



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

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: Fidelma Donlon

Date: 4 April 2023

Language: English

Classification: **Public**

Order for submissions on the lifting of redactions and/or the reclassification of transcripts of trial hearings

Acting Specialist Prosecutor
Alex Whiting

Counsel for the Accused
Jean-Louis Gilissen

Victims' Counsel
Simon Laws

TRIAL PANEL I (Panel) hereby renders this order for submissions on the lifting of redactions and/or the reclassification of transcripts of trial hearings.

1. On 27 March 2023, the presentation of evidence commenced in the present case and, between 27 and 30 March 2023, the Panel heard the testimonies of witnesses TW4-06, TW4-07, TW4-08 and TW4-09.¹
2. The Panel notes Articles 21(2), 23 and 40(2) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office (Law) and Rules 80 and 84(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (Rules).
3. The Panel recalls that, pursuant to Article 21(2) of the Law, and subject to any protective measures for witnesses and victims ordered under Article 23 of the Law, the Accused has the right to a public hearing in the determination of the charges against him.
4. With a view to respecting the principle of publicity while upholding the protective measures for witnesses and victims, the Panel considers it appropriate to order the Parties and Victims' Counsel to undertake a revision of the transcripts of the trial hearings which took place from 27 to 30 March 2023 and to make submissions on whether existing redactions can be lifted and/or transcripts can be reclassified as public.
5. The Parties and Victims' Counsel shall liaise with each other and make joint submissions for the lifting of redactions/reclassification of transcripts in a consolidated filing. The Parties and Victims' Counsel shall ensure that their

¹ KSC-BC-2020-04, Transcript of Hearing, 27 March 2023, confidential; Transcript of Hearing, 28 March 2023, confidential; Transcript of Hearing, 29 March 2023, confidential; Transcript of Hearing, 30 March 2023, confidential.

submissions for the lifting of redactions/reclassification of transcripts are consistent within and across transcripts.

6. Should the Parties and Victims' Counsel disagree on discrete portions of any transcript, they shall specify this in their submissions and provide reasons for their disagreement. The Panel will ultimately decide on the lifting of redactions and/or reclassification of the transcripts, pursuant to Rules 80(1) and 84(1) of the Rules.

7. For the above-mentioned reasons, the Panel hereby:

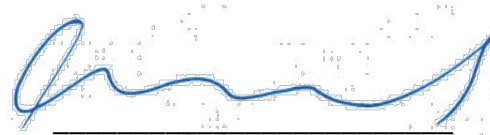
ORDERS the Parties and Victims' Counsel to provide submissions as indicated above, by **Friday, 14 April 2023, at 12h00**.



Judge Mappie Veldt-Foglia
Presiding Judge



Judge Gilbert Bitti



Judge Roland Dekkers

Dated this Tuesday, 4 April 2023

At The Hague, the Netherlands.