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TITULLI	What did the prosecution fail to prove in the trial of four former KLA leaders?
ADRESA	https://albeu.com/english/what-did-the-prosecution-fail-to-prove-in-the-trial-of-four-former-kla-leaders/1015635/
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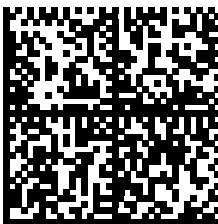
KAPUR NGA NE	17 shtator 2026, 09:03:47 UTC <i>Dritarja jonë e pasigurisë: ± 300 s — intervali me të cilin e kontrollojmë këtë burim.</i>
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TEKSTI	72b465012accc63366764a9b2fe4cc2c928cdbf21b1a1a38a38ccca771cbded0
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ZINXHIRI I PROVËS

KJO HYRJE	c09f94bafefd0a9ea95b4020be770bdd7192d5db36d11e116fcee40002c0c5a0
E MËPARSHMJA	—
RRËNJA MERKLE	554d51ffe1583614fc44621ae1478dd51416957b577076ef62782afd72e64dbf
ANKORIMI	submitted — dërguar, ende pa bllok <i>Deri te blloku, kjo provon integritetin, jo kohën.</i>



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What did the prosecution fail to prove in the trial of four former KLA leaders?



The first-instance judgment against Hashim Thaçi, Kadri Veseli, Jakup Krasniqi and Rexhep Selimi resulted in lengthy prison sentences, but it did not uphold all the allegations brought by the Specialist Prosecutor's Office.

The trial panel of the Kosovo Specialist Chambers found the four former leaders of the Kosovo Liberation Army guilty on four counts of war crimes, while acquitting them of six counts related to crimes against humanity.

Hashim Thaçi and Jakup Krasniqi were each sentenced to 25 years in prison, Kadri Veseli was sentenced to 18 years, and Rexhep Selimi to 13 years. They were found guilty of arbitrary detention, cruel treatment, torture and murder, classified as war crimes.

The six counts of crimes against humanity had a different outcome, with the trial panel entering no convictions on those charges.

The charges that were not proven

The indictment included persecution, imprisonment, other inhumane acts, torture, murder and enforced disappearance as forms of crimes against humanity.

To prove these charges, it was not enough for the prosecution merely to establish that murders, torture or unlawful detentions had occurred. It had to prove beyond a reasonable doubt that the acts formed part of a widespread or systematic attack directed against the civilian population.

According to the trial panel, the Specialist Prosecutor's Office failed to prove precisely this fundamental legal requirement.

When reading the summary of the judgment, presiding judge Charles L. Smith said that the prosecution had not proven beyond a reasonable doubt the existence of such an attack against the civilian population.

të fundit /



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prosecution is responsible for proving the existence of such an attack against the civilian population.

Consequently, the evidence presented did not meet the legal standard required for the established acts to be classified as crimes against humanity.

Acquittal on these charges does not mean that no crimes were committed

The decision to acquit the defendants of crimes against humanity does not mean that the court concluded that the murders, torture and detentions had not occurred.

The trial panel found that some of these acts had been proven as war crimes. However, the broader legal context required to classify them simultaneously as crimes against humanity was not established.

The distinction relates to the legal requirements that must be met for each category.

In the case of war crimes, a link between the act and the armed conflict must be proven.

For crimes against humanity, there must also be a widespread or systematic attack against the civilian population, and the act must be shown to have been connected to that attack.

This means that a murder or an act of torture may be classified as a war crime, but not necessarily as a crime against humanity if the prosecution fails to prove the existence of a widespread or systematic attack.

The KLA was not on trial

While delivering the judgment, Judge Smith clarified that the case concerned the individual responsibility of the accused. It did not examine the legality of the KLA's war or the organization's responsibility.

For this reason, the trial panel's findings do not constitute a conviction of the KLA and are not a judgment against Kosovo's war of liberation.

The court assessed only whether the four accused bore individual criminal responsibility for the specific acts listed in the indictment.

What did the prosecution prove?

Although the six counts of crimes against humanity were not upheld, the trial panel accepted a significant part of the prosecution's case.

The summary of the judgment states that the court found the existence of a common criminal purpose to target individuals considered opponents of the KLA's political or military objectives.

According to the court, there was also sufficient evidence of arbitrary detention, cruel treatment, torture and murder committed in the context of the armed conflict. The respective sentences were imposed on this basis.

These findings are expected to be among the main issues challenged by the defense on appeal, particularly regarding each convicted person's individual contribution and their connection to the specific crimes.

The prosecution also has the right to appeal

This is a first-instance judgment and, as such, is not yet final.

The defense has announced that it will appeal, but the prosecution has the same right. It may challenge the finding that a widespread or systematic attack directed against the civilian population was not proven.

International law expert Mark Ellis has said that the prosecution may argue that the trial panel incorrectly applied the legal test for establishing the existence of such an attack.

Meanwhile, the defense is expected to challenge the factual and legal findings through which those convicted were linked to the joint criminal enterprise.

At this stage, it can be said that the six counts of crimes against humanity were not proven at first instance. However, this aspect of the judgment may also be reviewed during the appeals proceedings.

Editor's note: This article is based on the public summary of the judgment read during the hearing, as well as reports on the decision. The full judgment, in its public redacted version, is not yet available in the court's indexed records.

Shtuar më 17.09.2026 10:59

Tags: charges , Kosovo , prosecution , The Hague , trial





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