



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

**In:** KSC-BC-2020-04  
**Before:** Pre-Trial Judge  
Judge Nicolas Guillou  
**Registrar:** Dr Fidelma Donlon  
**Filed by:** Dr Fidelma Donlon  
**Date:** 16 March 2021  
**Language:** English  
**Classification:** Strictly Confidential and *Ex Parte*

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**Notification of Arrest of Pjetër Shala Pursuant to Rule 55(4)**

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**Specialist Prosecutor's Office**

Jack Smith

1. Pursuant to Rule 55(4) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ('Rules')<sup>1</sup>, when a person is arrested in a Third State pursuant to an arrest warrant issued by the Specialist Chambers, the competent authorities shall promptly notify the Registrar, who shall immediately inform the President, the Panel, and the Parties. The Registrar hereby informs of the arrest of Mr Pjetër Shala ('Mr Shala') in the Kingdom of Belgium by the Belgian Police, in the presence of representatives of the Specialist Prosecutor's Office ('SPO').
2. On 12 June 2020, the Pre-Trial Judge issued a strictly confidential and *ex parte* decision<sup>2</sup> confirming charges against Mr Shala for war crimes punishable under Articles 14(1)(c) and 16(1)(a) of the Law on Specialist Chambers and Specialist Prosecutor's Office ('Law')<sup>3</sup>.
3. On 12 June 2020, the Pre-Trial Judge also issued a strictly confidential and *ex parte* decision granting the SPO's request for an arrest warrant and transfer order ('Decision on Arrest and Transfer').<sup>4</sup> In the Decision on Arrest and Transfer, the Pre-Trial Judge directed the Registrar, in consultation with the SPO, to transmit the arrest warrant and transfer order to the competent authorities of the Kingdom of Belgium, or any other Third State, as the case may be, for service and execution.<sup>5</sup>
4. On 30 July 2020, the Registrar requested the cooperation of the competent Belgian authorities in the arrest of Mr Shala and his transfer to the detention facilities of the Specialist Chambers in the Host State.<sup>6</sup>
5. At approximately 6:09 on 16 March 2021, Mr Shala was arrested by the Belgian Police in the Kingdom of Belgium, in the presence of representatives of the SPO.

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<sup>1</sup> Rules of Procedure and Evidence Before the Specialist Chambers, KSC-BD-03/Rev3/2020, as amended on 29 and 30 April 2020.

<sup>2</sup> KSC-BC-2020-04/F00007, Decision on the Confirmation of the Indictment Against Pjetër Shala, 12 June 2020, strictly confidential and *ex parte*.

<sup>3</sup> Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015.

<sup>4</sup> KSC-BC-2020-04/F00008, Decision on Request for Arrest Warrant and Transfer Order, 12 June 2020, strictly confidential and *ex parte*.

<sup>5</sup> KSC-BC-2020-04/F00008, para. 30(c).

<sup>6</sup> KSC-BC-2020-04/F00011, Request for Authorisation to Disclose the Confirmed Indictment to the Competent Authorities of a Third State, 18 September 2020, para. 8.

6. The Registrar will notify the Pre-Trial Judge and inform the relevant parties and persons promptly upon Mr Shala's reception at the detention facilities of the Specialist Chambers in the Host State.<sup>7</sup> The Registrar will also inform the Pre-Trial Judge should Mr Shala seek judicial remedies before the competent Belgian authorities prior to his transfer.<sup>8</sup>

7. Pursuant to the Decision on Arrest and Transfer,<sup>9</sup> the Registrar will submit a report on the arrest and the transfer of Mr Shala to the Pre-Trial Judge before the initial appearance.

8. This notification is submitted as strictly confidential and *ex parte* pursuant to Rule 82(4) of the Rules.

**Word count: 531**



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**Dr Fidelma Donlon**  
**Registrar**

Tuesday, 16 March 2021

At The Hague, the Netherlands

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<sup>7</sup> See KSC-BC-2020-04/F00008, paras 25, 30(f); *see also* Rules of Detention, KSC-BD-08-Rev1, 23 September 2020, Detention Rule 10.

<sup>8</sup> See Act of 29 March 2004 concerning the cooperation with the International Criminal Court and the international criminal tribunals, title IV<sup>ter</sup>, available in its consolidated version at [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2004032930&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2004032930&table_name=loi) (last visited on 16 March 2021).

<sup>9</sup> KSC-BC-2020-04/F00008, para. 30(g).