



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEĆA KOSOVA

**In:** KSC-BC-2020-06

**The Specialist Prosecutor v. Hashim Thaçi, Kadri Veseli,  
Rexhep Selimi, and Jakup Krasniqi**

**Before:** Trial Panel II

Judge Charles L. Smith III, Presiding Judge

Judge Christoph Barthe

Judge Guénaél Mettraux

Judge Fergal Gaynor, Reserve Judge

**Registrar:** Fidelma Donlon

**Date:** 1 July 2026

**Language:** English

**Classification:** Public

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**Public Redacted Version of Order to the Thaçi Defence Regarding Compliance  
with the Modified Detention Conditions**

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**Registrar's Office**

Registrar

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**Specialist Prosecutor**

Kimberly P. West

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**Counsel for Victims**

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**Counsel for Rexhep Selimi**

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Venkateswari Alagendra

**TRIAL PANEL II** (“Panel”), pursuant to Articles 21, and 40(2) and (6) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rules 56(6), 57(2), and 116(4)(d) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

## I. PROCEDURAL BACKGROUND

1. On 1 December 2023, following a request by the Specialist Prosecutor’s Office (“SPO”),<sup>1</sup> the Panel found that the conditions of detention were insufficient to mitigate the risk of Hashim Thaçi (“Mr Thaçi”), Kadri Veseli (“Mr Veseli”) and Rexhep Selimi (“Mr Selimi”) (collectively “Three Accused”) engaging in conduct that could interfere with the proceedings and/or present a risk to the safety and security of witnesses and therefore modified their conditions of detention (“Modified Detention Conditions”) (“Decision Modifying the Detention Conditions”).<sup>2</sup>

2. On 9 February 2024, the Panel issued a decision providing guidance pursuant to the Decision Modifying the Detention Conditions (“Decision on Registrar’s Request for Guidance Pursuant to the Decision Modifying Detention Conditions”).<sup>3</sup>

3. On 4 July 2025, the Panel issued a decision where it found that: (i) some of the conditions implemented in the Decision Modifying the Detention Conditions were no longer necessary and proportionate and modified the conditions of detention

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<sup>1</sup> F01933, Specialist Prosecutor, *Prosecution Urgent Request for Modification of Detention Conditions*, 17 November 2023, confidential, with Annexes 1-5, confidential (a public redacted version was filed on 22 November 2023, F01933/RED).

<sup>2</sup> F01977, Panel, *Further Decision on the Prosecution’s Urgent Request for Modification of Detention Conditions for Hashim Thaçi, Kadri Veseli, and Rexhep Selimi*, 1 December 2023, paras 51-53, 55-60, 62-78, 84(c).

<sup>3</sup> F02115, Panel, *Decision on Registry Notification in Relation to Court-Ordered Protective Measures and Request for Guidance Pursuant to Decision F01977*, 9 February 2024, confidential (a public redacted version was issued on the same day, F02115/RED).

for the Three Accused accordingly; and (ii) ordered the continued application of the remaining conditions (“Decision Reviewing the Modified Detention Conditions”).<sup>4</sup>

4. On 3 September 2025, the Panel issued a decision denying a second request by the SPO to modify the detention conditions.<sup>5</sup>

5. On 18 February 2026, the Presiding Judge declared the case to be closed pursuant to Rule 136(1).<sup>6</sup>

6. On 19 March 2026, the Panel issued a decision where it: (i) rejected a request by the Selimi Defence to rescind the Modified Detention Conditions, as subsequently amended; (ii) amended one of the conditions; and (iii) agreed to changes to the implementation of other conditions.<sup>7</sup>

7. On 26 June 2026, the Registrar filed her fifteenth report pursuant to the Decision Modifying the Detention Conditions (“Fifteenth Report”).<sup>8</sup>

## II. APPLICABLE LAW

8. Pursuant to Article 40(2) and (6) of the Law and Rule 116 of the Rules, the Panel shall, on an ongoing basis, take all necessary measures to facilitate the fair and expeditious conduct of the trial proceedings and to protect the Accused, witnesses and victims.

9. Pursuant to Rules 56, 57(2) and 116(4)(d) of the Rules, the Panel may rule on conditions of detention and related matters for the purpose of protecting witnesses

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<sup>4</sup> F03308, Panel, *Decision Reviewing the Conditions of Detention Modified in F01977*, 4 July 2025, confidential (a public redacted version was issued on 17 April 2026, F03308/RED).

<sup>5</sup> F03442, Panel, *Decision on Second Prosecution Request to Modify Detention Conditions*, 3 September 2025, confidential and *ex parte* (a public redacted version was issued on 13 October 2025, F03442/RED).

<sup>6</sup> Transcript of Hearing, 18 February 2026, p. 29238.

<sup>7</sup> F03708, Panel, *Decision on Selimi Defence Request for Rescission of Contact Restrictions*, 19 March 2026, confidential (a public redacted version was issued on 17 April 2026, F03708/RED).

<sup>8</sup> F03753, Registrar, *Fifteenth Report of the Registrar Pursuant to Decision F01977*, 26 June 2026, confidential and *ex parte* (a confidential redacted and *ex parte* version was filed on 1 July 2026, F03753/RED).

or victims, confidential information or the integrity of the proceedings, including on the imposition of necessary and proportionate restrictions on the communications of a detained person.

### III. DISCUSSION

10. The Panel notes that, in the Fifteenth Report, the Registrar sets out that: (i) an actively monitored telephone call between Mr Thaçi and [REDACTED] was terminated after two unannounced individuals communicated with Mr Thaçi during the telephone call;<sup>9</sup> (ii) an actively monitored telephone call scheduled between Mr Thaçi and [REDACTED] was terminated, due to an unannounced individual answering the telephone call made from the Detention Facilities to [REDACTED]; (iii) during a pre-approved call with [REDACTED] an unannounced individual, namely [REDACTED], directly communicated with Mr Thaçi via the use of a speaker-phone or similar function;<sup>10</sup> (iv) during a telephone call from [REDACTED] to an unknown call recipient, Mr Thaçi communicated with the call recipient through [REDACTED], asking [REDACTED] to relay questions and greetings from Mr Thaçi to the call recipient;<sup>11</sup> (v) during a pre-approved call with [REDACTED], an unannounced individual directly communicated with Mr Thaçi;<sup>12</sup> and (vi) when Mr Thaçi was escorted through the visiting corridor by a Detention Officer, Mr Thaçi knocked on the door to a visit room where an actively monitored visit between [REDACTED] was taking place, opened the door to the visit room and engaged in conversation with [REDACTED] and, when the Detention Officer informed Mr Thaçi that he had to leave the corridor, Mr Thaçi did not comply with the instructions.<sup>13</sup> All of these incidents

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<sup>9</sup> Fifteenth Report, para. 17.

<sup>10</sup> Fifteenth Report, para. 29.

<sup>11</sup> Fifteenth Report, para. 30.

<sup>12</sup> Fifteenth Report, para. 32.

<sup>13</sup> Fifteenth Report, paras 33-35.

constituted breaches of the Modified Detention Conditions, as subsequently amended, as well as Section 14(1) of the Detention Management Unit Instruction on Visiting Procedures for Family Members and Other Personal Visitors.<sup>14</sup>

11. Additionally, the Panel recalls that the Registrar has previously reported numerous incidents of Mr Thaçi's non-compliance with the Modified Detention Conditions, as subsequently amended, as well as detention rules and regulation.<sup>15</sup> In this respect, the Registrar sets out, in the Fifteenth Report, that Mr Thaçi has received: (i) four cautions to date, two of which involved breaches of the Panel's conditions in the Decision Modifying the Detention Conditions;<sup>16</sup> and (ii) five further warnings and reminders of the Panel's conditions.<sup>17</sup>

12. Accordingly, the Panel is of the view that Mr Thaçi has displayed a repeated pattern of non-compliance with the Modified Detention Conditions, as subsequently amended, as well as relevant detention rules and regulations.

13. In light of the above, the Panel considers it necessary to remind Mr Thaçi of his obligation to comply with the Modified Detention Conditions, as subsequently amended, as well as relevant detention rules and regulations<sup>18</sup> and directs Counsel for Mr Thaçi to remind Mr Thaçi of this obligation. Should Mr Thaçi continue to violate the Modified Detention Conditions, as subsequently amended, and the detention rules and regulations, the Panel will be considering stricter measures to ensure compliance with its orders and with the detention rules and regulations.

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<sup>14</sup> KSC-BD-33, Registrar, *Detention Management Unit Instruction on Visiting Procedures for Family Members and Other Personal Visitors* ("Instruction on Visiting Procedures for Family Members and Other Personal Visitors"), 23 September 2020.

<sup>15</sup> Fifteenth Report, para. 36.

<sup>16</sup> Fifteenth Report, para. 36.

<sup>17</sup> Fifteenth Report, para. 36.

<sup>18</sup> See e.g., KSC-BD-08-Rev1, Registrar, *Registry Practice Direction on Rules of Detention*, 23 September 2020; KSC-BD-09-Rev1, Registrar, *Registry Practice Direction on Detainees (Visits and Communications)*, 23 September 2020; Instruction on Visiting Procedures for Family Members and Other Personal Visitors; KSC-BD-34-Rev1, Registry, *Registry Instruction on Video Visits*, 6 September 2021.

## IV. DISPOSITION

14. In light of the foregoing, the Panel hereby:

- a) **REMINDS** Mr Thaçi to comply with the Modified Detention Conditions, as subsequently amended, and all relevant detention rules and regulations; and
- b) **DIRECTS** Counsel for Mr Thaçi to remind Mr Thaçi of his obligation to comply with the Modified Detention Conditions, as subsequently amended, and all relevant detention rules and regulations.



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**Judge Charles L. Smith, III**  
**Presiding Judge**

Dated this Wednesday, 1 July 2026

At The Hague, the Netherlands.