



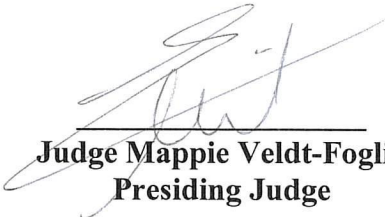
KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

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: 29 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 29 March 2023, transcript reference Page 5 Line 20 (time code 16:08:52).

5:17	Q. Do you know if your father kept records of his statements or	16:08:21
18	interviews?	16:08:25
19	A. He was questioned during hearings. I wasn't always with him.	16:08:37
20	██████████ was with him at times. My mother other times.	16:08:45
21	Q. [Previous translation continues] ...	16:08:54
22	PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, please don't mention	16:08:56
23	names.	16:08:58
24	THE WITNESS: [Interpretation] My brother, my youngest brother,	16:09:00
25	my mother, myself, but not every time my father gave a statement or	16:09:06
6:1	testified. So it was my eldest brother, myself, my youngest brother	16:09:13
2	or my mother.	16:09:19


Judge Mappie Veldt-Foglia
Presiding Judge

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6:19	Q. Did you discuss that after arriving to the Netherlands?	16:10:59
20	A. We have knowledge, all of us family members, about this case.	16:11:11
21	We received a summonses because I now live in [REDACTED]	16:11:21
22	I don't know what you really want or what's the full purpose or	16:11:50
23	meaning of what you're asking about.	16:11:50
24	Q. Madam Witness, please don't mention place and don't mention	16:11:50
25	names. That wasn't my question, Mr. Witness, but I have a response	16:11:51
7:1	for it.	16:11:57
2	MR. AOUINI: Your Honour, would you allow me a moment to confer	16:12:00
3	with my colleagues.	16:12:04
4	PRESIDING JUDGE VELDT-FOGLIA: Of course, Defence Counsel.	16:12:04
5	Please proceed.	16:12:07


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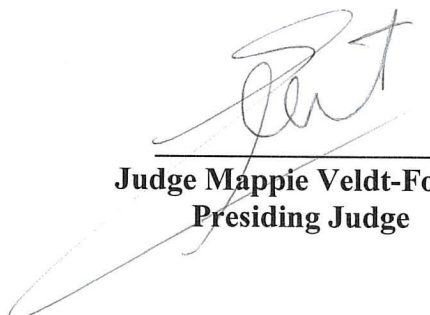


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19:5	So my question is very simple. Did you confirm that it is	10:16:41
6	your -- Mr. Shala that informed your husband he was there during this	10:16:51
7	visit in May 1998 [check]?	10:17:02
8	PRESIDING JUDGE VELDT-FOGLIA: Ground, could you be more	10:17:07
9	specific with regard to which visit.	10:17:09
10	MR. GILISSEN: In May; [redacted] May 1998. The visit we discussed	10:17:13
11	yesterday a long time.	10:17:26
12	PRESIDING JUDGE VELDT-FOGLIA: Is that sufficiently clear for	10:17:27
13	you, Madam Witness?	10:17:29
14	THE WITNESS: [Interpretation] Yes. Yes. I can confirm and I	10:17:31
15	can answer.	10:17:37
16	My husband told me, he told me that Pjeter Shala himself, in the	10:17:40
17	arbitrary prison where he was detained, the metal factory in Kukes,	10:17:52
18	he said, Don't label anyone else, I fired shots at your cafe, I also	10:18:02
19	came to your house on the mentioned year. I also came to your house	10:18:13
20	to shoot at your house. This was Pjeter Shala himself telling this	10:18:24


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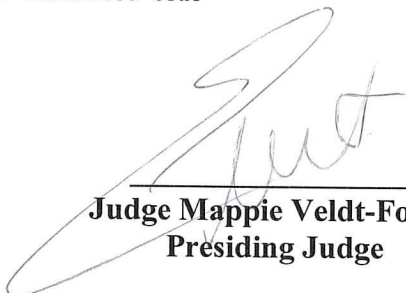


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19:25	MR. GILISSEN: I ask the Court Officer to pull ERN 105370-TR-ET,	10:18:42
20:1	Part 1, RED, the redacted version of transcript of SPO interview of	10:18:54
2	[REDACTED], Part 1, 23 March 2022, page 15, lines 16 to 19.	10:19:27
3	So do you remember, Madam Witness, being interviewed by the SPO	10:19:31
4	approximately a year ago? It means 20 March 2022.	10:19:35
5	THE COURT OFFICER: Your Honours, co-counsel confirm the	10:19:48
6	Albanian page number.	10:19:53
7	PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, yes. Could you	10:19:55
8	please confirm the Albanian -- in the Albanian version which page	10:19:58
9	should be uploaded.	10:20:04
10	MR. GILISSEN: I will provide you the element.	10:20:07
11	I'm sorry for the delay.	10:20:39
12	PRESIDING JUDGE VELDT-FOGLIA: Please take your time. We just	10:20:42
13	10:20:45



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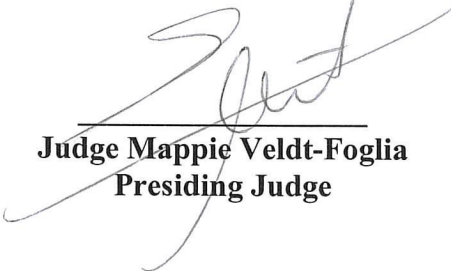


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27:1	A. Yes. This is what he told us. This is what he told us, that he	10:39:28
2	was present during the torture, that he admitted, saying, I came	10:39:39
3	there, shot at your cafe in [REDACTED] and I also came to your house.	10:39:46
4	A year later, two years later - which is 1998 - in the village of	10:40:03
5	[REDACTED] at our house [check punct] ^ .	10:40:07
6	Q. Yes, thank you. You were interviewed by the SPO.	10:40:10
7	MR. GILISSEN: And I ask the Court Officer to put on the screen	10:40:15
8	ERN 105370-TR-ET, Part 2, transcript of the SPO of the interview of	10:40:19
9	Witness 04 --	10:40:40
10	PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated] I	10:40:44
11	prefer that we don't share this type of information in public	10:40:47
12	session.	10:40:51
13	MR. GILISSEN: Yeah?	10:40:51


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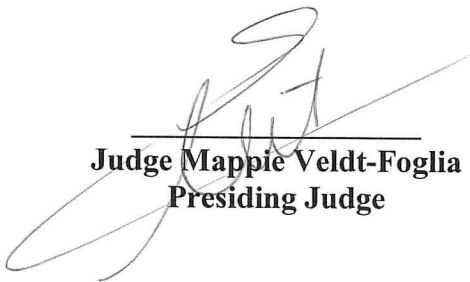


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33:19	Defence Counsel, please.	10:55:29
20	MR. GILISSEN: Thank you very much.	10:55:31
21	I was talking about that because there is a statement of the	10:55:31
22	husband of the witness, of Madam Witness, and he was talking about	10:55:38
23	during a statement provided [REDACTED]	10:55:44
24	I can provide the line, I can provide the information. I'm sure it	10:55:56
25	is necessary, but I can -- it is ready.	10:55:59
<hr/>		
34:1	PRESIDING JUDGE VELDT-FOGLIA: Just a short summary. Because I	10:56:03
2	don't see where you're going. Maybe you Kreshnik have two key words	10:56:07
3	and then we are --	10:56:12
4	MR. GILISSEN: As we know, this Tribunal has been set up because	10:56:14
5	of organ trafficking. It is what we know.	10:56:19
6	PRESIDING JUDGE VELDT-FOGLIA: That is your summary of the	10:56:23
7	reasons.	10:56:24



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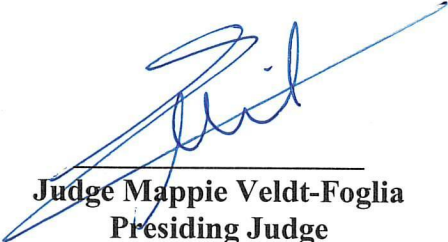
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43:8	A. Yes. First of all, our financial security was affected by the	11:44:26
9	cafe, which was attacked. That was our main source of income for our	11:44:36
10	family because the salaries were low then, especially for persons	11:44:42
11	[REDACTED]. My children were still in school at	11:44:50
12	that time. They needed pocket money for use. We needed that income.	11:44:57
13	So that is the reason why our financial income was impacted by the	11:45:08
14	cafe; when the cafe was shot more precisely.	11:45:17
15	We also lost a lot of financial income because of the medical	11:45:26
16	condition my husband was in, because he could not work. He only	11:45:34
17	could -- was able to work a little bit by harvesting or in	11:45:42
18	agriculture, but because of his medical condition he could not -- he	11:45:49
19	could no longer work to provide for the family, to become a main	11:45:58
20	source of income so that we could be financially supported. And this	11:46:05
21	was all impacted -- this all had an impact on us. We also had other	11:46:10
22	examinations, surgeries, that were done in either in Kosovo at the	11:46:21
23	American hospital, as well as in [REDACTED], which was covered by my son	11:47:03
24	where he spent three months. We will to spend money on his medical	11:47:03
25	insurance. He had surgeries [REDACTED] Two. Two surgeries that he	11:47:03
<hr/>		
44:1	had in [REDACTED] and also following -- follow-up examinations,	11:47:03
2	follow-up treatments [REDACTED] hospitals.	11:47:05
3	He also had a surgery at the American hospital in Kosovo which	11:47:25
4	had high costs. Initially our second son [REDACTED] helped us cover	11:47:25
5	those ebs persons and later on other sources. We had no income	11:47:32
6	coming from anyone else. We were supported by my sons. We had very	11:47:53
7	high expenses in relation to that.	11:47:53
8	Sometimes those expenses reached up to 150.000 euros for the	11:47:53
9	surgeries that he needed. That included medications and follow-up	11:48:02
10	treatments. without taking into account travel expenses. That's	11:48:06


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44:18	your husband, have consequences on your other children; for example,	11:48:46
19	in terms of employment or other consequences.	11:48:51
20	A. No, we did not have any more consequences, but my son [REDACTED],	11:49:05
21	he supplied all the other siblings [REDACTED] so that we could work	11:49:17
22	in his company. So they helped us in relation to that.	11:49:28
23	JUDGE BITTI: This morning you told us that your daughters were	11:49:30
24	not able to go to school anymore. That was on page 15, lines 24, 25.	11:49:34
25	I understood from yesterday that [REDACTED]. Did that affect	11:49:41
45:1	you particularly?	11:49:46
2	A. No consequence. Respected by all [REDACTED], people, and by all	11:49:52
3	the people in the community. They had -- they paid highest respects	11:50:09
4	to us.	11:50:13
5	JUDGE BITTI: I understand. But was it difficult for you,	11:50:14
6	especially [REDACTED], that your daughters were not able to	11:50:28
7	continue with their education?	11:50:28
8	A. It was difficult. It was difficult. Because we wanted to avoid	11:50:29
9	something worse happening. We will to keep them at home, engage them	11:50:40
10	in other work, crafts or something else, related to the household.	11:50:46
11	JUDGE BITTI: Okay. I want to thank you very much,	11:50:55
12	Madam Witness. I have finished with my questions. Thank you very	11:50:58

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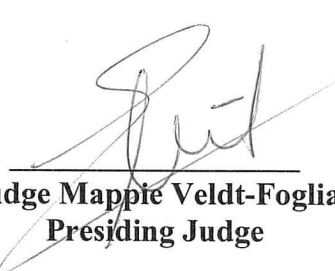


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60:19	here, we know each other, I know your father. He replied, I am not	12:27:06
20	Hamez, I am a soldier.	12:27:06
21	She spoke to them. My brother [REDACTED] also spoke to them.	12:27:21
22	They wanted to come in the house. We did not allow them. My sisters	12:27:21
23	asked my father not to come out.	12:27:26
24	They took a handgun from my brother and as soon as they got the	12:27:27
25	handgun they left. But before they left, before they took the	12:27:34
61:1	handgun, a person with a grenade launcher called tromblom who was	12:27:39
2	standing by a fence made a signal to everyone to move away because he	12:27:51
3	wanted to shoot at the house. That is what happened. He signalled	12:27:56
4	with his hand. He took the weapon from my brother. These persons	12:28:01
5	also said that they were sent from Jabllanice General Staff. The	12:28:13
6	commander was Brahimaj.	12:28:19
7	Then they took the weapon and told me mother to come to the	12:28:28
8	staff tomorrow. My mother replied, Yes, I will, I will come there	12:28:34
9	with my husband and with my children, I will come to Jabllanice. But	12:28:39
10	in the evening, we left and we went to Gjakove. We found an	12:28:48
11	apartment in Gjakove and then stayed there until my family went to	12:28:54
12	Albania. However, I myself stayed in [REDACTED].	12:29:02
13	Q. Witness, Just to remind you, be careful with names and	12:29:09
14	locations.	12:29:14
15	I would stay -- I would like to stay a bit with this incident in	12:29:15
16	spring/summer 1998 before moving on to a year later?	12:29:20
17	PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor.	12:29:27
18	MS. WYLER: Yes.	12:29:30
19	PRESIDING JUDGE VELDT-FOGLIA: Could you insert in these	12:29:31


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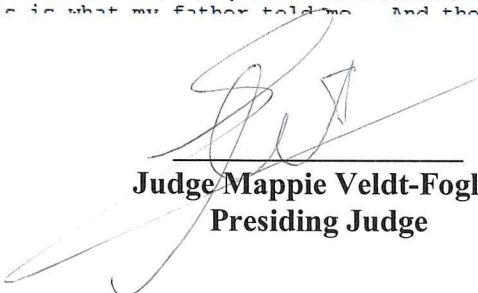


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70:18	accommodated sheltering in Durres, they were followed, being watched.	12:53:07
19	This is what I was told, that they overheard them saying, We will	12:53:16
20	take the father, this is the place where they live. Things said by	12:53:25
21	some persons. And I know one of them. I and [REDACTED], we both know	12:53:32
22	one of those persons involved.	12:53:42
23	Q. Yes, please do not mention the name. But can you tell me a bit	12:53:45
24	more about the incident itself?	12:53:50
25	A. I heard that they arrested him or, rather, kidnapped him, and	12:54:02
71:1	took him towards Kukes. He was held in a place for a night or two -	12:54:19
2	I'm not quite sure - before being taken to Kukes. This is what I	12:54:33
3	heard from my father.	12:54:39
4	I heard that he was beaten, maltreated, and I heard that two	12:54:41
5	people discussed amongst themselves, which one of us will kill him?	12:54:49
6	You or me? This is what my father told me. And then they took him	12:55:02


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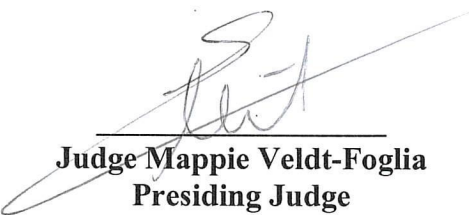


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73:24	25	nights. I'm not sure about it. . They held him there, however, and then, together with other people detained there, they brought him to	14:05:01 14:05:08
74:1	2	Kukes. There were four people.	14:05:20
	3	[REDACTED], where they held him, they -- those who abducted	14:05:20
	4	him, the abductors spoke among themselves saying, Will you kill him	14:05:30
	5	or will I kill him? And he said, My son knows you, recognised you so	14:05:35
	6	you can kill me when of you want. They continued on their way	14:05:46
	7	without committing what they said they would commit. They then took	14:05:52
	8	him to Kukes, placed him in that prison where there was nothing, no	14:05:59
	9	bed, nothing. No place to lie down, to sleep on. Just the floor.	14:06:08
	10	Concrete floor, nothing else. No food, insufficient food,	14:06:28
	11	insufficient water, maltreatment, beatings, as we say using baseball	14:06:48
	12	bats, iron -- metal bars in Kukes at the metal factory.	14:06:49
		12 O [Previous translation continued] speak about for you.	14:06:51


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AV: Name _____ Signature: _____ Time From _____ to _____

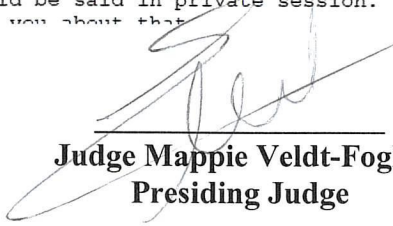


In: KSC-BC-2020-04
Name: The Specialist Prosecutor v. Pjetër Shala
Before: Trial Panel I
Judge Mappie Veldt-Foglia, Presiding Judge
Judge Roland Dekkers
Judge Gilbert Bitti
Judge Vladimir Mikula, Reserve Judge
Registrar: Dr. Fidelma Donlon
Date: 29 March 2023
Classification: PUBLIC REDACTED

[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 29 March 2023, transcript reference Page 104 Line 15 to Page 104 Line 19 (time code 15:19:30 to 15:20:06) and Page 105 Line 12 (time code 15:21:55).

104:12	Q. Mr. Witness, so, he told us both you and another person from	15:19:07
13	your family knew this person Bashkim Lama. Can you roughly describe	15:19:16
14	the relationship you had with him.	15:19:21
15	A. [REDACTED]	15:19:30
16	[REDACTED]	15:19:43
17	[REDACTED]	15:19:53
18	[REDACTED]	15:20:01
19	[REDACTED]	15:20:06
20	Q. No need for further detail, thank you.	15:20:14
21	My question is this: Did you talk with this person, did you	15:20:17
22	ever see this person after the war again?	15:20:27
23	Just focus on the question to avoid eliciting confidential	15:20:34
24	information, please.	15:20:34
25	A. No. No.	15:20:35
<hr/>		
105:1	Q. Did you or your other older brother try to seek an explanation	15:20:42
2	from this person an acquaintance of both of you, as to what and why	15:20:55
3	this happened to your father? I'm talking about after the war.	15:20:55
4	A. After the war, we only sought justice. We did not want to	15:21:04
5	engage with him privately because he was the one who was involved in	15:21:14
6	those things. There was nothing to discuss with him. If they had	15:21:18
7	the chance, they would have done other things too.	15:21:23
8	Q. Thank you, Mr. Witness. I'm moving to another series of	15:21:32
9	questions.	15:21:37
10	Do you know somebody by the name of Gani Shehu?	15:21:37
11	A. Gani Shehu. I know of him. But I've never had any contacts	15:21:48
12	[REDACTED]	15:21:55
13	PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, please answer the	15:21:59
14	question. You don't have to give more information unless requested	15:22:02
15	so by the Defence Counsel.	15:22:06
16	MR. AOUINI:	15:22:12
17	Q. Mr. Witness, that allows also to break what could be said in	15:22:12
18	public and what could be said in private session. If we need more	15:22:16
19	detail we will ask you about that.	15:22:21


Judge Mappie Veldt-Foglia
Presiding Judge

Registry implementation: Yes No Feed Terminated Time From _____ to _____
AV: Name _____ Signature: _____ Time From _____ to _____