevant procurement rules and regulations as well as internal policies and guidelines was reduced.

PU continued to identify opportunities to maximise value for money and achieving procurement excellence, including by implementing multi-year framework contracts where possible.

**In 2024, 71 procurement contracts for a range of goods and services worth EUR 9.5 million were concluded for the KSC and the SPO.**



# INTERNAL AUDIT



The Internal Auditor conducts audits, reports on findings and shares her recommendations with the Registrar thus contributing to the institutional governance and accountability of the Kosovo Specialist Chambers and the Specialist Prosecutor's Office.

An internal audit is meant to provide an independent assurance that an organisation's risk management, governance and internal control processes are operating efficiently and effectively. The Internal Auditor further verifies the status of implementation of the given recommendations in the follow-up audits she conducts. In her work, the Internal Auditor adheres to international professional standards of internal auditing and to the European Union Financial Regulation, and advises on measures to improve governance.

During 2024, the Internal Auditor conducted eight audits set out in the annual audit plan. These included verification of eligibility of expenditures of imprest accounts, expenditures related to court services, management of the provident fund, asset management, invoicing of detention services, home leave expenses and the grant received from Switzerland. In addition, the Internal Auditor carried out eight follow-up audits to ensure that the actions agreed on by the management have been implemented correctly. In addition to the audit assignments, the Internal Auditor was engaged with the anti-fraud trainings provided to staff members.

The mission of the Internal Auditor is to provide the Registrar with independent and objective assessments to improve KSC and SPO operations.



# **GENDER MAINSTREAMING AT THE KSC AND THE SPO**

# Gender Mainstreaming and Anti-Harassment Training

The KSC and the SPO is currently the only court of its kind with all of its Principal positions held by female officials. President Ekaterina Trendafilova, Registrar Fidelma Donlon and Specialist Prosecutor Kimberly West, are keenly aware of the importance of a balanced gender representation. The Principals strive to promote a culture of dignity and mutual respect across the organisation, and have adopted a zero-tolerance policy against any form of harassment since its establishment. This commitment has also been enshrined in the KSC-SPO Anti-Harassment Strategy adopted in 2019, and further reinforced through the 2022 KSC-SPO Anti-Harassment Policy.

## Gender Parity

The impact of the organisational efforts undertaken to achieve gender parity is demonstrated by the pattern of increased female representation among new staff joining the KSC and the SPO since 2018. A record 56% of new staff joining was female in 2021 and 2022. While this percentage decreased slightly to 43% in 2023, the upward trend resumed in 2024, with a female ratio of 48% among staff members joining the KSC and the SPO.

By end of 2024, the KSC and the SPO had a very balanced gender representation, nearing gender parity. Of the overall staff, 47% was female, unchanged from 2023, and 53% male. Broken down by post level, the gender ratio was even closer to parity at the Expert and Management Levels, with 51% female and 49% male staff.

At the KSC, full gender parity among staff across all levels was again reached in November 2024. This important milestone was first achieved in 2022, after which the gender ratio of female staff compared to male colleagues in the KSC slightly decreased. By end of 2024, the number of female staff in the KSC remained stable overall compared to the previous year, increasing by 3% at Expert and Management level, and decreasing by 2% at Secretary and Assistant Level. In the SPO, female representation among staff increased by 1% overall, reaching 45% by end of 2024. While there was a 2% increase in female representation at Expert and Management Level, a decrease was registered among female staff at Secretary and Assistant Level in the SPO in 2024. The SPO had also achieved gender parity in 2022 and 2023 among staff at Secretary and Assistant Level.

### Gender Balance 31 December 2024

	All posts		Expert & Management Level		Secretary & Assistant Level	
	Female	Male	Female	Male	Female	Male
KSC-SPO	47%	53%	51%	49%	40%	60%
KSC	49%	51%	57%	43%	40%	60%
SPO	45%	55%	44%	56%	40%	60%

To enable the Principals to monitor the progress made towards reaching and maintaining gender parity, they regularly receive gender disaggregated data from the Human Resources Unit (HRU).



Gender mainstreaming activities review meeting

## Bespoke Anti-Harassment Trainings

In line with the Principals' commitment to foster a safe and inclusive work environment, free of any form of harassment, by end of 2024, 91% of all staff attended training sessions on "Prevention of Psychological and Sexual Harassment". Additionally, bespoke mandatory trainings were delivered in 2024 to line managers on "How to Handle Harassment Allegations in a Supportive Environment", reaching an 85% attendance rate. These trainings are complimentary to other trainings provided to managers on leadership and management topics, as part of their overall responsibilities related to the prevention of harassment.

The provision of such bespoke trainings to first-line managers and staff built on efforts carried out in 2023 as part of an internal outreach plan developed to further promote the principle that harassment prevention is a shared responsibility. Alongside the development and distribution of infographics and posters providing an overview of the KSC and SPO framework in preventing, reporting and responding to incidents of harassment, a series of trainings were delivered in 2023 to ensure the new features of the Anti-Harassment Policy were comprehensively understood by all staff, interns and contractors. 95% of staff members were trained on the Policy.

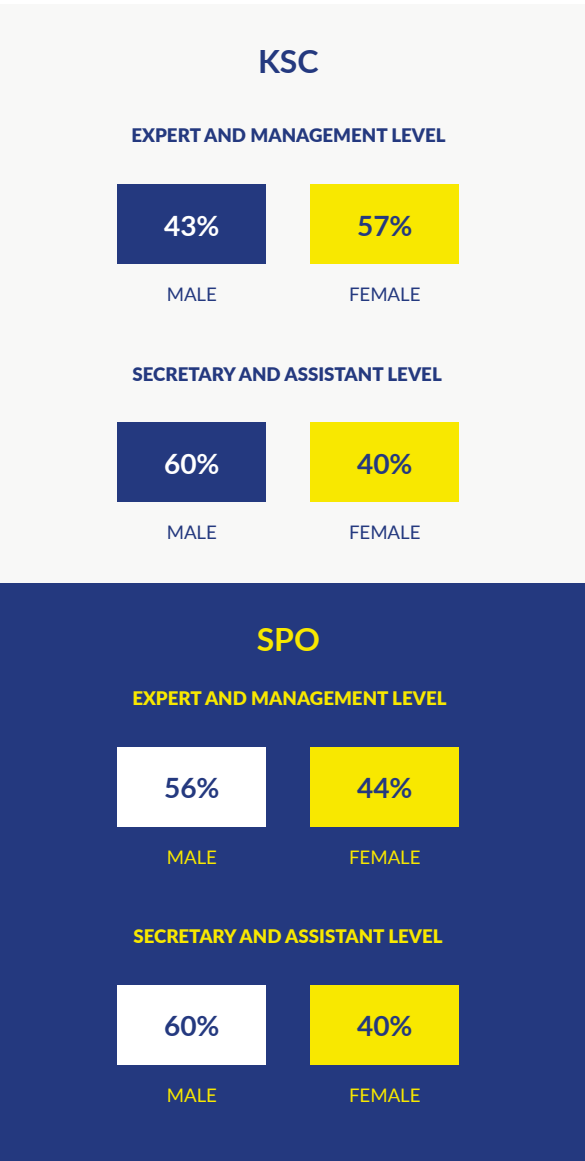
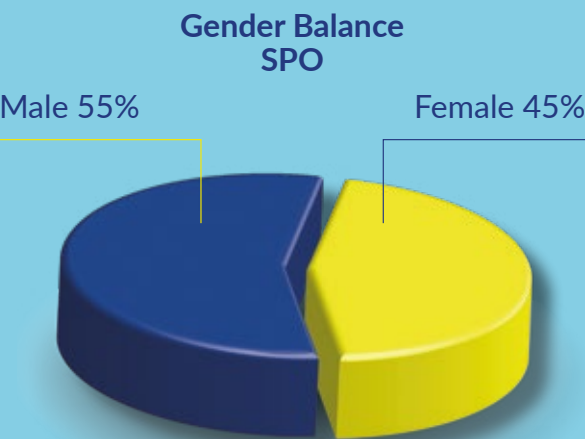
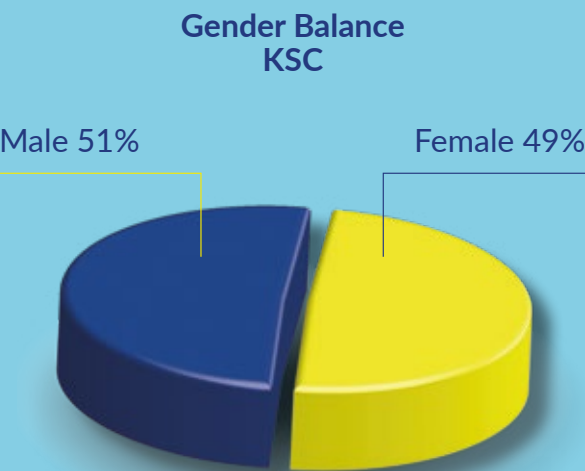
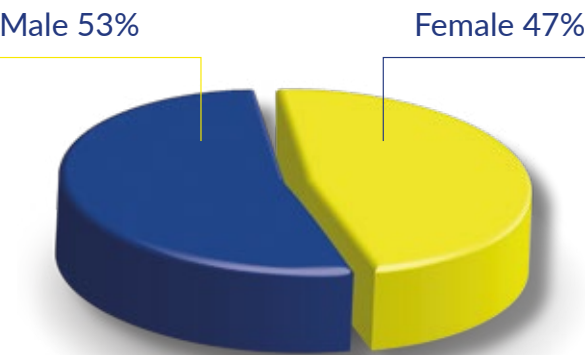
## Support Structures and Regular Reporting

KSC and SPO staff continued to have access to the services of a Counselling Psychologist, and a Welfare Advisor, who provides guidance and assistance to staff, interns and contractors on how to handle any harassment allegations, and what the available informal and formal resolution options are under the Anti-Harassment Policy. An External Mediator is also available to act as independent third-party during any informal resolution processes, where such services are requested to enable the parties to reach an amicable resolution.

The KSC-SPO Welfare Adviser also gathered anonymised statistical data on allegations of instances of harassment, shared confidentially through the HRU with the Registrar. In 2024, the Welfare Advisor reported that awareness about the anti-harassment framework had clearly increased at the KSC and the SPO. Line managers and external mediators also provide HRU anonymised statistical data on the number of informal resolution processes they were involved in to address instances of alleged harassment, and whether such processes succeeded or not.

# Gender Balance of KSC and SPO staff

31 December 2024





## 2

# Gender Focal Point

The presence of the Gender Focal Point forms part of the Principals' overall dedication to maintaining and further strengthening an inclusive work environment.

Over the course of 2024, the Gender Focal Point organised a celebration to mark International Women's Day. The 2024 theme of International Women's Day was "Inspire Inclusion" and the Gender Focal Point sent daily messages to all KSC/SPO staff in the week leading

up to International Women's Day, with interesting articles and ways in which staff could include each other at work through small acts of kindness. Staff members of the KSC and the SPO gathered to celebrate the women working at the institutions, as the President, the Registrar, the Specialist Prosecutor, a member of a Defence team and the Gender Focal Point spoke in honour of International Women's Day.



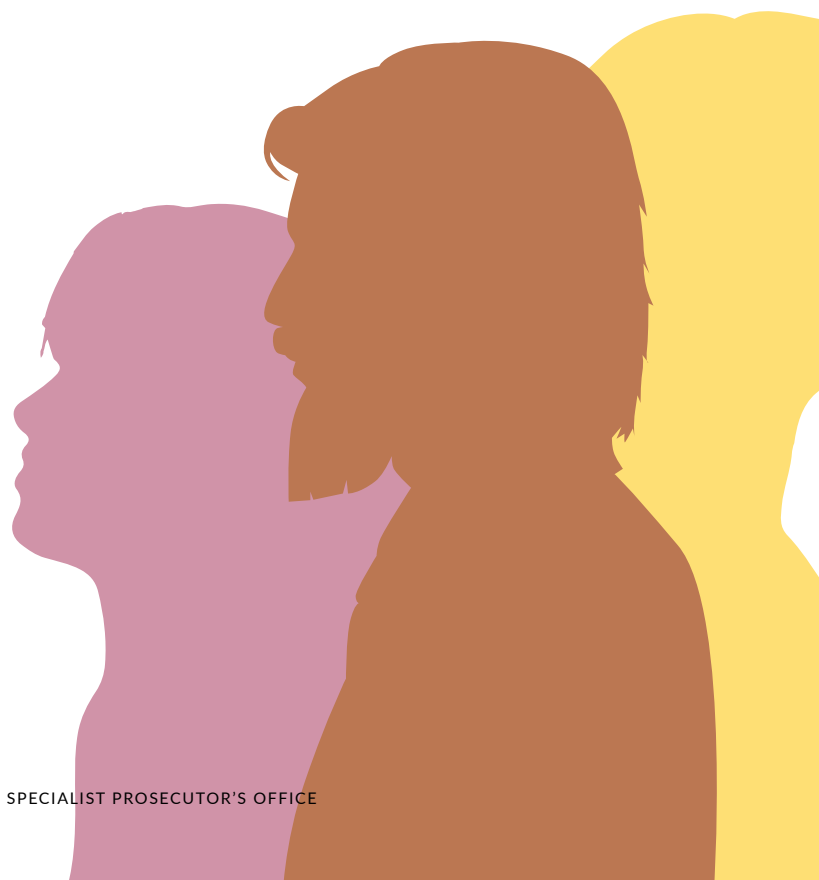
The Specialist Prosecutor, the Registrar and the Gender Focal Point, International Women's Day, 8 March 2024



The President and the Gender Focal Point, International Women's Day, 8 March 2024



Special stickers were designed in coordination with the Public Information and Communication Unit, and handed out on the occasion of International Women's Day.



*Mountains still need to be moved. But small steps still matter. Small acts of kindness, encouragement, matter. Asking a colleague for their views, inviting someone along for coffee at the cafeteria, dropping by to ask if someone needs help with an assignment or truly listening to someone else when they are presenting a new idea or approach – these things matter.*

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Gender Focal Point on 8 March 2024, International Women's Day.

*The mountain moves because we make a conscious decision to pick up a small rock or pebble and take a step forward. Together we can each do something small and together each of these small acts will move the mountain towards equality and build inclusive and diverse teams and ensure an inclusive and diverse court.*

In June 2024, the Gender Focal Point attended a three-day annual meeting of Human Rights and Gender Advisors at the European Union Common Security and Defence Policy missions, organised by the European External Action Service. During those three days, presentations were given on a wide variety of topics relevant to, inter alia, the gender advisors at the missions, as well as workshops provided on gender mainstreaming.

On 25 November 2024, the Gender Focal Point sent a message to all KSC/SPO staff to draw attention to the Global Campaign known as the “16 days of activism for the elimination of violence against women”.

The Gender Focal Point also managed a relevant intranet page, which has been periodically updated with interesting articles and links to events related to gender mainstreaming and inclusion and diversity more generally.

*Breaking the stigma and the silence associated with violence against women and girls is crucial to being able to address the problem. Violence against women and girls is not a private issue. It is not a women's issue. It is an issue for the whole society, one that each and every one of us should be concerned about and unequivocally speak out against.*

*Together, in our private lives and at the KSC and the SPO, we reaffirm the values so dear to us, the zero tolerance against any form of violence, against any form of harassment and to ensuring that women and girls can thrive in a safe and inclusive environment. Today, and every day that follows, we reaffirm our commitment to promoting equality, dignity and respect for each and every one of us.*

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16 days of activism for the elimination of violence against women, 25 November 2024.



# OMBUDSPERSON

# Ombudsperson of the KSC

The Ombudsperson of the KSC acts independently to monitor, defend and protect the fundamental rights and freedoms of persons interacting with the KSC and the SPO. The establishment of the Office of the Ombudsperson within the structure of the KSC and the SPO is distinctive in that it provides an additional layer of human rights protection for any individual(s) interfacing with the KSC and the SPO.

The KSC Ombudsperson, Mr Pietro Spera, an Italian Judge, was appointed in May 2018. The KSC Ombudsperson's mandate and official functions are detailed in Amendment No. 24 to the Kosovo Constitution, in the Law on Specialist Chambers and Specialist Prosecutor's Office (Law) and in the Rules of Procedure and Evidence before the KSC (Rules), including the Rules of Procedure for the Specialist Chamber of the Constitutional Court (SCCC).

In 2024, seven complaints were lodged with the Ombudsperson's Office. Of these complaints, six have been finalised and one remains under consideration.

Of the six complaints finalized, three of these complaints were rejected by the Ombudsperson on the basis that the complainants had not argued or demonstrated that either the KSC or the SPO were involved in any capacity with the matter complained of. The complainants were notified of the outcome of their complaint and were provided with the full reasoning of the Ombudsperson's decision.

The remaining three complaints were submitted by four individuals who are being held at the KSC Detention Facilities since their respective arrests. For these complaints, the Ombudsperson conducted inquiries and issued final reports which were published on the KSC website.

In the first case (CASE-2024-02/01), the complainants alleged that the adoption by the Registrar of the revised Legal Aid Regulations (KSC-BD-25-Rev1) in February 2024 violated their right to an effective defence. Additionally, the complainants requested the Ombudsperson to refer the question of the constitutional validity of the amended Legal Aid Regulations to the SCCC.

The Ombudsperson dismissed the first strand of the complaint as this was an issue directly related to ongoing judicial proceedings. In respect to the second strand, the Ombudsperson found that the two-month time limit for the referral to the SCCC had expired and was unable to consider the request.

In the second case (CASE-2024-02/02), the complainants submitted a request for reconsideration of the Ombudsperson's original decision in the case (OMB-C-2024-02), alleging that the Ombudsperson had failed to consider Rule 6(4) of the SCCC Rules, which allows the SCCC, in limited circumstances, to extend the two-month time limit for a referral by the Ombudsperson to it. The Ombudsperson recalled that, further to his examination of the procedural elements of the requested referral, and having been aware of the revised Legal Aid Regulations since their adoption by the Registrar in 2024, he found no valid reason to ask for an extension of the two-month time limit to make a referral to the SCCC. Accordingly, the Ombudsperson rejected the request for reconsideration.

In the third case (CASE-2024-02/03), the four complainants submitted that the lack of consultation and notice prior to the adoption of the amended Legal Aid Regulations in 2024 constitutes poor governance. They further argued that the Registrar failed to consult with the Independent Representative Body of Specialist Counsel (IRB). Additionally, the complainants submitted that they ought to have been part of the consultation process, as they were obvious stakeholders. Finally, the complainants alleged that the Registrar failed in her duty to disclose to them the record of the amendment procedure. The Ombudsperson rejected the complaint in its entirety, as he found that, in accordance with the Legal Aid Regulations, the Registrar is under no obligation to consult with the IRB or any other stakeholder in cases of proprio motu amendments and that there is no general right of access to documents, papers, records or archives produced by the Registry and the SPO, as they are not considered public documents of Kosovo.

In 2024, the Ombudsperson published on the KSC website a summary of all complaints he received. In addition to these summaries, the Ombudsperson has published online, in full, the Reports issued in relation to all complaints received which related to either the KSC or the SPO.

In early 2024, the Ombudsperson terminated two complaints which had been under consideration from 2023.

As part of his monitoring function, the Ombudsperson continued constructive engagement with the KSC and the SPO throughout the year with the aim of ensuring strict compliance with the highest human rights standards. In particular, the Ombudsperson continued his engagement with the Registry and the Detention Management Unit in respect of the KSC Detention Facilities.

During 2024, the Ombudsperson's Office carried out three in-person inspections of the KSC Detention Facilities, in order to ensure full compliance with the key international standards governing the treatment of prisoners. The inspections were carried out in March, April and September 2024.

During these inspections, the Ombudsperson invited each detainee to engage individually and in-private with him. Following the inspections, the Ombudsperson was satisfied that the conditions of detention at the KSC Detention Facilities continue to be fully in compliance with the key international standards governing the treatment of prisoners.



Ombudsperson Pietro Spera

The Ombudsperson's Office continued to engage in its Outreach programme throughout 2024. With the assistance of the Public Information and Communication Unit of the Registry, the Ombudsperson's Office has taken part in a number of in-person outreach activities with civil society representatives in the region.

*The Ombudsperson fails to see how any of the four complainants, or their Counsel would be entitled to be consulted or to be put on notice of any proposed amendments to the 2020 Legal Aid Regulations given that they only applied for legal aid within the KSC some months after the introduction of the amended Legal Aid Regulations. In this regard, the Ombudsperson rejects the submission on behalf of the four complainants that they were "obvious stakeholders".*

Summary of one of the findings of the Ombudsperson following his examination of a complaint (Case 2024-02/3) issued on 10 July 2024.



# SPECIALIST PROSECUTOR'S OFFICE

# Foreword

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The Specialist Prosecutor's Office (SPO) again achieved a series of milestones over the past year, together with the Kosovo Specialist Chambers (KSC). The SPO took forward its prosecution of former Kosovo President Hashim Thaçi and his three co-accused; it completed the prosecution of another war-crimes trial resulting in a guilty verdict; it brought a case of offences against the administration of justice against former President Thaçi and four others, three of whom the SPO arrested in Kosovo; and it negotiated three guilty pleas in a case of witness intimidation. These were the first guilty pleas at the KSC and represent the first time individuals have voluntarily admitted to attempting to persuade a witness not to testify in a Kosovo war-crimes case.



Kimberly West, Specialist Prosecutor

Increasingly, it has become clear that addressing the threats of obstruction of justice and witness intimidation is fundamental to maintaining the integrity of proceedings at the KSC and ensuring that the SPO is able to fulfil its mandate. Truthful witness testimony is critical to judicial processes. It is extremely difficult to secure justice when outside pressure makes witnesses refuse to come to court or persuades them to recant on the stand. For these reasons, my overriding priority is to make sure that the KSC serves as a forum for justice, providing both due process for the accused and a secure setting in which witnesses can speak openly about what they witnessed or experienced without fear of intimidation or retribution.

Moving forward, the SPO will continue to take witness intimidation, retaliation against witnesses and obstruction of justice extremely seriously. Moreover, it will continue to investigate and to prosecute anyone and everyone involved, including those who intimidate or interfere with witnesses or provide financial or other support to such criminal offences.

I wish to thank each of the countries of the EU, including our Host State, the Netherlands, and the Third Contributing States of Norway, Switzerland and the United States, for continuing to provide the necessary resources and support for the rule of law to make our work possible. I am also grateful to the EU Rule of Law Mission in Kosovo (EULEX) and its Head of Mission, Major-General Giovanni Pietro Barbano, for the logistical and operational support given to the SPO in Kosovo. And I wish to thank the staff of both the SPO and the KSC for their commitment and dedication.

**Kimberly West**  
Specialist Prosecutor

*The Hague,  
December 2024*

# SPO Mandate and Investigation

The SPO was established on 1 September 2016 following adoption of the Law on Specialist Chambers and Specialist Prosecutor's Office (Law) and a constitutional amendment by the Kosovo Assembly on 3 August 2015.

The SPO inherited the staff and the mandate of the Specialist Investigative Task Force (SITF), which had been created to investigate and, if warranted, prosecute individuals for crimes alleged in the January 2011 Council of Europe Report "Inhuman Treatment of People and Illicit Trafficking in Human Organs in Kosovo".

The SITF was an autonomous entity based in Brussels, deriving its jurisdiction and legal authority from the EU Council Decision establishing EULEX.

Clint Williamson, a US prosecutor and former US Ambassador-at-Large for War Crimes Issues, headed the SITF Investigation. In July 2014, he advised that a court would have to be established to take the investigation forward.

In presenting his findings, Ambassador Williamson also made clear that the issue that concerned him most was the climate of witness intimidation in Kosovo, explaining that efforts to undermine the investigation by interfering with witnesses were ongoing.

The SPO is an independent institution, with its independence guaranteed by the Law creating it. As such, the SPO is obliged to act independently from both the KSC and from all other prosecutors in Kosovo. The Law also instructs the Specialist Prosecutor and SPO staff not to seek or receive instructions from any government or other source.

Within its jurisdiction, the KSC has primacy over all other courts in Kosovo. The KSC or the SPO may order the transfer of proceedings within its jurisdiction from any other prosecutor or any other court in the territory of Kosovo to the KSC and the SPO at any stage of an investigation or proceedings.

The Specialist Prosecutor is authorised to question victims, witnesses and suspects, and record their statements; conduct on-site investigations, collect evidence, undertake expert examinations thereof and conduct such other investigative activities as necessary; seek the assistance of Third States and international organisations or other entities; and undertake investigative measures as laid out in the Rules of Procedure and Evidence.

David Schwendiman served as the first Specialist Prosecutor between September 2016 and March 2018, having previously been Lead Prosecutor of the SITF from June 2015. Jack Smith succeeded Mr Schwendiman as Specialist Prosecutor in May 2018 and served until November 2022. Kimberly West succeeded Mr Smith as Specialist Prosecutor in October 2023.



Ambassador Clint Williamson

# Mandate Implementation

The SPO continued to move forward expeditiously during 2024. It presented evidence throughout the year in the trial of former Kosovo President Hashim Thaçi and his three co-accused; it completed the prosecution of another war-crimes trial resulting in a guilty verdict; it brought a case of offences against the administration of justice against former President Thaçi and four others, three of whom it arrested in Kosovo; and it negotiated three guilty pleas in a case of witness intimidation.

## *Prosecutor v. Hashim Thaçi et al.*

The SPO continued presenting its case against former Kosovo President Thaçi, Kadri Veseli, Jakup Krasniqi and Rexhep Selimi throughout 2024 and the Trial Panel accepted evidence from 202 witnesses by the end of the year, including the live testimony of 110 witnesses.

The SPO streamlined its witness list and announced at a 1 October 2024 status conference that the April 2025 target for completing its case was achievable.

Messrs Thaçi, Veseli, Krasniqi and Selimi are charged with six counts of crimes against humanity – persecution, imprisonment, other inhumane acts, torture, murder and enforced disappearance of persons – and four counts of war crimes – illegal or arbitrary arrest and detention, cruel treatment, torture and murder. Their trial began on 3 April 2023.

According to the indictment, the crimes were committed from at least March 1998 through September 1999 and took place in several locations across Kosovo as well as in Kukës and Cahan, in Albania. They were allegedly committed by members of the KLA against hundreds of civilians and persons not taking part in hostilities.

The indictment alleges that Messrs Thaçi, Veseli, Krasniqi and Selimi are individually criminally responsible, pursuant to various forms of criminal responsibility, for crimes which were committed in the context of a non-international armed conflict in Kosovo and were part of a widespread and systematic attack against persons suspected of being opposed to the KLA.



Front row, from the left: Prosecutors Joshua Hafetz and Gaia Pergolo  
Second row: Specialist Prosecutor Kimberly West and Prosecutor Earl Sullivan

## Specialist Prosecutor's Response to Shala Verdict



In the wake of the judgment in the trial of Pjetër Shala, Specialist Prosecutor Kimberly West issued a statement highlighting its significance for enacting justice within Kosovo's judicial system. "Achieving accountability for serious crimes – including against those, such as Mr Shala, who had previously avoided the jurisdiction of Kosovo's courts for several years – is an important step for the rule of law," Ms West said.

The Specialist Prosecutor also paid tribute to Mr Shala's victims. "Today is also a day when we remember and pay tribute to the victims of Mr Shala's crimes, who were predominantly Kosovar Albanians, and to those families who have waited a quarter century for the Accused to be held accountable," she said.

The SPO arrested Messrs Thaçi, Veseli, Krasniqi and Selimi and the KSC transferred them to its Detention Facilities in The Hague on 4 and 5 November 2020.

The SPO filed its pre-trial brief on 17 December 2021 and an updated version on 24 February 2022. The SPO filed a further amended indictment on 30 September 2022.

Pursuant to allegations that three of the accused were revealing confidential court information and, in the case of Mr Thaçi, attempting to influence the testimony of upcoming witnesses, the SPO sought a series of measures restricting the contacts and communications of three of the accused – Hashim Thaçi, Kadri Veseli and Rexhep Selimi – in the Detention Facilities of the KSC. A number of these measures were granted by the Trial Panel on 1 December 2023 and remained in force throughout 2024.

The SPO made 384 filings in this case in 2024.

### *Prosecutor v. Pjetër Shala*

The SPO completed its prosecution of Pjetër Shala who was found guilty by Trial Panel I on 16 July 2024 of three counts of war crimes – arbitrary detention, torture, and murder – and sentenced to 18 years in prison.

Mr Shala appealed the verdict.

Mr Shala's crimes were committed between approximately 17 May 1999 and 5 June 1999 against persons detained at the Metal Factory in Kukës, Albania.

In its judgment, the Trial Panel ruled that at least 18 persons were held in inhuman and degrading conditions and subjected to psychological and physical abuse, and one victim was murdered.

Among the evidence admitted during the trial were statements in which Mr Shala admitted to his presence in the Kukës Metal Factory in the indictment period and the mistreatment of detainees.

The SPO opened its case against Mr Shala on 21 February 2023 and closed its case on 6 July 2023, by which time ten witnesses had testified in court. The Defence case commenced on 20 September 2023.

Mr Shala was arrested on 16 March 2021 in Belgium and transferred to the Detention Facilities of the KSC on 15 April 2021. His initial appearance took place on 19 April 2021. The SPO filed its pre-trial brief on 28 January 2022 and a public redacted version on 14 April 2023.

The SPO made 49 filings in this case 2024.



## Specialist Prosecutor's Response to Januzi et al. Plea Agreements



In response to the plea agreements, Specialist Prosecutor Kimberly West issued a statement explaining their significance.

"It is testament to the strength of our investigations on intimidation and obstruction-of-justice matters that the office was in a position to conclude these agreements," the Specialist Prosecutor said. "We did so after careful consideration, which took account, among other things, of the importance of admissions of responsibility in this context, the benefits of reaching early closure in a fair manner, and the views of the victims."

She also pledged to maintain obstruction-of-justice investigations to ensure the integrity of proceedings at the KSC. "The SPO will continue to both vigorously pursue all those who seek to interfere with the administration of justice and stand up for victims and witnesses in Kosovo," Ms West said.

### ***Prosecutor v. Sabit Januzi, Ismet Bahtijari and Haxhi Shala***

The SPO negotiated plea agreements with Sabit Januzi, Ismet Bahtijari and Haxhi Shala, whereby all three accused pleaded guilty to one count of intimidation of a witness and one count of obstruction.

These were the first guilty pleas at the KSC and represent the first time individuals have voluntarily admitted to attempting to persuade a witness not to testify in a Kosovo war-crimes case.

In separate plea agreements, all three accused agreed to admit guilt before their trial was scheduled to open. Messrs Januzi and Shala pleaded guilty in court on 18 December 2024; Mr Bahtijari pleaded guilty in court on 19 December 2024.

In pleading guilty, Messrs Shala, Januzi and Bahtijari accepted that they were part of a group which sought to induce a witness to refrain from giving evidence before the KSC through the promise of a benefit.

The SPO arrested Mr Januzi and Mr Bahtijari in Kosovo on 5 October 2023. They were transferred to the KSC Detention Facilities on 6 October 2023.

The SPO arrested Mr Shala in Kosovo on 11 December 2023. He was transferred to the KSC Detention Facilities on 12 December 2023.

The SPO filed a request to join the cases against Mr Januzi and Mr Bahtijari with the case against Mr Shala on 13 December 2023, which the Pre-Trial Judge granted on 8 February 2024.

The SPO filed its pre-trial brief on 16 February 2024. All three Defence teams filed the final versions of their pre-trial briefs on 2 September 2024. The trial had been scheduled to begin on 14 November 2024.

The SPO made 233 filings in this case in 2024.

## *Prosecutor v. Thaçi et al. (Administration of Justice)*

The SPO charged former Kosovo President Hashim Thaçi with offences against the administration of justice on 5 December 2024, together with four other persons: Bashkim Smakaj, Isni Kilaj, Fadil Fazliu and Hajredin Kuçi. The indictment had been confirmed by a Pre-Trial Judge of the KSC on 29 November 2024.

Mr Thaçi was served with an arrest warrant in the KSC's Detention Facilities and has been charged with three counts of obstruction of official persons in performing official duties, four counts of violating secrecy of proceedings and four counts of contempt of court. He made an initial public appearance on 8 December 2024.

The SPO arrested Messrs Smakaj, Kilaj and Fazliu in Kosovo, pursuant to the confirmed indictment and separate arrest warrants issued by the Pre-Trial Judge. They were transferred to the KSC Detention Facilities on 6 December 2024.

Messrs Smakaj, Kilaj and Fazliu have each been charged with one count of obstruction of official persons in performing official duties and one count of contempt of court. Messrs Smakaj and Fazliu made their initial public appearances on 8 December 2024. Mr Kilaj made his initial public appearance on 9 December 2024.

The SPO served Mr Kuçi with the confirmed indictment in Kosovo and summonsed him to appear before the Pre-Trial Judge at the KSC. Mr Kuçi has been charged with two counts of contempt of court and made his initial public appearance on 9 December 2024.

The SPO made 48 filings in this case in 2024.

## **Diplomatic Briefings**



In the course of 2024, the SPO participated in a series of diplomatic briefings to update EU Member States and Third Contributing States on the SPO's work, challenges the SPO was facing and ways in which the international community could help the SPO expedite its work.

Specialist Prosecutor Kimberly West addressed diplomats from both EU Member States and Third Contributing States in The Hague in December 2024, together with KSC President Ekaterina Trendafilova and Registrar Fidelma Donlon.

Deputy Specialist Prosecutor Ward Ferdinandusse addressed EU Member State Legal Advisers in The Hague in September 2024.

## Nasim Haradinaj and Salih Mustafa Litigation

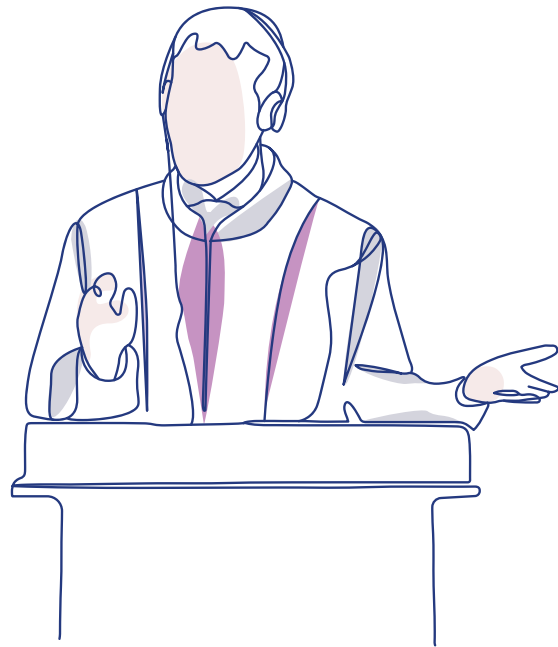
The SPO also engaged in litigation in the cases of Nasim Haradinaj and Salih Mustafa in 2024. Mr Haradinaj, who had been convicted in May 2022 of intimidation during criminal proceedings, violating the secrecy of proceedings and obstructing official persons in performing official duties, had alleged violations of his individual rights and freedom in relation to the criminal proceedings against him.

The Constitutional Court panel of the KSC ruled on 31 May 2024 that part of Mr Haradinaj's complaints was inadmissible, and rejected the remainder, finding that there had been no violation of the Constitution of the Republic of Kosovo or the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Supreme Court Panel of the KSC had already rejected Mr Haradinaj's request for protection of legality.

Mr Mustafa, who had been convicted in December 2022 of the war crimes of unlawful detention, torture, and murder that were upheld on appeal, challenged the judgment of the Appeals Chamber in a request for protection of legality to the Supreme Court Panel of the KSC.

After the Supreme Court Panel provided guidance on sentencing and annulled Mr Mustafa's earlier sentence, the Court of Appeals Panel reduced Mr Mustafa's sentence to 15 years on 10 September 2024. The original sentence had been for 26 years, which had already been reduced to 22 years on appeal.

The SPO made 10 filings in these cases in the course of 2024.



## Kosovo Visits



Specialist Prosecutor Kimberly West and Deputy Specialist Prosecutor Ward Ferdinandusse visited Kosovo in October 2024 for a series of meetings with Heads of Mission of international organisations and to brief EU Member State and Third Contributing State Ambassadors in Kosovo.

The Specialist Prosecutor also visited Kosovo in December 2024 for further meetings.

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## *Dritan Goxhaj Proceedings*

The Albanian Prosecutor's Office appealed to Albania's Supreme Court on behalf of the SPO against the decision of Albania's Appeals Court to deny the extradition of Dritan Goxhaj, an Albanian citizen, to the KSC. The appeal was dismissed by the Supreme Court on 9 July 2024.

The Albanian authorities arrested Mr Goxhaj in Tirana on 31 July 2023, pursuant to an arrest warrant requested by the SPO and issued by a KSC Judge, and a Tirana court granted his extradition on 18 September 2023. However, Mr Goxhaj appealed that decision and was released by the Appeals Court on 10 October 2023.

The SPO sought the arrest and surrender of Mr Goxhaj in relation to offences against the administration of justice involving intimidation and obstructing official persons in performing official duties.



Prosecutor Matt Halling

## *Further Investigative Work*

The SPO maintained its obstruction-of-justice investigations throughout 2024 in order to maintain the integrity of proceedings at the KSC, with a view to prosecuting all who intimidate or interfere with witnesses or provide financial or other support to such criminal offences.

The SPO also continued interviewing witnesses and suspects, reviewing documentary evidence and preparing it for disclosure purposes.



Front row, from the left: Prosecutors Filippo De Minicis, Gaia Pergolo and Eva Wyler  
Second row: Specialist Prosecutor Kimberly West

# Senior Prosecution Staff

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Kimberly West | Specialist Prosecutor

The SPO is led by a team of senior prosecutors, all of whom have experience in both their domestic jurisdictions and international courts and tribunals.

The Specialist Prosecutor is Kimberly West, a former US federal prosecutor with extensive experience in both domestic and international criminal investigations.

Ms West joined the SPO in October 2023 from the Ashcroft Law Firm in Boston, Massachusetts, where she had been a Partner since 2019 focusing primarily on white-collar defence. Prior to joining the Ashcroft Law Firm, Ms West worked as a prosecutor for more than two decades in local, state, federal and international roles.

Ms West was the Chief of the Criminal Bureau in the Massachusetts Attorney General's Office between 2015 and 2019. In that capacity, she supervised a team of more than 120 professionals responsible for investigating and prosecuting a wide range of financial fraud, public corruption, narcotics, gaming and human trafficking offenses; defending convictions on appeal; and assisting victims and witnesses.

Ms West joined the Attorney General's Office from the US Attorney's Office, District of Massachusetts, where she served as an Assistant US Attorney in the Health Care Fraud Unit for two years and in the National Security Unit for six years. Ms West joined the National Security Unit after the 11 September 2001 terrorist attacks on the World Trade Center and the Pentagon.

For five years, between 2008 and 2013, Ms West served as a prosecutor at the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, where she was a member of the team that prosecuted Radovan Karadžić for his role in the Srebrenica genocide. She was also on the Prlić et al. prosecution team focusing on the crimes committed in Mostar and the destruction of the Old Bridge.

Ms West has a Juris Doctor degree from Suffolk University Law School, Massachusetts, and was admitted to the bar in Massachusetts. She also has a Bachelor of Arts degree from Boston College, Massachusetts.





**Ward Ferdinandusse**  
Deputy Specialist Prosecutor

The Deputy Specialist Prosecutor is **Ward Ferdinandusse**, who joined the SPO as Head of Investigations in 2020. A Dutch national, Mr Ferdinandusse has both a law degree and a doctorate in the application of international criminal law in national courts from the University of Amsterdam. He has published extensively on issues of national and international criminal law. He also taught International and European Criminal Law at the University of Groningen, focusing on international cooperation in criminal matters.

As a prosecutor at the National Public Prosecutor's Office in Rotterdam, Mr Ferdinandusse worked on criminal cases, extradition proceedings and investigations into international crimes such as genocide, war crimes, torture, piracy and terrorism. He joined the SPO from the Flight MH17 trial where he worked as a lead prosecutor.



**Joshua Hafetz**  
Head of Investigations

**Joshua Hafetz** is the SPO's Head of Investigations. He is a US national who holds a law degree from Yale Law School. Prior to joining the SPO, Mr Hafetz served for a decade as a federal prosecutor in the US Attorney's Offices in Newark, New Jersey, and Brooklyn, New York, focusing on violent crime and counterterrorism cases.

Earlier in his career, Mr Hafetz worked in private practice for a leading law firm in New York City after clerking for a US District Court judge in the Southern District of New York. Prior to obtaining his law degree, Mr Hafetz served four years as an investigator for New York City.





**Alan Tieger**  
Senior Prosecutor

The SPO has three Senior Prosecutors, Alan Tieger, Clare Lawson and Nathan Quick.

**Alan Tieger** is a US national with extensive experience both from the US and the ICTY. Mr Tieger was involved in both the ICTY's first trial, that of Duško Tadić, and its final trial, that of Ratko Mladić. He also served as senior prosecutor in the trials of Ante Gotovina, Radovan Karadžić, Momčilo Krajišnik, Darko Mrđa and Biljana Plavšić.

Mr Tieger served as a federal prosecutor in the Civil Rights Division Criminal Section of the US Department of Justice from 1987 to 1994, prosecuting cases of racial violence and police brutality nationwide, including the Rodney King case.

He has a BA degree from the University of California at Los Angeles and a Juris Doctor degree from Santa Clara University.



**Clare Lawson**  
Senior Prosecutor

**Clare Lawson** is an Irish national and holds a degree from University College Dublin, including a year's specialisation in international law at the University of Melbourne, and an LLM from Columbia University. Prior to joining the SPO, Ms Lawson worked as a legal officer in the Trial Division at the International Criminal Court, in the Office of the Prosecutor at the ICTY, as a human rights adviser to the Irish government, and in private practice with a leading Irish law firm.

Ms Lawson has worked on several international criminal cases, including those arising from the Central African Republic, the Democratic Republic of Congo, Kenya and the former Yugoslavia. She has also led human-rights negotiations on behalf of the EU at the United Nations.



**Nathan Quick**  
Senior Prosecutor

**Nathan Quick** is a US national with experience at many international and hybrid tribunals, as well as in private practice in the United States, and has worked for the SPO since 2018. Prior to joining the SPO, Mr Quick worked at the UN Mechanism for the International Criminal Tribunals in The Hague, the International Criminal Court in The Hague, the UN Assistance to the Khmer Rouge Trials in Phnom Penh, Cambodia, and the Special Court for Sierra Leone in The Hague.

Mr Quick has a Juris Doctor degree from Case Western Reserve University School of Law in Cleveland, Ohio. He was admitted to the bar in Illinois.

# Prosecution Teams

## Pjetër Shala Team

The trial team in the case of Pjetër Shala comprised Filippo De Minicis, Gaia Pergolo and Eva Wyler. Mr De Minicis is an Italian Associate Prosecutor who previously worked at the ICTY, the Office of the Co-Investigating Judges at the Extraordinary Chambers in the Courts of Cambodia, and the UN's Office of the High Commissioner for Human Rights in South Korea. Ms Pergolo is an Italian Associate Prosecutor, educated in Italy and the UK, who previously worked for the Office of the Prosecutor of the International Residual Mechanism for Criminal

Tribunals in The Hague, the United Nations Assistance to the Khmer Rouge Trials in Phnom Penh, Cambodia, and the Special Court for Sierra Leone. She has also worked for REDRESS, a non-governmental organisation that pursues legal claims on behalf of survivors of torture. Ms Wyler is a Swiss Associate Prosecutor, who previously worked as an Attorney-at-Law at one of Switzerland's leading litigation, investigation and criminal law practices, as well as a Military Investigation Judge and a Military Prosecutor.



**Filippo De Minicis**  
Associate Prosecutor



**Gaia Pergolo**  
Associate Prosecutor



**Eva Wyler**  
Associate Prosecutor

## Haxhi Shala, Januzi and Bahtijari Team

The prosecution team in the case against Haxhi Shala, Sabit Januzi and Ismet Bahtijari comprised Joshua Hafetz, Tazneen Shahabuddin and John Devaney. Mr Hafetz is the SPO's Head of Investigations and previously served as a federal prosecutor in the United States focusing on violent crime and counterterrorism cases. Ms Shahabuddin is a US Prosecutor, educated in

the United States and the United Kingdom, who previously worked as a federal criminal prosecutor in the United States. Mr Devaney is a US Associate Prosecutor, educated in the United States and the Netherlands, who previously worked for the Office of the Prosecutor at the ICC, and in criminal law in the United States.



**Joshua Hafetz**  
Head of Investigations



**Tazneen Shahabuddin**  
Prosecutor



**John Devaney**  
Associate Prosecutor

## Thaçi et al. Administration of Justice Team

The prosecution team in the Thaçi et al. administration of justice case comprised Joshua Hafetz, Gaia Pergolo and Nico Baarlink. Mr Hafetz is the SPO's Head of Investigations and previously served as a federal prosecutor in the United States focusing on violent crime and counterterrorism cases. Ms Pergolo is an Italian Associate Prosecutor, educated in Italy and the UK, who previously worked for the Office of the Prosecutor of the International Residual Mechanism for Criminal Tribunals in The Hague, the United Nations Assistance to the Khmer Rouge Trials in

Phnom Penh, Cambodia, and the Special Court for Sierra Leone. She has also worked for REDRESS, a non-governmental organisation that pursues legal claims on behalf of survivors of torture. Mr Baarlink is a German Associate Prosecutor, who completed his legal education and training in Australia. He has previously worked for the Office of Public Prosecutions in Melbourne, the Office of the Co-Investigating Judges at the Extraordinary Chambers in the Courts of Cambodia, and the Trial Chamber at the Special Tribunal for Lebanon.



**Joshua Hafetz**  
Head of Investigations



**Gaia Pergolo**  
Associate Prosecutor



**Nico Baarlink**  
Associate Prosecutor

### Staffing

The SPO staff is comprised of prosecutors, legal advisers, security professionals, investigators, analysts, witness-security specialists and support staff. At the end of 2024 the SPO comprised 78 staff, with 24 different nationalities represented from both EU Member States and Third Contributing States. Of the 78 staff, 44 were male and 34 were female.









KOSOVO SPECIALIST CHAMBERS &  
SPECIALIST PROSECUTOR'S OFFICE

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For media queries regarding the Kosovo Specialist Chambers:  
[mediaKSC@scp-ks.org](mailto:mediaKSC@scp-ks.org)

For media queries regarding the Specialist Prosecutor's Office:  
[spokespersonSPO@scp-ks.org](mailto:spokespersonSPO@scp-ks.org)

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