



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA 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:** Dr Fidelma Donlon

**Filed by:** Dr Fidelma Donlon

**Date:** 3 October 2023

**Language:** English

**Classification:** **Strictly Confidential and *Ex Parte***

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**Registrar's Submissions on Summons to Testify via Video-Conference**

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1. On 29 September 2023, Trial Panel I ('the Panel') granted the Defence's request to summons DW4-01 to appear before the Panel via video-conference,<sup>1</sup> on Friday, 6 October 2023, at 09:30. Should the witness be unable to appear on that date, the Panel ordered the witness to provide a justification, to be communicated to the Registry, and ordered him to appear instead on Wednesday, 25 October 2023 at 09:30, or failing that, on Monday, 20 November 2023, at 09:30. The Panel further ordered that should the witness be unable to appear, with justification, on any of the above dates, he shall agree with the Registry on another date between Tuesday, 21 November 2023 and Friday, 1 December 2023.<sup>2</sup>
2. In addition to serving the summons on DW4-01 and verifying with the witness his availability to testify via video-conference at the location and on the dates identified, the Panel ordered the Registry to "keep the Panel informed on an ongoing basis and report back to the Panel as soon as possible and no later than 10 days following notification of the present [D]ecision".<sup>3</sup>
3. Pursuant to the Panel's Decision, the Registry is in the process of making the arrangements for service of the summons on DW4-01,<sup>4</sup> together with the necessary translation. The Registry is also conducting the necessary assessments to facilitate the testimony of DW4-01 via video-conference, including by liaising with external partners and evaluating the facilities and resources available to implement the Panel's Decision in light of any other court-related operations that the Registry is currently supporting.
4. At this time, the Registry is able to report back to the Panel that, based on its current and updated assessment of facilities and resources, it would not be feasible to facilitate the video-conference testimony of DW4-01 at the specified location on

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<sup>1</sup> KSC-BC-2020-04, F00674, Decision on Defence Request under Rule 121(3) of the Rules to Summons Witness DW4-01, 29 September 2023, confidential ('Decision'), paras 20-24.

<sup>2</sup> F00674/A01, Summons to Appear, 29 September 2023, confidential.

<sup>3</sup> Decision, para. 22.

<sup>4</sup> Decision, paras 21-22; *see also* Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'), Rule 49.

Friday, 6 October 2023, or to arrange for service of summons on DW4-01 prior thereto. The Registry's most up-to-date assessment takes into account, in particular, other court-related operations that the Registry is currently supporting and the requirement that the venue chosen for the video-conference testimony shall be conducive to the giving of truthful and open testimony, and with necessary measures in place to ensure the safety, well-being, dignity, and privacy of the witness.<sup>5</sup>

5. Nevertheless, the Registry assesses that it is feasible to make the necessary arrangements to conduct the testimony of the witness via video-conference on Wednesday, 25 October 2023 at 09:30 and on all of the other alternative dates identified by the Panel in its summons to appear.

6. In light of the above, the Registry respectfully requests the Panel's leave to arrange for the service of the summons on DW4-01 as soon as practicable and to report back to the Panel promptly thereafter, but in any event no later than Monday, 16 October 2023.

7. This submission is filed as strictly confidential and *ex parte* in line with Rule 82(4) of the Rules, as it contains information related to the Registry's internal operations.

**Word count: 572**



**Dr Fidelma Donlon**  
**Registrar**

Tuesday, 3 October 2023  
At The Hague, the Netherlands

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<sup>5</sup> See Rule 144(2) of the Rules; see also Registry Practice Direction on Video Links, KSC-BD-23/COR, 5 August 2020, art. 4(1).