

Case No.: KSC-BC-2020-04
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: 6 December 2023

Filing Party: Specialist Defence Counsel

Original Language: English

Classification: Public

THE SPECIALIST PROSECUTOR
v.
PJETËR SHALA

**Public Redacted Version of Defence Submission of Expert's Answers to Written
Questions from Victims' Counsel with Confidential Annex 1**

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Counsel for Victims

Simon Laws KC

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Specialist Defence Counsel

Jean-Louis Gilissen

Hédi Aouini

Leto Cariolou

I. INTRODUCTION

1. Pursuant to the Trial Panel's oral order on 29 November 2023,¹ the Defence for Mr Pjetër Shala ("Defence") hereby submits the written answers of its expert witness [REDACTED] to the written questions from Victims' Counsel submitted on 27 November 2023.² The answers are attached as Annex 1 to these submissions.
2. Additionally, the Defence maintains its submissions regarding [REDACTED]'s report and its request to call the expert to testify.³

II. PROCEDURAL BACKGROUND

3. On 13 November 2023 the Defence submitted an expert report prepared by [REDACTED] for the purposes of the reparations hearings.⁴
4. On 27 November 2023, Victims' Counsel submitted its written questions to [REDACTED].⁵
5. On 29 November 2023, the Panel ordered the Defence to file [REDACTED]'s responses by 6 December 2023.⁶

¹ T. 29 November 2023, p. 3875, line 5 to p. 3877, line 3.

² KSC-BC-2020-04, F00728, Victims' Counsel's questions for Defence expert with confidential annex 1, 27 November 2023; KSC-BC-2020-04, F00728, A01, Annex 1 to Victims' Counsel's questions for Defence expert with confidential annex 1, 27 November 2023 (confidential). All further references to filings in these submissions concern Case No. KSC-BC-2020-04 unless otherwise indicated.

³ F00716, Defence Submission of an Expert Report for the Purpose of the Reparations Proceedings with Confidential Annex 1, 13 November 2023 (confidential); F00716, A01, Annex 1 to Defence Submission of an Expert Report for the Purposes of the Reparations Proceedings, 13 November 2023 (confidential).

⁴ F00716, Defence Submission of an Expert Report for the Purpose of the Reparations Proceedings with Confidential Annex 1, 13 November 2023 (confidential); F00716, A01, Annex 1 to Defence Submission of an Expert Report for the Purposes of the Reparations Proceedings, 13 November 2023 (confidential).

⁵ F00728, Victims' Counsel's questions for Defence expert with confidential annex 1, 27 November 2023; F00728, A01, Annex 1 to Victims' Counsel's questions for Defence expert with confidential annex 1, 27 November 2023 (confidential).

⁶ T. 29 November 2023, p. 3875, line 5 to p. 3877, line 3.

III. SUBMISSIONS

6. The Defence submits [REDACTED]'s answers to the questions posed by Victims' Counsel, which clarify several points and address the process for making [REDACTED] calculations and conclusions. The Defence recalls that [REDACTED] is a certified court expert in the calculation of income loss in court claim cases [REDACTED] and has expertise on the matter.
7. Any further questions that Victims' Counsel or the Prosecution might pose regarding the expert's report on would be better addressed at trial, hence the Defence maintains its request to call [REDACTED] to testify.

IV. CLASSIFICATION

8. Pursuant to Rule 82(3) and 82(4) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, these submissions and Annex 1 are filed as confidential as they relate to confidential filings. The Defence will file a public redacted version of these submissions in due course.

V. RELIEF REQUESTED

9. The Defence respectfully submits [REDACTED]'s answers to written questions from Victim's Counsel, and reiterates its request and submissions requesting the Panel to allow [REDACTED] to present [REDACTED] evidence in person in court.

Word count: 513

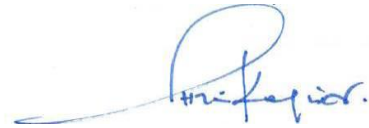
Respectfully submitted,



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Wednesday, 6 December 2023

The Hague, the Netherlands