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TITULLI	Should the appeal have been awaited? Procedure for victims' compensation opens in The Hague
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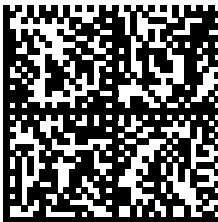
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ZINXHIRI I PROVËS

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E MËPARSHMJA	—
RRËNJA MERKLE	7843691d73f82da58f46c5c712d0bec6679deb0584938ea073db401557569169
ANKORIMI	submitted — dërguar, ende pa bllok <i>Deri te blloku, kjo provon integritetin, jo kohën.</i>



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Should the appeal have been awaited? Procedure for victims' compensation opens in The Hague



The Specialist Chambers in The Hague have opened proceedings to determine compensation for victims in the court case against Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi.

Presiding Judge Charles L. Smith issued the decision to begin the reparations proceedings on September 16. The defense was given until September 22 to challenge their opening, KosovaPress reports.

The fact that the proceedings began before a second-instance ruling had been issued, specifically by the Court of Appeals, has sparked debate over whether compensation should be addressed now or only after the conclusion of the trial.

Lawyer Naim Bajraktari believes that, as a rule, proceedings for victims' compensation should begin after the criminal judgment has become final. Since the judgment may be changed at the second instance, he considers this action premature.

Bajraktari said compensation is usually addressed after a judgment becomes final. According to him, proceedings at the Specialist Court have consistently been characterized by anomalies and actions contrary to the law, meaning such cases have become common at this court. He stressed that the decision to begin the proceedings is, above all, premature, since there is still no final judgment.

According to the lawyer, the outcome of the appeal could also change the basis on which the proceedings for victims' compensation are being conducted.

He said that further action would depend on the outcome of the Court of Appeals' ruling. If justice is done, according to Bajraktari, the judgment should be overturned by the second-instance court and, consequently, the

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reparations proceedings should also be reconsidered. However, he said the outcome of the appeal should be awaited and, based on the pace of decision-making in previous proceedings, he does not believe that a second-instance conclusion will come within the next two years. Bajraktari also warned that opening proceedings at this stage could be perceived as prejudging the case.

Former Supreme Court President Fejzullah Hasani takes a different view. He says a civil claim for damages may be considered in parallel with the criminal case, without the need to await a decision from the Court of Appeals.

Hasani explained that this procedure enables victims to exercise their right to compensation within the criminal proceedings, avoiding the costs that would result from filing a separate civil lawsuit.

According to him, compensation for victims' damages is regulated by all laws, including Kosovo's Code of Criminal Procedure. A criminal proceeding may also decide on the civil aspect, namely civil claims. Hasani stressed that a civil claim for damages is addressed at the same time as the criminal case, not after the Court of Appeals has issued a ruling.

However, he did not rule out the possibility that the Specialist Chambers, because of their internal rules and the specific features of the proceedings, may have provided for a special method of handling reparations.

Hasani said that, based on what he has seen, the civil claim for damages is expected to be decided together with the main case and included in the judgment. According to him, a decision on this claim is issued when the main judgment is announced, not after it becomes final on appeal. This is because the accused or defendants have the right to appeal to the Court of Appeals against the part relating to the civil claim for damages as well.

The former Supreme Court president emphasized that the basis for compensation is directly linked to a guilty verdict. If the accused is acquitted or the indictment is dismissed, the basis of the civil claim for damages also changes.

The reparations proceedings aim to determine victims' rights to compensation and assess the damage they allegedly suffered.

At this stage, the parties have the opportunity to submit their objections and positions, while the final decision will depend on the further development of the proceedings.

The September 16 judgment against the four former leaders of the KLA is a first-instance ruling. The outcome of the case may be affected by the appeal proceedings and the decision to be issued by the Court of Appeals.

On September 16, the Trial Panel found all four accused guilty of the war crimes of unlawful or arbitrary detention, cruel treatment, torture and murder. The sentences imposed on them total 81 years in prison.

Hashim Thaçi and Jakup Krasniqi were each sentenced to 25 years in prison, Kadri Veseli to 18 years and Rexhep Selimi to 13 years, with the periods spent in detention also being taken into account.

Shtuar më 20.09.2026 10:57

Tags: [appeal](#) , [judgment](#) , [Kosovo](#) , [The Hague](#)



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