



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: 16 September 2026

Language: English

Classification: Confidential and *Ex Parte*

Order on the Registrar's Request Regarding the Modified Detention Conditions

Registrar's Office

Registrar

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"),¹ the Panel found that the conditions of detention were insufficient to mitigate the risk of Hashim Thaçi, Kadri Veseli and Rexhep 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").²
2. On 9 February 2024, the Panel issued a decision providing guidance pursuant to the Decision Modifying the Detention Conditions.³
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 for the Three Accused accordingly; and (ii) ordered the continued application of the remaining conditions.⁴

¹ 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).

² 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).

³ 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).

⁴ 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).

4. On 18 February 2026, the Presiding Judge declared the case to be closed pursuant to Rule 136(1).⁵
5. On 19 March 2026, the Panel issued a decision where it: (i) rejected a request by the Defence for Rexhep Selimi 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.⁶
6. On 1 July 2026, the Panel issued an order: (i) extending the deadline for the pronouncement of the Trial Judgment; and (ii) scheduling the pronouncement of the Trial Judgment on 16 September 2026.⁷
7. On 18 August 2026, the Registrar filed a request regarding the Modified Detention Conditions ("Request").⁸

II. SUBMISSIONS

8. The Registrar requests, pursuant to the Modified Detention Conditions, that the Panel grant her discretion, on a limited and temporary basis, to approve reasonable requests for additional non-privileged in-person visits through the period of 16 to 21 September 2026, inclusive.⁹ In particular, the Registrar outlines that: (i) considering that the Trial Judgment has been scheduled for 16 September 2026, the Three Accused may make last minute requests for additional non-privileged in-person visits in connection with the Trial Judgment;¹⁰ (ii) within the Modified Detention Conditions, the number of non-privilege in-

⁵ Transcript of Hearing, 18 February 2026, p. 29238.

⁶ F03708, Panel, *Decision on Selimi Defence Request for Rescission of Contact Restrictions* ("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).

⁷ F03757, Panel, *Order Extending the Deadline for the Pronouncement of the Trial Judgment and Scheduling the Pronouncement of the Trial Judgment*, 1 July 2026, paras 11, 14-15.

⁸ F03772, Registrar, *Registrar's Request Regarding Modified Detention Conditions*, 18 August 2026, confidential and *ex parte*.

⁹ Request, para. 4.

¹⁰ Request, para. 4.

person visits is subject to the Panel's authorisation,¹¹ and (iii) the Request would ensure that any requests for additional non-privileged in-person visits can be facilitated in a timely manner.¹² Lastly, should the Request be granted, the Registrar will report on these visits in the upcoming report required pursuant to the Modified Detention Conditions.¹³

III. APPLICABLE LAW

9. 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.

10. 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 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.

IV. DISCUSSION

11. The Panel recalls that, in the Decision Modifying the Detention Conditions, it modified the conditions of detention and, *inter alia*, imposed certain conditions on the Three Accused's visits and telephone calls, including limiting the number of non-privileged in-person visits to five per month,¹⁴ for the legitimate aims of protecting witnesses, confidential information and the integrity of proceedings.¹⁵

¹¹ Request, para. 3.

¹² Request, para. 4.

¹³ Request, para. 5.

¹⁴ Decision Modifying the Detention Conditions, para. 57.

¹⁵ Decision Modifying the Detention Conditions, paras 31, 33-42.

These conditions were subsequently partially amended, or otherwise adjusted, in two subsequent decisions, including increasing the number of non-privileged in-person visits to six per month.¹⁶

12. In determining whether some of the Modified Detention Conditions should be temporarily suspended, as requested by the Registrar, the Panel needs to assess whether their continued application, in the circumstances of this case and for the limited period of 16 to 21 September 2026, remains necessary and proportionate to the legitimate aims pursued.

13. The Panel is of the view that, for the limited period of 16 to 21 September 2026, inclusive, the legitimate aims of protecting witnesses, confidential information and the integrity of proceedings, can be adequately secured through less restrictive means and the limitation on the number of non-privileged in-person visits be suspended for this limited period of time. In particular, the Panel notes that: (i) the Trial Judgment is scheduled to be pronounced on 16 September 2026;¹⁷ and (ii) any requests for additional non-privileged in-person visits are subject to the Registrar's discretion.¹⁸

14. In light of the above, the Panel grants the Request and, for the period of 16 to 21 September 2026, inclusive, temporarily suspends the limitation on the number of non-privileged in-person visits for the Three Accused, permitting the Registrar, in her discretion, to schedule additional non-privileged in-person visits.

¹⁶ See above, paras 3, 5. See also Decision on Selimi Defence Request for Rescission of Contact Restrictions, paras 65-68, 86(b).

¹⁷ See above, para. 6.

¹⁸ Request, para. 4.

V. CLASSIFICATION

15. The Panel notes that the Request is confidential and *ex parte*. The Panel, therefore, orders the Registrar to request reclassification or file a public redacted version of the filing by **Tuesday, 22 September 2026**.

VI. DISPOSITION

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

- a) **GRANTS** the Request;
- b) **AUTHORISES** the Registrar, in her discretion, to schedule non-privileged in-person visits for the Three Accused between 16 and 21 September 2026, inclusive; and
- c) **ORDERS** the Registrar to request reclassification or file a public redacted version of the Request by **22 September 2026**.



Judge Charles L. Smith, III

Presiding Judge

Dated this Wednesday, 16 September 2026

At The Hague, the Netherlands.