

**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:** 18 November 2024

**Language:** English

**Classification:** Public

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**Victims' Counsel's Response to the "Defence Request for Mr Shala to be Excused from or Postpone the Pronouncement of the Reparation Order"**

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**Specialist Prosecutor's Office**  
Kimberly P. West

**Counsel for Pjetër Shala**  
Jean-Louis Gilissen

**Counsel for Victims**  
Simon Laws

## I. INTRODUCTION

1. Pursuant to the Trial Panel's Orders,<sup>1</sup> and Rule 68(4) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"),<sup>2</sup> Victim's Counsel responds to the "Defence Request for Mr Shala to be Excused from or Postpone the Pronouncement of the Reparation Order".<sup>3</sup>

## II. CLASSIFICATION

2. This submission contains no confidential information and is filed publicly.

## III. PROCEDURAL HISTORY

3. On 8 November 2024, the Trial Panel scheduled the pronouncement of the Reparation Order for 29 November 2024 at 11:00 and ordered Mr Shala's physical presence in the courtroom.<sup>4</sup> On the same day, the Defence notified the Trial Panel by email of Mr Shala's scheduling conflict.<sup>5</sup>
4. On 14 November, the Trial Panel directed the Defence to file their request formally by 15 November, and further that should Victims' Counsel wish to file a response, he should do so by 19 November.<sup>6</sup>
5. On 15 November 2024, the Defence filed a request for the Trial Panel to excuse Mr Shala from attending or, in the alternative, to postpone the date of the pronouncement of the Reparation Order.<sup>7</sup>

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<sup>1</sup> KSC-BC-2020-04, F00861, Scheduling order for the pronouncement of the Reparation Order, 8 November 2024 ("Scheduling Order"); Email from Trial Panel I to the Parties, 14 November 2024 at 15:00.

<sup>2</sup> KSC-BD-03/Rev3/2020, 2 June 2020.

<sup>3</sup> KSC-BC-2020-04/F00862, Defence Request for Mr Shala to be Excused from or Postpone the Pronouncement of the Reparation Order, 18 November 2024 ("Defence Request").

<sup>4</sup> Scheduling Order, paras 7, 8(a) and (b).

<sup>5</sup> Email from the Defence to Trial Panel I, 8 November 2024 at 17:35.

<sup>6</sup> Email from Trial Panel I to the Parties, 14 November 2024 at 15:00.

<sup>7</sup> Defence Request, para. 7.

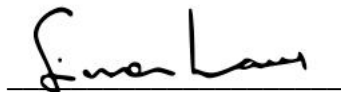
#### IV. SUBMISSIONS

6. The Defence submits that Mr Shala has a confirmed and pre-scheduled visit with individuals travelling from abroad to meet him at the Detention Facilities on 29 November 2024.<sup>8</sup> It further notes the logistical difficulties in rescheduling this visit and thus requests the Panel to excuse Mr Shala from attending or to postpone the pronouncement of the Reparation Order.<sup>9</sup>
7. Victims' Counsel has canvassed the views of the participating victims. They strongly oppose any delay to the pronouncement of the Reparation Order for the convenience of Mr Shala.
8. The participating victims have further indicated that the presence of Mr Shala at the scheduled hearing is unimportant to them. Noting the terms of Rule 68(4)(e) in particular, Victims' Counsel defers to the Panel's view as to whether Mr Shala's presence is necessary at the hearing.

#### V. RELIEF

9. Victims' Counsel therefore respectfully requests the Trial Panel to deny the Defence's request to postpone the pronouncement of the Reparation Order.

**Word count: 441**



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**Counsel for Victims**



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**Co-Counsel for Victims**

18 November 2024  
At The Hague, the Netherlands.

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<sup>8</sup> Ibid.

<sup>9</sup> Defence Request, paras 7, 11.