



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: 28 March 2023
Classification: PUBLIC REDACTED

[IN COURT REDACTION ORDER]

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11:25		10:03:45
12:1	MR. GILISSEN: Yes.	10:03:50
2	Q. [REDACTED]	10:03:52
3	[REDACTED]	10:04:01
4	[REDACTED]	10:04:08
5	[REDACTED]	10:04:17
6	[REDACTED]	10:04:21
7	[REDACTED]	10:04:35
8	[REDACTED]	10:04:45
9	[REDACTED]	10:04:53
10	[REDACTED]	10:04:58
11	[REDACTED]	10:05:03
12	[REDACTED]	10:05:08
13	[REDACTED]	10:05:14
14	[REDACTED]	10:05:20
15	[REDACTED]	10:05:26
16	[REDACTED]	10:05:32
17	PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, I think that	10:05:34
18	it's better that we go into private.	10:05:35
19	MR. GILISSEN: Yes.	10:05:38
20	PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, can we go	10:05:38
21	into private.	10:05:40

Judge Mappie Veldt-Foglia
Presiding Judge

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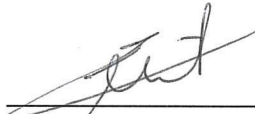


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49:3	come in this way to the yard of my parents' house?	12:28:58
4	Q. Madam Witness.	12:28:58
5	A. I asked him to leave in a proper manner. Because if something	12:29:15
6	happens, if a fire shot is heard, the Yugoslav army is nearby, [REDACTED]	12:29:16
7	[REDACTED] than can lead to crimes to massacres, and victims from	12:29:31
8	our side, from your side.	12:29:41
9	He accepted my request and said to me, I'll go out on the road	12:29:42
10	to speak to the commander. But when he went there, I think it was	12:29:49
11	the commander himself. He was the commander himself. Because he	12:29:59
12	made this sign with his finger, meaning withdraw. And they	12:30:05
13	immediately moved away from the fence and left in an unknown	12:30:13
14	direction to me.	12:30:24
15	PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, line -- page	12:30:25
16	49 line 24 the name of the two soldiers yesterday have not been	12:30:30


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50:2	did not know recognise him or knew him on that day, but later on we	12:31:27
3	learned that it was Naser Brahimaj. Whereas this other person, to	12:31:35
4	whom I addressed my request to leave, his name was Hamez Ibrahimaj.	12:31:42
5	[REDACTED]	12:31:55
6	[REDACTED]	12:32:04
7	[REDACTED]	12:32:19
8	[REDACTED]	12:32:24
9	And he said I'm not Hamez, I'm just a soldier. And I said to	12:32:32
10	him, fine but I know you as Hamza ^ . And that was it.	12:32:43
11	PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, try not to mention	12:32:49
12	names of places or lakes of anything of a geographical nature,	12:33:04
13	because that could be identifying.	12:33:11
14	THE WITNESS: [Interpretation] All right. I understand.	12:33:16
15	MS. PERGOLO:	12:33:17
16	Q. Thank you, Madam Witness. So just before you mentioned that you	



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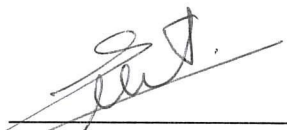


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53:6	We took some things, packed things, whatever we could in a hurry, put	12:40:51
7	them in the car, and were trying to leave. Because we did not want	12:41:01
8	to spend that night there. So we left and went to [REDACTED].	12:41:08
9	We went to a house. They accepted us there. We spent two or	12:41:22
10	three days there, and later we rented [REDACTED]	12:41:28
11	[REDACTED]	12:41:39
12	[REDACTED]	12:41:48
13	Q. Thank you, Madam Witness. And just to clarify --	12:42:19
14	A. Thank you as well.	12:42:20
15	Q. Who moved to [REDACTED]? Was it -- maybe we should try not to	12:42:20
16	mention names, but was it all of your family?	12:42:20
17	A. The whole family. We locked the door to our house and just	12:42:22
18	left.	12:42:33
19	Q. Thank you very much. Now, we have finished discussing about	12:42:33
20	events in 1998, and I would like now to draw your attention to events	12:42:42
21	in 1999.	12:42:49
22	You mentioned that you moved to [REDACTED]. Can you tell us how	12:42:54
23	long were you there in that ... in that place?	12:43:03
24	A. We stayed there until 1999, until 3 April. Until 3 April 1999.	12:43:13
25	The police then expelled us. They told us to leave the house and go	12:43:40
54:1	to Albania. And that is what we did. Along with the rest of the	12:43:57
2	population, we went to Albania through Prizren and crossed the border	12:44:02


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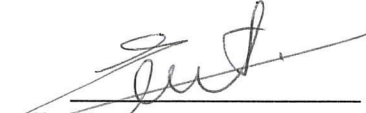


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57:3	Madam Prosecutor, please proceed.	12:51:42
4	MS. PERGOLO:	12:51:45
5	Q. Madam Witness, you just described to us your trip and where you	12:51:50
6	were staying in Albania. Can you tell us a little bit about your	12:51:57
7	life there and how were things in the first part of your stay in ...	12:52:05
8	[REDACTED]	12:52:12
9	A. The first part of our stay [REDACTED] was calm. We walked in	12:52:23
10	nature, in the city, but later on we realised that we were being	12:52:33
11	followed because a rumour had spread that a Serb officer arrived in	12:52:47
12	Albania and, of course, I imagine they gave the name and we started	12:53:15
13	being followed from time to time, that we ourselves noted. Sometimes	12:53:20
14	me, sometimes my sons or another person of the family. They were	12:53:24
15	being followed when they were taking a stroll or when they were going	12:53:30
16	to the store to buy food.	12:53:35
17	I noticed that the house was also being surveyed by them and I	12:53:43
18	heard many saying, This is where he is, this is where he lives. I	12:53:55


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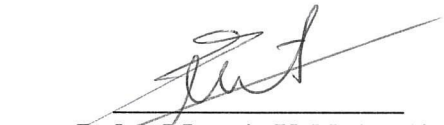


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58:15	A. No, I didn't know them, until my husband was abducted. When he	12:56:37
16	was abducted, while taking a stroll with the owner and my son	12:56:42
17	██████████, with the owner and my son. While they were taking a	12:56:42
18	stroll, four persons, armed persons, arrived by a car.	12:56:53
19	PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, I would like to	12:56:56
20	go into private.	12:56:58
21	Madam Court Officer, could you bring us into private, please.	12:57:06
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66:18 | a car and entered that courtyard. They took my son and they said to
19 | my daughter, That was my eldest daughter and youngest son. They told
20 | him, [REDACTED]. So my daughter
21 | didn't want to do that. She held him close and she said, I had not
22 | let him go. And the land lady came out, asked them, Who are you,
23 | entering another person's courtyard and taking somebody else? They
24 | didn't say anything because they were accompanied by an Albanian
25 | police officer. She addressed him, How come you, as a police
14:18:37
14:18:47
14:18:55
14:19:01
14:19:06
14:19:14
14:19:20
14:19:25

67:1 | of Albania, you must have been paid by that -- by them to be here.
2 | And she refused, she yelled at them, and so they let him go. And
3 | they returned, both of them.
4 | Q. Thank you very much, Madam Witness. Thank you for this
5 | information?
14:19:54
14:19:54
14:19:55
14:19:55
14:19:57



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84:10 | to these people, did he provide any other information, anything else
11 | in relation to these people?
12 | A. Yes. He said that before, in 1997, we had a busy, a cafe to
13 | prepare food or fish. [REDACTED]. And my two sons
14 | worked there. In 1997, our cafe was attacked. It was fired at by
15 | weapons. My sons know what kind of weapons those were. However, up
16 | until he went to Kukes, he did not know who attacked the cafe, and
17 | when he was in Kukes he learned that Pjeter Shala told him, Don't
18 | look for anybody who shot at your business. I did it. And I came to
19 | your house to fire at it.
20 | This is what my husband told me.

15:07:26
15:07:33
15:08:02
15:08:20
15:08:20
15:08:28
15:08:37
15:08:45
15:08:52
15:09:04
15:09:11



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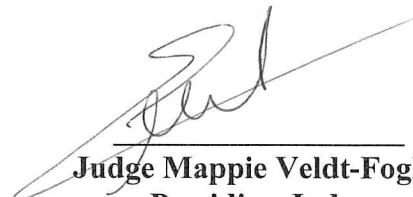


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85:22	PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].	15:12:29
23	THE WITNESS: [Interpretation] Yes. When they came to the house	15:12:34
24	it my village.	15:12:38
25	PRESIDING JUDGE VELDT-FOGLIA: [Overlapping speakers] ...	15:12:40
86:1	THE WITNESS: [Interpretation] [REDACTED].	15:12:53
2	PRESIDING JUDGE VELDT-FOGLIA: Could take off your headphones,	15:12:53
3	please.	15:12:54
4	Thank you, Madam Court Usher.	15:12:56
5	Defence Counsel, you have the floor although I think that we try	15:12:58
6	to be quick, quicker than the first time.	15:13:04
7	MS. CARIOLOU: Certainly, Your Honour. It's just that my	15:13:06
8	learned colleague put -- made an association that the witness did not	15:13:09
9	make, and I believe it is clear at transcript page 85. It's line --	15:13:13


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89:8	were describing the fact that your husband was kept in a place where	15:20:46
9	many other prisoners were also held.	15:20:47
10	Do you know the names, has your husband ever mentioned the names	15:20:47
11	to you of those other prisoners [check] ^ ?	15:20:47
12	A. Yes, of some of them. To what my husband told me. There was	15:20:47
13	[REDACTED]	15:20:55
14	Q. Madam Witness -- perhaps we should stop here and go back into	15:21:09
15	private session. I believe it would be safer. [Check] ^ ?	15:21:10
16	PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could you	15:21:14
17	bring us into private session again, please.	15:21:16
18	[REDACTED]	15:21:16

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