



**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:** 27 March 2023  
**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 27 March 2023, transcript reference Page 14 Line 13 (Time Code 09:59:27), Page 14 Line 15 (Time Code 09:59:47), Page 14 Line 17 (time code 10:00:13) to Page 14 Line 24 (Time code 10:01:15).

14:12	with other people at that time?	09:59:22
13	A. Yes. [REDACTED]	09:59:27
14	Q. And how old were you at that time?	09:59:39
15	A. At the time I was [REDACTED].	09:59:47
16	Q. In May 1998, were you a member of the Kosovo Liberation Army?	09:59:56
17	A. [REDACTED]	10:00:13
18	[REDACTED]	10:00:22
19	[REDACTED]	10:00:29
20	[REDACTED]	10:00:42
21	[REDACTED]	10:01:01
22	[REDACTED]	10:01:02
23	[REDACTED]	10:01:09
24	[REDACTED]	10:01:15
25	PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer.	10:01:19
15:1	Sorry to interrupt you, Mr. Prosecutor.	10:01:24
2	Could you bring us into private session, please.	10:01:28

**Judge Mappie Veldt-Foglia**  
**Presiding Judge**

Registry implementation: Yes  No  Feed Terminated  Time From \_\_\_\_\_ to \_\_\_\_\_  
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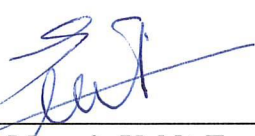
KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

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16:8	zone or headquarters, the village?	10:04:26
9	A. Initially we were organised at the level of the village, with	10:04:36
10	the instructions of the institutions of Kosovo. [REDACTED]	10:04:54
11	[REDACTED]	10:05:00
12	[REDACTED]	10:05:43
13	[REDACTED]	10:05:43
14	Q. Okay. Thank you very much. So the place where you lived in	10:05:43
15	1998, how far was that from Jabllanice?	10:05:43
16	A. It was about two to three hours on foot from Jabllanice,	10:05:49
17	approximately.	10:05:56
18	MR. DE MINICIS: Your Honours, could I please ask to now use the	10:06:01

  
 Judge Mappie Veldt-Foglia  
 Presiding Judge

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22:12	Q. Now, Mr. Witness, now that we have identified the place where	10:22:31
13	you lived in 1998, you helped us locate it on a map. I would like to	10:22:37
14	move on to talk about your father. Of course, we will be careful not	10:22:42
15	to mention his name to protect your identity, and even not to provide	10:23:09
16	too many details about the location where he did the job that I'm	10:23:09
17	about to ask you about.	10:23:09
18	But in the 1990s, what was your father's job?	10:23:13
19	A. [REDACTED]	10:23:15
20	MR. DE MINICIS: Your Honours, if we could do briefly move into	10:23:28
21	private session to ask a couple of more specific questions which	10:23:32
22	could be identifying	10:23:37

Judge Mappie Veldt-Foglia  
Presiding Judge

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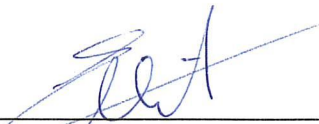
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32:16	and told us to surrender the weapons, which we did not do, because we	10:48:10
17	needed those to defend ourselves, to fight.	10:48:11
18	Later on, [REDACTED], some time passed, some said that	10:48:11
19	someone said to the persons who were in the yard to ... to get away	10:48:22
20	from the yard because they were planning to attack the house. They	10:48:30
21	took the revolver from my brother and my mother told team that [REDACTED]	10:48:39
22	[REDACTED]	10:48:52
23	[REDACTED]	10:49:04
24	Afterwards they left towards Jabllanice.	10:49:04
25	They left the house.	10:49:09
<hr/>		
33:1	Q. Okay. Now, thank you for telling us the details of this	10:49:12
2	incident. I would like to ask you a few more questions about it.	10:49:22
3	MR. DE MINICIS: If we could move briefly into private session,	10:49:27
4	Your Honour, please, before I do so.	10:49:31
5	PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, please bring	10:49:32

  
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40:22	Q. And where is it that they worked together? In which location?	11:39:55
23	A. They worked together in the war. So after my family withdrew,	11:40:03
24	they knew who that person was. [REDACTED]	11:40:15
25	[REDACTED] And we were informed about these	11:40:36
41:1	people later on.	11:40:36
2	Q. Did your neighbours specifically provide you with that name,	11:40:36
3	Pjetër Shala, or did they use any other identifying name or surname?	11:40:46
4	A. They specifically mentioned his pseudonym, Ujku, as he was	11:40:57
5	called.	11:41:08
6	Q. Now, Mr. Witness, is there any --	11:41:18
7	MR. DE MINICIS: If we could have, Your Honours, perhaps the	11:41:28

  
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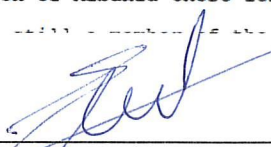


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44:18	A. After that, Le left towards Jabllanice. We were aware that the	11:50:40
19	situation was not good and they left, the entire family, to go to	11:50:44
20	██████████.	11:51:16
21	Q. So if I understand it correctly, after that incident, your	11:51:16
22	family left the house where you were staying until May 1998 and moved	11:51:17
23	to the town of ██████████; is that correct?	11:51:17
24	A. Yes.	11:51:17
25	Q. How long after this visit that your family received did you move	11:51:17
45:1	out of that ^ house?	11:51:22
2	A. We left the house on the same day.	11:51:37
3	Q. How long did you remain in ██████████ after you moved there?	11:51:45
4	A. We stayed in ██████████ in a private apartment. We paid for it.	11:51:57
5	And we stayed there until the massive expulsion of the Kosovo	11:52:06
6	population by the Serbian forces towards Albania. This was at the	11:52:14
7	end of March, late March 1999.	11:52:25
8	Q. Thank you. There was one question which relates more to the	11:52:34
9	previous incident that I forgot to ask you so I will go back to this	11:52:38
10	one. In your answer, try not to pry any detail which may identify	11:53:09
11	you.	11:53:09
12	To the best of your knowledge, why was your father and your	11:53:09
13	household targeted on that day?	11:53:09
14	A. We did not allow him to go outside the house to avoid the worse	11:53:09
15	that could happen.	11:53:15
16	Q. And to the best of your knowledge, why were these people looking	11:53:18
17	for your father on that day?	11:53:24
18	A. The General Staff can know the answer, and they evoked	11:53:33
19	Lahi Brahimaj. They said, We have orders from Lahi Brahimaj.	11:53:47
20	Q. Thank you. Now, you just told us that it was about the end of	11:53:52
21	March 1999 when your family moved away of ██████████ and went to	11:53:59
22	Albanian; that's correct?	11:54:12
23	A. Yes.	11:54:16
24	Q. Why did you decide to move to Albania at the end of March 1999	11:54:16
25	and leave Kosovo?	11:54:24
46:1	A. The bombing started and the Serbian forces persecuted the entire	11:54:38
2	town, and we left in the direction of Albania there longer columns or	11:55:15
3	convoys.	11:55:16
4	██████████	11:55:16

  
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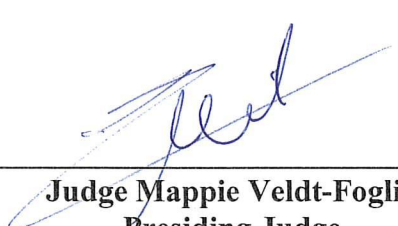
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<p>46:12 Q. I think we're good so far. But careful not to give any more          13 precise details about the identity of this person, just in case it          14 could identify you. But I think, so far, we are good.          15 A. At 1200 hours, at midnight that is, we arrived at          16 [REDACTED] An Albanian from Albania          17 offered us shelter in his own house. He received us, the whole          18 family, in his house for the night.          19 Q. Now --          20 MR. DE MINICIS: Your Honour, can we please move into private          21 session briefly.          22          23 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could you</p>	<p>11:56:08          11:56:14          11:56:19          11:56:28          11:57:15          11:57:15          11:57:15          11:57:16          11:57:18          11:57:21          11:57:22          11:57:40</p>
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**Judge Mappie Veldt-Foglia**  
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49:10	What incidents are you -- did you refer to? Could you please	12:03:14
11	elaborate?	12:03:20
12	A. Yes. The incidents happened one after the other involving my	12:03:28
13	father and another person called [REDACTED] Who was wearing a wig,	12:03:41
14	wanted to abduct my father. First pretending to look for a family	12:03:52
15	but later on asked him to get into the car. My father at the time	12:04:01
16	was strong physically, so they had a scuffle. He took the weapon	12:04:09
17	from him and told him that he will not come, who are you, you need to	12:04:22
18	identify yourself, who are you? And then later on he through the gun	12:04:31
19	back at him in his car and he left hurriedly.	12:04:41
20	Afterwards, not on the same day.	12:04:50
21	Q. [Microphone not activated] [Previous translation continues] ...	12:04:54
22	Your Honour.	12:04:58


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**Presiding Judge**

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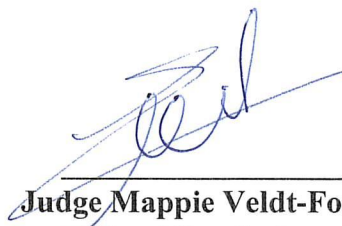
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50:1	A. No. This is -- these incidents happened when we stayed at our	12:05:16
2	aunt's place. Three incidents. In one week while we stayed there,	12:05:21
3	these happened.	12:05:32
4	Later on, [REDACTED]	12:05:34
5	[REDACTED].	12:05:41
6	Q. Thank you very much.	12:05:43
7	Now, after you moved to this new place [REDACTED], did any -- did	12:05:46
8	anything happen to your family?	12:05:59
9	A. My father was abducted there. I was present. And the owner	12:06:06
10	of the house, we went for a stroll at the time. A car arrived. It	12:06:19
11	a blue car Ascona made with licence plates AG. I could not remember	12:06:25
12	the numbers on the plates. That was the same vehicle that was used	12:07:00

  
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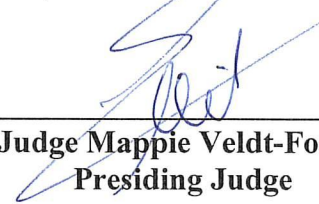
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50:23	owner of the house told me to go and get my brothers and my cousins.	12:08:01
24	I went to the house where we were staying to seek help, but my father	12:08:02
25	was abducted by these four persons. One of them was [REDACTED]	12:08:14
51:1	[REDACTED]	12:08:24
2	[REDACTED]	12:08:32
3	[REDACTED]	12:08:36
4	[REDACTED]	12:08:47
5	[REDACTED] Because this wasn't is s something that was done	12:09:00
6	legally so there was floss arrest warrant. So he was abducted	12:09:01
7	forcibly.	12:09:07
8	Q. Thank you, Mr. Witness. I'm going to ask you two or three	12:09:08
9	questions in relation to -- as a follow-up to what you just told us.	12:09:14
10	PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, would it be	12:09:18
11	better to go into private? Just depending on what type of questions	12:09:22
12	you would like to ask.	12:09:31
13	MR. DE MINICIS: I think that least the the first two questions I	12:09:32
14	can ask them in public session, Your Honour. And then we can	12:09:46

  
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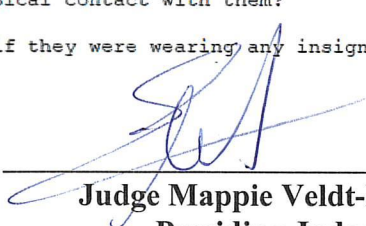
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52:15	Now, page 50, line 14 and 15 of the transcript, you stated:	12:11:17
16	"When my father was abducted by four persons, allegedly from the KLA.	12:11:30
17	That is how they introduced themselves."	12:11:35
18	So did anybody from the group announce that they were members of	12:11:37
19	the Kosovo Liberation Army?	12:11:45
20	A. Yes, [REDACTED].	12:11:52
21	Q. Very well. Were they wearing any uniforms?	12:12:00
22	A. They had black -- were wearing black clothes, black T-shirts,	12:12:12
23	all four of them.	12:12:22
24	Q. What distance were you from this group of people as this	12:12:24
25	situation was unfolding?	12:12:30
53:1	A. I was together with them. I was resisting.	12:12:38
2	Q. So you had physical contact with them?	12:12:46
3	A. Yes.	12:12:53
4	Q. Could you see if they were wearing any insignia?	12:12:56

  
 Judge Mappie Veldt-Foglia  
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**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:** 27 March 2023  
**Classification:** PUBLIC REDACTED

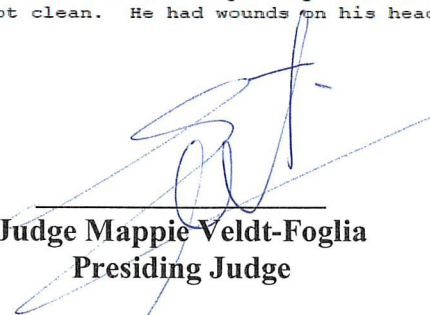
[IN COURT REDACTION ORDER]

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 27 March 2023, transcript reference Page 57 Line 11 to Page 57 Line 14 (time code from 12:24:58 to 12:25:37); Page 57 Line 19 to Page 57 Line 20 (time code 12:25:38 to 12:26:12) and Page 57 Line 24 to Page 57 Line 25 (time code 12:26:21 to 12:26:24).

57:5	MR. DE MINICIS:	12:24:19
6	Q. Mr. Witness, we're now back in open session.	12:24:19
7	Now, you told us how your father was kidnapped, how you reported	12:24:22
8	the kidnapping to the police. After that day, did you see your	12:24:29
9	father again?	12:24:36
10	A. No. We saw my father again 13 days after that. That was, he	12:24:41
11	was released beginning of April [REDACTED]	12:24:58
12	[REDACTED]	12:25:04
13	[REDACTED]	12:25:07
14	[REDACTED]	12:25:12
15	Q. Now, just to clarify, because I think you said he was released	12:25:37
16	at the beginning of April, but you told us he was kidnapped in	12:25:38
17	mid-May. So perhaps ...	12:25:38
18	A. I apologise. Beginning of June.	12:25:38
19	Q. Thank you. And when you saw him again, you told us that [REDACTED]	12:25:38
20	[REDACTED]	12:25:51
21	Where did they bring him back?	12:26:13
22	A. Yes.	12:26:13
23	Q. Where did they bring back your father upon his release?	12:26:13
24	A. They brought my father to [REDACTED]	12:26:15
25	[REDACTED]	12:26:24

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58:1	Q. Thank you. Now, were you present when your father was brought	12:26:24
2	back?	12:26:36
3	A. Yes.	12:26:36
4	Q. And he had been away for 13 days; correct?	12:26:37
5	A. That is correct.	12:26:52
6	Q. What was your father's condition when he was brought back?	12:26:54
7	A. When my father came back, he was in a completely inhumane state.	12:27:05
8	He stunk; that is, he was not clean. He had wounds on his head. His	12:27:17



**Judge Mappie Veldt-Foglia**  
 Presiding Judge

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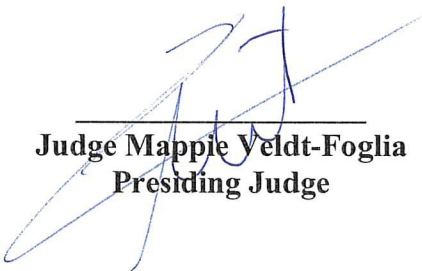
KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

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78:6	away, how were the family affected by his absence?	14:25:57
7	A. Badly. Psychologically we were all in a very bad condition. We	14:26:12
8	didn't know anything about him. We had no information until he was	14:26:20
9	brought to the apartment where we were staying by the [REDACTED]	14:26:27
10	[REDACTED]	14:26:33
11	Q. I want to ask you a question specifically about your sisters.	14:26:39
12	And it's important that we don't name them, all right?	14:27:06
13	Had they been going to school before your father was abducted?	14:27:07
14	A. Yes. But they did not go to school after the war because of the	14:27:09
15	situation that was created. Even us, as brothers, were afraid that	14:27:18
16	something will befall them, so they didn't.	14:27:25
17	Q. I just want to make sure that everybody understands that.	14:27:31
18	What was it that you were frightened about that meant that your	14:27:39
19	sisters could no longer go to school?	14:27:47
20	PRESIDING JUDGE VELDT-FOGLIA: Please switch off the ...	14:27:51

  
\_\_\_\_\_  
**Judge Mappie Veldt-Foglia**  
Presiding Judge

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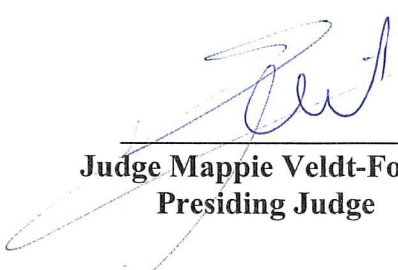
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87:16	fence is almost around 25 metres, you say, I think so?	14:48:38
17	A. Between 20 and 25 metres.	14:48:46
18	Q. Thank you very much. It is very clear. It is very clear.	14:48:49
✓ 19	So on that day, [REDACTED] May 1888 ^ I'd like to know where you	14:48:53
20	was when the armed group arrived --	14:49:07
21	PRESIDING JUDGE VELDT-FOGLIA: No, no, Defence Counsel. What	14:49:11
22	date did you say.	14:49:12
✓ 23	MR. GILISSEN: [REDACTED] May 1998.	14:49:15
24	PRESIDING JUDGE VELDT-FOGLIA: [REDACTED] of May of 1999? I don't know.	14:49:27
✓ 25	I'm not examining. For me it is not clear which date and which year.	14:49:31
✓ 88:1	MR. GILISSEN: I prefer to repeat it. It's [REDACTED] May 1998.	14:49:36
2	PRESIDING JUDGE VELDT-FOGLIA: Okay, thank you.	14:49:46
3	MR. GILISSEN: If I commit a mistake.	14:49:48
4	PRESIDING JUDGE VELDT-FOGLIA: It's not just about mistakes.	14:49:50
5	It's just to be clear on record because we have both relevant dates	14:49:53
6	in 1998 and in 1999.	14:49:57
7	MR. GILISSEN: Of course, of course.	14:50:00
8	Q. So I hope you understand the question. So I would like to know	14:50:01

  
Judge Mappie Veldt-Foglia  
Presiding Judge

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