



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: 02 October 2023 ✓
Classification: ~~CONFIDENTIAL~~ PUBLIC ✓

[IN COURT REDACTION ORDER]

The Trial Panel I FINDS that the following highlighted text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording in all three languages *Albanian/ English/ Serbian*. Hearing of 02 October 2023, transcript reference Page 9 Line 17 to Page 13 Line 12 (time code from 09:51:39 to 09:58:44).

9:14	[The witness entered court]	09:51:30
15	PRESIDING JUDGE VELDT-FOGLIA: Please have a seat.	09:51:32
16	PRESIDING JUDGE VELDT-FOGLIA: Mr. Derveshaj, good morning.	09:51:36
17	THE WITNESS: [Interpretation] Good morning.	09:51:39
18	PRESIDING JUDGE VELDT-FOGLIA: Welcome to the	09:51:41
19	Specialist Chambers.	09:51:42
20	THE WITNESS: [Interpretation] Thank you.	09:51:46
21	PRESIDING JUDGE VELDT-FOGLIA: Can you hear the translation	09:51:48
22	well?	09:51:50
23	THE WITNESS: [Interpretation] Yes, I can hear well.	09:51:52
24	PRESIDING JUDGE VELDT-FOGLIA: Very well.	09:51:54
25	Mr. Shala, can you hear the witness?	09:51:57
10:1	THE ACCUSED: [via videolink] [Interpretation] Yes, can I hear	09:52:00
2	him very well.	09:52:04
3	PRESIDING JUDGE VELDT-FOGLIA: Very well.	09:52:05
4	Mr. Derveshaj, how are you?	09:52:06
5	THE WITNESS: [Interpretation] I'm fine.	09:52:10
6	PRESIDING JUDGE VELDT-FOGLIA: We will start with your testimony	09:52:11
7	today, and before we begin I have several remarks for you.	09:52:13
8	You are called to testify before the Specialist Chambers in the	09:52:18
9	The Specialist Prosecutor versus Pjeter Shala. To assist the Panel	09:52:24
10	to reach a verdict. We will first ask you to give your solemn	09:52:28
11	declaration to give the truth, and after that, you will be asked	09:52:35
12	questions, first gi the Defence Counsel of Mr. Shala; then by the	09:52:39
13	lawyers for the Specialist Prosecutor's Office, who are sitting	09:52:45
14	there; and then by the lawyers representing the victims participating	09:52:49
15	in this procedure, next to you, on that side; and, at the end, by us,	09:52:56
16	the Judges of the page and sometimes throughout the questioning.	09:53:01
17	Before you take your solemn declaration, I will provide you with	09:53:06
18	some guidance and with some practical advice for answering your	09:53:11
19	questions.]	09:53:16

Registry implementation: Yes No Feed Terminated

AV: Name B. HALL Signature: [Signature]

Time From 09:51:33 to 09:58:42
Time From _____ to _____



10:20	Mr. Derveshaj, please, listen carefully to each question. If	09:53:19
21	you do not understand, feel free to question to be repeated. We want	09:53:27
22	you to tell the truth, and we want you to tell us what you saw, what	09:53:33
23	you experienced, what you heard, what you sensed; and if you did not	09:53:43
24	hear or see it yourself, please explain us how you came to know about	09:53:49
25	it.	09:53:51
11:1	You may not remember the details of all the events, and that	09:53:52
2	doesn't matter. You can just tell us that you don't remember.	09:53:56
3	Do not guess and do not make things up. There's nothing wrong	09:54:03
4	in saying, I don't know. And please answer the questions that are	09:54:08
5	put to you. If we need more clarification, follow-up questions will	09:54:14
6	be asked. So stick to answering the question.	09:54:20
7	And, finally, I also remind you that you have to object to	09:54:28
8	provide your testimony on issues that might tend to incriminate you	09:54:55
9	pursuant to Rule 151 of the rules.	09:54:56
10	Mr. Derveshaj, have you understood all this.	09:54:56
11	THE WITNESS: [Interpretation] Yes.	09:54:56
12	PRESIDING JUDGE VELDT-FOGLIA: Please note the following.	09:54:56
13	Everything that we say here, as you have noted is translated and	09:54:57
14	recorded. So it is very important to speak into your microphone, to	09:55:01
15	speak clearly, and to speak at a slow pace. What is also very	09:55:09
16	important is that you only start speaking five seconds after the	09:55:16
17	question that has been posed to you has finalized, and this gives the	09:55:23
18	interpreters the possibility to finalise the translation and to have	09:55:43
19	everything recorded.	09:55:44
20	If I raise my hand, please stop talking. Because if you are	09:55:45
21	talking and I start talking and tell you that you have to stop	09:55:46
22	talking we have overlapping speakers and we don't that because for	09:55:52
23	the interpreters it is impossible to interpret okay.	09:55:58
11:24	If you need a break or need assistance you can raise your hand	09:56:02
25	and I will give you the floor. And it can happen also that we ask	09:56:15
12:1	you to leave the courtroom if we have to discuss one of the questions	09:56:20
2	put to you.	09:56:20
3	Have you understood all this?	09:56:20
4	THE WITNESS: [Interpretation] I have.	09:56:23
5	PRESIDING JUDGE VELDT-FOGLIA: Very well. And one point I just	09:56:24
6	recalled, it may be the case that you will be asked to make a sign on	09:56:26
7	a document that will be put to you. You will be in that case, if you	09:56:35
8	are asked to do that, you will be given by Madam Court Usher a pencil	09:56:40
9	and then you can make a sign on the device than will be projected on	09:56:45
10	our screens. Yes.	09:56:50
11	THE WITNESS: Okay.	09:56:55
12	PRESIDING JUDGE VELDT-FOGLIA: As we must do with every witness,	09:56:58
13	I will now ask you to make your solemn declaration to tell the truth,	09:57:01
14	and I remind you, Mr. Derveshaj, that it is an offence within the	09:57:05
15	jurisdiction of the Specialist Chambers to give a false testimony.	09:57:11
16	Have you understood that?	09:57:15
17	THE WITNESS: [Interpretation] Shall I read it loud?	09:57:17
18	PRESIDING JUDGE VELDT-FOGLIA: You may read it loud. But I	09:57:23
19	first want to hear an answer to my question. Do you understand that	09:57:25
20	it is an offence to give a false declaration.	09:57:29
21	THE WITNESS: [Interpretation] I do.	09:57:34
22	PRESIDING JUDGE VELDT-FOGLIA: Okay, very well.	09:57:35
23	Please read the text provided to you.	09:57:37
24	THE WITNESS: [Interpretation] Solemn declaration. Conscious of	09:57:41

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



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEÇA KOSOVA

12:25	the significance of my testimony and my legal responsibility, I	09:57:49
13:1	solemnly declare that I will speak the truth, the whole truth, and	09:57:49
2	nothing but the truth and that I shall not withhold anything which	09:57:49
3	has come to my knowledge.	09:58:01
4	[WITNESS: BEDRI DERVESHA]	09:58:10
5	[Witness answered through interpreter]	09:58:10
6	PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Witness. You are	09:58:14
7	now under oath to tell the truth and we can now begin request the	09:58:20
8	questioning, and we start with the questioning by the Defence	09:58:24
9	Counsel, and I give them now the floor.	09:58:28
10	Please. Defence Counsel you have three hours for your	09:58:31
11	questioning. If there are any changes in this regard, please inform	09:58:40
12	us.	09:58:44
13	MR. AOUINI: Thank you, Your Honour. We will do so.	09:58:45
14	Examination by Mr. Aouini:	09:58:49
15	Q. Good morning, Mr. Derveshaj?	09:58:57
16	A. [Interpretation] Good morning.	09:58:57
17	Q. How are you? So I am, as you know one of the counsels defending	09:58:57
18	Mr. Shala in this proceedings and I will be asking you a few	09:59:11
19	questions during the course of this morning, okay?	09:59:12
20	A. Understood.	09:59:16
21	Q. So to start, Mr. Witness, could you please state for us your	09:59:21
22	name and your surname.	09:59:27

Judge Mappie Veldt-Foglia
Presiding Judge

Registry implementation: Yes No Feed Terminated Time From _____ to _____
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