

In: KSC-BC-2020-04
The Specialist Prosecutor v. Pjetër Shala

Before: **Trial Panel I**
Judge Mappie Veldt-Foglia, Presiding Judge
Judge Roland Dekkers
Judge Gilbert Bitti
Judge Vladimir Mikula, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Victims' Counsel

Date: 23 January 2024

Language: English

Classification: Confidential

**Victims' Counsel's Reply to Defence Consolidated Response to Prosecution and
Victims' Counsel's Requests for Admission of Material Used During the
Examination of W04405**

Specialist Prosecutor
Kimberly P. West

Counsel for the Accused
Jean-Louis Gilissen

Counsel for Victims
Simon Laws

I. INTRODUCTION

1. Victims' Counsel submits this reply to the Defence Consolidated Response to Prosecution and Victims' Counsel's Requests for Admission of Material Used During the Examination of W04405 ("Response").¹

II. CLASSIFICATION

2. This submission is classified as confidential as it contains reference to information that is not yet publicly available and in compliance with Rule 82(4) of the Rules. Victim's Counsel has no objection to it being reclassified as public.

III. SUBMISSIONS

3. The Defence Response states that Victims' Counsel seeks admission of the whole of the third interview of W04405.² This is not correct. As the Annex to the Request makes clear, Victims' Counsel seeks admission of "063317-TR-ET PART 3 RED2 (p. 7 line 19 - p. 8 line 2)",³ thereby specifying the passage. This portion of the transcript was read out in court during Victims' Counsel's examination of the witness.⁴ This part of the Response does not respond to the Request and is therefore irrelevant and should be disregarded.

IV. RELIEF

4. For the foregoing reasons, Victims' Counsel reiterates his request that the Document listed in Annex 1 be admitted in evidence.⁵

¹ *Prosecutor v. Shala*, KSC-BC-2020-04/F00779, Defence Consolidated Response to Prosecution and Victims' Counsel's Requests for Admission of Material Used During the Examination of W04405, 22 January 2024 ("Response"), and KSC-BC-2020-04/F00765, Victims' Counsel's Request for admission of an exhibit used during the examination of W04405 with confidential annex 1 ("Request").

² Response, para. 12.

³ KSC-BC-2020-04/F00765/A01, Annex 1 to Victims' Counsel's Request for admission of an exhibit used during the examination of W04405.

⁴ KSC-BC-2020-04, Transcript, 10 January 2024, T. 4053:4 - T. 4054:7.

⁵ KSC-BC-2020-04/F00765, Victims' Counsel's Request for admission of an exhibit used during the examination of W04405 with confidential annex 1, 15 January 2024, para. 7.

Word count: 288

A handwritten signature in black ink, appearing to read "Simon Laws", written over a horizontal line.

Simon Laws KC
Counsel for Victims

A handwritten signature in blue ink, appearing to read "Maria Radziejowska", written over a horizontal line.

Maria Radziejowska
Co-Counsel for Victims

23 January 2024

At The Hague, the Netherlands.