



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2020-04
Name: 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
Date: 17 April 2024 ✓
Classification: PUBLIC REDACTED

[IN COURT REDACTION ORDER]

The Trial Panel I FINDS that the following blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 17 April 2024, transcript reference Page 3 Line 2 to Page 3 Line 6, (time code from 09:34:42 to 09:35:05).

| | | |
|-----|---|----------|
| 3:1 | presented in that respect. | 09:34:39 |
| 2 | First, the Prosecution alleges that | 09:34:42 |
| 3 | [REDACTED] | 09:34:47 |
| 4 | [REDACTED] | 09:34:53 |
| 5 | [REDACTED] | 09:34:58 |
| 6 | [REDACTED] | 09:35:05 |
| 7 | No evidence was presented that the accused was in any way | 09:35:08 |
| 8 | involved or linked to this incident. | 09:35:11 |
| 9 | Second, the Prosecution maintain that on 4 June 1999, KLA | 09:35:13 |
| 10 | members, again other than Mr. Shala, shot and wounded the two persons | 09:35:18 |
| 11 | identified in the indictment and that the accused was present and | 09:35:24 |
| 12 | participated in those beatings. | 09:35:27 |



Judge Mappie Veldt-Foglia
Presiding Judge

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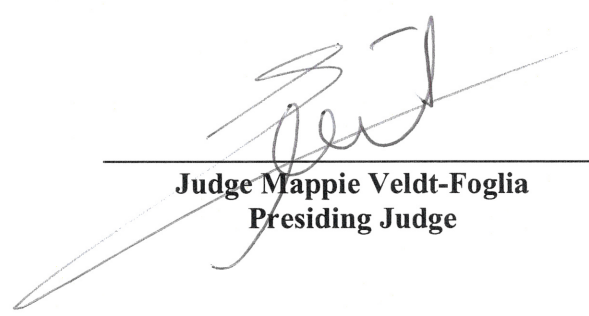


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| | | |
|--|--|--|
| 8:14 15 16 17 18 19 20 21 22 23 24 25 | the Geci trial, this death did not follow the type of ill-treatment that detainees allegedly experienced at the Kukes metal factory. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] No evidence was presented to suggest otherwise. In fact, the death of the detainee appears to have been an isolated incident, and the Prosecution's evidence suggests that it was regretted and immediately thereafter measures were taken to ensure that this would | 09:46:38 09:46:45 09:46:50 09:46:55 09:47:01 09:47:15 09:47:15 09:47:18 09:47:18 09:47:26 09:47:33 09:47:37 |
|--|--|--|



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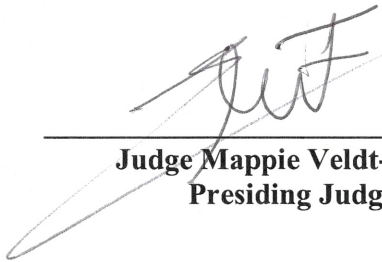


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| | | |
|-------|--|----------|
| 24:12 | So nothing or almost nothing remains of the Prosecutor's initial | 10:22:03 |
| 13 | scenario apart from a whole new story because, of course, | 10:22:10 |
| 14 | [REDACTED] | 10:22:18 |
| 15 | [REDACTED] | 10:22:24 |
| 16 | [REDACTED] | 10:22:30 |
| 17 | [REDACTED] | 10:22:36 |
| 18 | [REDACTED] | 10:22:43 |
| 19 | [REDACTED] | 10:22:49 |
| 20 | [REDACTED] | 10:23:01 |
| 21 | [REDACTED] | 10:23:07 |
| 22 | [REDACTED] That's, of course, very | 10:23:13 |
| 23 | important. | 10:23:20 |
| 24 | You know, this witness -- | 10:23:20 |
| 25 | PRESIDING JUDGE VELDT-FOGLIA: Shall we go into private session? | 10:23:23 |
| 25:1 | MR. GILISSEN: Yes, indeed. That, I think so. I'm sorry, I | 10:23:25 |



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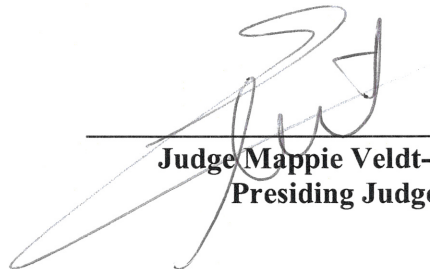


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| | | |
|-------|---|----------|
| 29:22 | But it doesn't end there. I told you the same witness lied. He | 10:34:22 |
| 23 | admit it. [REDACTED] So this also | 10:34:26 |
| 24 | explained in details provided by Witness 01 about the murder in | 10:34:34 |
| 25 | question, do not tally with the findings, with the opinion, and the | 10:34:39 |
| 30:1 | conclusion of the expert. | 10:34:46 |
| 2 | Indeed, this witness claimed to have personally witnessed the | 10:34:50 |
| 3 | murder and to have seen the accused person, Mr. Shala, take part in | 10:34:56 |
| 4 | it. But while other witnesses have testified before you under oath | 10:35:01 |
| 5 | that this witness, 01, was not in the room where the murder was | 10:35:09 |
| 6 | committed because at this moment he was with them detained in another | 10:35:15 |
| 7 | room, and you have several witnesses who say that. | 10:35:22 |
| 8 | And then that's why I say now we're able to understand why we | 10:35:27 |
| 9 | has the finding, the opinion, and the conclusion of the expert don't | 10:35:49 |
| 10 | match with the explanation of this Witness 01. Whatever the opinion | 10:35:49 |
| 11 | of each of us, we will never really know what really happened that | 10:35:53 |



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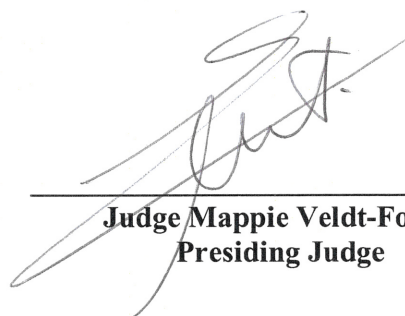
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| | | |
|------|--|----------|
| 50:8 | we suspect not, but it is our position, Your Honour. | 11:53:57 |
| 9 | [REDACTED] | 11:54:00 |
| 10 | [REDACTED] | 11:54:10 |
| 11 | [REDACTED] | 11:54:12 |
| 12 | [REDACTED] | 11:54:14 |
| 13 | [REDACTED] | 11:54:15 |
| 14 | [REDACTED] | 11:54:17 |
| 15 | [REDACTED] | 11:54:20 |
| 16 | [REDACTED] | 11:54:24 |
| 17 | [REDACTED] | 11:54:30 |
| 18 | [REDACTED] | 11:54:34 |
| 19 | [REDACTED] | 11:54:46 |
| 20 | [REDACTED] | 11:54:47 |
| 21 | [REDACTED] | 11:54:47 |
| 22 | [REDACTED] | 11:54:51 |
| 23 | [REDACTED] | 11:54:56 |
| 24 | [REDACTED] | 11:55:03 |
| 25 | [REDACTED] | 11:55:10 |
| 51:1 | The other point, the forensic. Yes, Your Honours. I have the | 11:55:12 |
| 2 | report. We agree with the SPO. The position, the anatomical | 11:55:19 |
| 3 | position, the seating position with the legs extended, it is on that | 11:55:28 |
| 4 | page. Our issue is not really that, and we said it when we plead it. | 11:55:33 |
| 5 | We made a PowerPoint. We saw a PowerPoint where there was a very | 11:55:38 |
| 6 | well done attempt, not attempt in a deceitful way but to bend | 11:55:44 |
| 7 | non-anatomically positions making the seating positions. | 11:55:53 |



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| | | |
|-------|---|----------|
| 51:20 | point we are making. | 11:56:52 |
| 21 | [REDACTED] | 11:56:53 |
| 22 | [REDACTED] | 11:57:06 |
| 23 | [REDACTED] | 11:57:11 |
| 24 | [REDACTED] | 11:57:14 |
| 25 | [REDACTED] | 11:57:23 |
| 52:1 | Now, Your Honours, we need to go to private session for this. | 11:57:25 |
| 2 | Sorry. | 11:57:32 |
| 3 | PRESIDING JUDGE VELDT-FOGLIA: Mr. Court Officer, can you please | 11:57:33 |
| 4 | bring us into private session. | 11:57:35 |

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| | | |
|---|---|--|
| 85:16 17 18 19 20 21 22 23 24 25 | Now, the war did not end in 2008 for him to lose his job. The war ended in 1999. So he worked until 2008, [REDACTED] [REDACTED] I was not that source nor was anyone else. With respect to Witness 4733, was he at that moment in time retired or was he still active working? Because it seemed to me that the Prosecutor said that person had retired in 1993. Now, if we was retired, he wouldn't go back to work unless it is wartime, but the | 14:48:49 14:48:54 14:49:02 14:49:09 14:49:16 14:49:21 14:49:21 14:49:27 14:49:30 14:49:38 |
|---|---|--|

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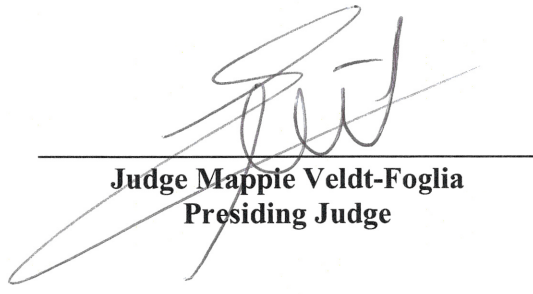


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| | | |
|-------|---|----------|
| 86:15 | Kosovo. | 14:50:57 |
| 16 | [REDACTED] | 14:50:58 |
| 17 | [REDACTED] | 14:51:03 |
| 18 | [REDACTED] | 14:51:08 |
| 19 | [REDACTED] | 14:51:13 |
| 20 | [REDACTED] | 14:51:24 |
| 21 | [REDACTED] | 14:51:30 |
| 22 | [REDACTED] | 14:51:34 |
| 23 | [REDACTED] | 14:51:42 |
| 24 | [REDACTED] | 14:51:47 |
| 25 | [REDACTED] | 14:51:51 |
| 87:1 | [REDACTED] | 14:51:54 |
| 2 | [REDACTED] | 14:52:03 |
| 3 | [REDACTED] | 14:52:07 |
| 4 | [REDACTED] | 14:52:16 |
| 5 | [REDACTED] | 14:52:19 |
| 6 | [REDACTED] | 14:52:22 |
| 7 | [REDACTED] | 14:52:25 |
| 8 | [REDACTED] | 14:52:29 |
| 9 | [REDACTED] | 14:52:35 |
| 10 | [REDACTED] | 14:52:39 |
| 11 | [REDACTED] | 14:52:40 |
| 12 | I don't think they would. I think we should apply | 14:52:46 |
| 13 | logic and see how -- what is the veracity of what is being said here. | 14:52:55 |
| 14 | I would not go into more details. My life was ruined. I think I | 14:53:01 |
| 15 | might be mistaken, or maybe it was an interpretation mistake. The | 14:53:11 |



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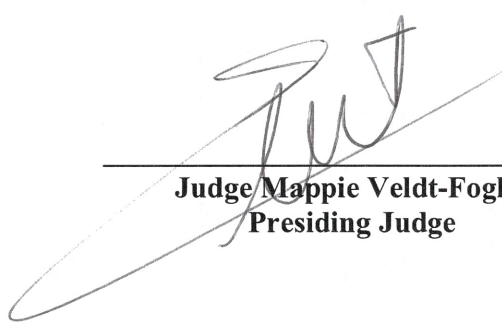


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| | | |
|-------|--|----------|
| 88:23 | And here it's totally black. | 14:56:07 |
| 24 | [REDACTED] | 14:56:09 |
| 25 | [REDACTED] | 14:56:14 |
| 89:1 | [REDACTED] | 14:56:18 |
| 2 | [REDACTED] | 14:56:23 |
| 3 | [REDACTED] | 14:56:25 |
| 4 | [REDACTED] | 14:56:27 |
| 5 | [REDACTED] | 14:56:31 |
| 6 | [REDACTED] | 14:56:44 |
| 7 | [REDACTED] | 14:56:48 |
| 8 | I am not very intelligent or smart because had I had the | 14:56:51 |
| 9 | position that they're claiming I had, I wouldn't be here. I was in | 14:56:59 |
| 10 | Belgium for five years, I worked for five years, and I'm proud for | 14:57:07 |
| 11 | that because I managed to educate, to raise my kids, to send them to | 14:57:11 |
| 12 | school and do best I could. And to end up being said that the | 14:57:16 |
| 13 | prime minister at that time, Hashim Thaci, the minister of defence, | 14:57:25 |
| 14 | being in the position that it's claimed they were, this is the | 14:57:30 |
| 15 | situation I'm in. | 14:57:34 |
| 16 | I have one more thing that I absolutely need to say. I did not | 14:57:36 |
| 17 | cause any damage to these persons. I did not put them in danger. | 14:57:40 |



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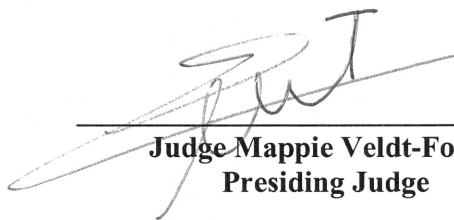


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| | |
|---|---|
| <p>90:2 other because I don't have evidence. 3 4743. [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 Now I don't know what I am to be blamed for, but since 1999 10 these persons haven't worked. [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 I didn't even know who he was. I'm saying this under oath. The 18 Prosecution hinted that or said that I knew him from earlier. I am 19 stating this under oath that before 2016 I did not he was dead. Why? 20 Because I was not following. I was not in a position to follow the 21 cases. You can prove this that I did not have satellite TV on my</p> | <p>14:58:36 14:58:37 14:58:46 14:58:52 14:59:00 14:59:04 14:59:13 14:59:14 14:59:19 14:59:23 14:59:27 14:59:29 14:59:36 14:59:38 14:59:40 14:59:46 14:59:51 14:59:57 15:00:05 15:00:09</p> |
|---|---|



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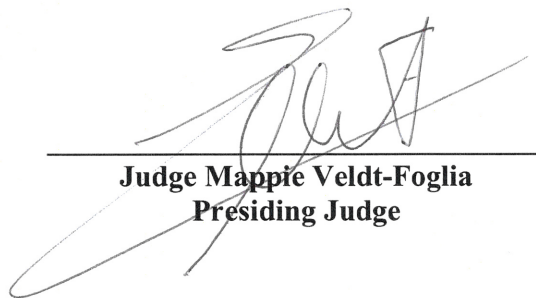


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| | | |
|-------|---|----------|
| 91:21 | their reputation. | 15:01:24 |
| 12 | [REDACTED] | 15:01:25 |
| 13 | [REDACTED] | 15:01:28 |
| 14 | [REDACTED] | 15:01:33 |
| 15 | [REDACTED] | 15:01:40 |
| 16 | [REDACTED] | 15:01:46 |
| 17 | [REDACTED] | 15:01:58 |
| 18 | [REDACTED] | 15:01:58 |
| 19 | [REDACTED] | 15:02:05 |
| 20 | [REDACTED] | 15:02:08 |
| 21 | [REDACTED] | 15:02:11 |
| 22 | I'm not saying I'm an angel myself. But with respect to what | 15:02:19 |
| 23 | you're trying to charge me with, I had absolutely no connection, | 15:02:26 |
| 24 | absolutely no responsibility, nor did I have any knowledge. | 15:02:31 |
| 25 | Therefore, I have two children who are under medical treatment, | 15:02:37 |
| 92:1 | my wife is under medical treatment, my life and ruined and destroyed, | 15:02:43 |
| 2 | and I thank you for the justice you're putting in place and the | 15:02:45 |
| 3 | justice you're showing to the world. | 15:02:48 |



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