



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: 20 December 2023

Classification: PUBLIC

[POST SESSION - REDACTION ORDER]

The Trial Panel I FINDS that the following blacked out portion of the record 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 27 March 2023, transcript reference Page 41 Line 21 (time code 11:43:06) to Page 41 Line 23 (time code 11:43:28)

| | | |
|-------|---|----------|
| 41:18 | Is there any specific reason that you may have -- may recall | 11:42:43 |
| 19 | today why you did not -- why the name is not included in that | 11:42:48 |
| 20 | statement? | 11:42:52 |
| 21 | A. [REDACTED] | 11:43:06 |
| 22 | [REDACTED] | 11:43:16 |
| 23 | [REDACTED] I was the | 11:43:28 |
| 24 | one who came to your house. Why didn't you come out when we came to | 11:43:35 |
| 25 | arrest you to take you? And he told him about the whole violence | 11:43:39 |

Hearing 27 March 2023, transcript reference Page 77 Line 16 (time code 14:23:44)

| | | |
|-------|--|----------|
| 77:14 | A. Everything changed. He became more aggressive, psychological | 14:23:23 |
| 15 | effects, that all had an effect on him. The last was loss of his | 14:23:34 |
| 16 | sight. He suffered from [REDACTED], and so on. | 14:23:44 |
| 17 | Q. How was it for you as a family to live with these changes in | 14:23:58 |
| 18 | your father? | 14:24:07 |

Hearing 28 March 2023, transcript reference Page 6 Line 6 (time code 09:51:18) to Page 6 Line 7 (time code 09:51:23), Page 6 Line 10 (time code 09:52:00), Page 6 Line 11 (time code 09:52:09)

| | | |
|-----|---|----------|
| 6:4 | yesterday, yesterday at page 643, line 4 of the draft transcript. | 09:51:04 |
| 5 | You say you were at home when the KLA soldiers came and surrounded | 09:51:13 |
| 6 | the house. I would like to show you the statement you made on [REDACTED] | 09:51:18 |
| 7 | [REDACTED] 2003? | 09:51:23 |
| 8 | MR. GILISSEN: Court Officer, pull ERN 06121-6061218, page 1, | 09:51:49 |
| 9 | for our screen. Yes. | 09:51:56 |
| 10 | Q. So Mr. Witness on [REDACTED] you and I read: "KLA soldiers | 09:52:00 |
| 11 | came and surrounded the house on [REDACTED] May 1998 at about 1800 hours. I | 09:52:09 |
| 12 | was not at home at that time." | 09:52:20 |

Hearing 28 March 2023, transcript reference Page 84 Line 12 (time code 15:08:02) to Page 84 Line 19 (time code 15:09:04)

| | | |
|------|--|----------|
| 84:9 | your husband told you did these things to him in Kukes. In relation | 15:07:25 |
| 10 | to these people, did he provide any other information, anything else | 15:07:26 |
| 11 | in relation to these people? | 15:07:33 |
| 12 | [REDACTED] | 15:08:02 |
| 13 | [REDACTED] | 15:08:20 |
| 14 | [REDACTED] | 15:08:20 |
| 15 | [REDACTED] | 15:08:28 |
| 16 | [REDACTED] | 15:08:37 |
| 17 | [REDACTED] | 15:08:45 |
| 18 | [REDACTED] | 15:08:52 |
| 19 | [REDACTED] | 15:09:04 |
| 20 | This is what my husband told me. | 15:09:11 |
| 21 | And he was amongst those who were involved in the tortures. My | 15:09:19 |

Hearing 28 March 2023, transcript reference Page 84 Line 24 (time code 15:09:41) to Page 87 Line 14 (time code 15:15:11)

| | | |
|-------|---|----------|
| 84:22 | husband had his teeth broken during the time he was kept in the metal | 15:09:29 |
| 23 | factory in Kukes. | 15:09:35 |
| 24 | [REDACTED] | 15:09:41 |
| 25 | [REDACTED] | 15:09:44 |

| | | |
|------|------------|----------|
| 85:1 | [REDACTED] | 15:09:50 |
| 2 | [REDACTED] | 15:09:51 |
| 3 | [REDACTED] | 15:10:08 |
| 4 | [REDACTED] | 15:10:14 |
| 5 | [REDACTED] | 15:10:21 |
| 6 | [REDACTED] | 15:10:51 |
| 7 | [REDACTED] | 15:10:52 |
| 8 | [REDACTED] | 15:10:52 |
| 9 | [REDACTED] | 15:10:56 |
| 10 | [REDACTED] | 15:11:09 |
| 11 | [REDACTED] | 15:11:44 |
| 12 | [REDACTED] | 15:11:45 |
| 13 | [REDACTED] | 15:11:45 |
| 14 | [REDACTED] | 15:11:49 |
| 15 | [REDACTED] | 15:11:51 |
| 16 | [REDACTED] | 15:11:57 |
| 17 | [REDACTED] | 15:12:01 |
| 18 | [REDACTED] | 15:12:04 |
| 19 | [REDACTED] | 15:12:09 |
| 20 | [REDACTED] | 15:12:19 |
| 21 | [REDACTED] | 15:12:29 |
| 22 | [REDACTED] | 15:12:29 |
| 23 | [REDACTED] | 15:12:34 |
| 24 | [REDACTED] | 15:12:38 |
| 25 | [REDACTED] | 15:12:40 |

| | | |
|------|------------|----------|
| 86:1 | [REDACTED] | 15:12:53 |
| 2 | [REDACTED] | 15:12:53 |
| 3 | [REDACTED] | 15:12:54 |
| 4 | [REDACTED] | 15:12:56 |
| 5 | [REDACTED] | 15:12:58 |
| 6 | [REDACTED] | 15:13:04 |
| 7 | [REDACTED] | 15:13:06 |
| 8 | [REDACTED] | 15:13:09 |
| 9 | [REDACTED] | 15:13:13 |
| 10 | [REDACTED] | 15:13:21 |
| 11 | [REDACTED] | 15:13:29 |
| 12 | [REDACTED] | 15:13:35 |
| 13 | [REDACTED] | 15:13:36 |
| 14 | [REDACTED] | 15:13:38 |
| 15 | [REDACTED] | 15:13:43 |
| 16 | [REDACTED] | 15:13:43 |
| 17 | [REDACTED] | 15:13:46 |
| 18 | [REDACTED] | 15:13:47 |
| 19 | [REDACTED] | 15:13:54 |
| 20 | [REDACTED] | 15:13:55 |
| 21 | [REDACTED] | 15:14:00 |
| 22 | [REDACTED] | 15:14:02 |
| 23 | [REDACTED] | 15:14:15 |
| 24 | [REDACTED] | 15:14:16 |
| 25 | [REDACTED] | 15:14:16 |

| | | |
|------|------------|----------|
| 87:1 | [REDACTED] | 15:14:19 |
| 2 | [REDACTED] | 15:14:19 |
| 3 | [REDACTED] | 15:14:22 |
| 4 | [REDACTED] | 15:14:25 |
| 5 | [REDACTED] | 15:14:32 |
| 6 | [REDACTED] | 15:14:32 |
| 7 | [REDACTED] | 15:14:34 |
| 8 | [REDACTED] | 15:14:43 |
| 9 | [REDACTED] | 15:14:44 |
| 10 | [REDACTED] | 15:14:49 |
| 11 | [REDACTED] | 15:15:10 |
| 12 | [REDACTED] | 15:15:11 |
| 13 | [REDACTED] | 15:15:11 |
| 14 | [REDACTED] | 15:15:11 |

Hearing 29 March 2023, transcript reference Page 12 Line 8 (time code 09:56:37), Page 12 Line 19 (time code 09:57:34) to Page 13 Line 3 (time code 09:59:00) (First Transcript)

| | | |
|------|--|----------|
| 12:6 | A. The emotional impact was extremely negative and bad in different | 09:55:35 |
| 7 | shapes and forms. Psychological impact, emotional one, and as a | 09:56:36 |
| 8 | follow-up, he developed the illness, [REDACTED] the trauma, and had to | 09:56:37 |
| 9 | take medical treatment permanently. | 09:56:37 |
| 10 | Q. I wanted to ask you how long those psychological effects lasted | 09:56:37 |
| 11 | after he was released from the metal factory? | 09:56:37 |
| 12 | A. They lasted for a while. One, two, years, something like that. | 09:56:38 |
| 13 | However, at a later stage, he started to slightly improve and relax. | 09:56:47 |
| 14 | When justice started working, things got moving, and justice was | 09:57:20 |
| 15 | being served in the country, he felt a satisfaction, he felt relaxed, | 09:57:20 |
| 16 | that justice would be served, and this would be heard everywhere. | 09:57:34 |
| 17 | Q. You mentioned a moment ago that he took medication. What | 09:57:34 |
| 18 | medication was he taking, please. | 09:57:34 |
| 19 | [REDACTED] | 09:57:34 |
| 20 | [REDACTED] | 09:57:43 |
| 21 | [REDACTED] | 09:58:15 |
| 22 | [REDACTED] | 09:58:22 |
| 23 | [REDACTED] | 09:58:22 |
| 24 | [REDACTED] | 09:58:29 |
| 25 | [REDACTED] | 09:58:37 |

| | | |
|------|--|----------|
| 13:1 | [REDACTED] | 09:58:51 |
| 2 | [REDACTED] | 09:58:53 |
| 3 | [REDACTED] | 09:59:00 |
| 4 | Q. Thank you. Could you tell us for how long he took the | 09:59:00 |
| 5 | tranquillisers, please? | 09:59:06 |

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Hearing 29 March 2023, transcript reference Page 19 Line 18 (time code 10:18:02), Page 20 Line 2 (time code 10:19:27), Page 20 Line 4 (time code 10:19:35) (First Transcript)

| | | |
|-------|---|----------|
| 19:16 | 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 [REDACTED], I also | 10:18:02 |
| 19 | came to your house on the mentioned year. I also came to your house | 10:18:21 |
| 20 | to shoot at your house. This was Pjeter Shala himself telling this | 10:18:24 |
| 21 | to my husband. And this is how my husband reported it to me, and | 10:18:36 |
| 22 | this is the truth. | 10:18:39 |
| 23 | MR. GILISSEN: | 10:18:39 |
| 24 | Q. Yes, thank you very much? | 10:18:42 |
| 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 | 10:19:26 |
| 2 | [REDACTED] Part 1, [REDACTED], 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 | [REDACTED] | 10:19:35 |
| 5 | THE COURT OFFICER: Your Honours, co-counsel confirm the | 10:19:48 |

Hearing 29 March 2023, transcript reference Page 22 Line 25 (time code 10:29:52) (First Transcript)

| | | |
|-------|---|----------|
| 22:22 | Q. Okay, thank you very much. It's very helpful for us and for us | 10:29:19 |
| 23 | you will. Thank you very much. | 10:29:24 |
| 24 | So my second question, my second topic is this. Did you know | 10:29:51 |
| 25 | that your husband gave an interview to the SPO on [REDACTED] ? | 10:29:52 |

| | | |
|------|---|----------|
| 23:1 | A. Yes, he told me about this. He told me that he gave a | 10:29:52 |
| 2 | statement. He was interested and contacted by the international | 10:29:54 |

Hearing 29 March 2023, transcript reference Page 27 Line 3 (time code 10:40:03) (First Transcript)

| | | |
|------|---|----------|
| 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 [REDACTED] and I also came to your house. | 10:40:03 |
| 4 | A year later, two years later - which is 1998 - in the village of | 10:40:03 |

Hearing 29 March 2023, transcript reference Page 27 Line 15 (time code 10:41:17) (First Transcript)

| | | |
|-------|---|----------|
| 27:13 | MR. GILISSEN: Yeah? | 10:40:51 |
| 14 | PRESIDING JUDGE VELDT-FOGLIA: The ERN number will suffice. | 10:40:52 |
| 15 | MR. GILISSEN: Okay. Part 2, Part 2, date [REDACTED] | 10:41:17 |
| 16 | PRESIDING JUDGE VELDT-FOGLIA: And I would like to know where we | 10:41:18 |
| 17 | are pulling up this document so I can agree on it or not. | 10:41:18 |

Hearing 29 March 2023, transcript reference Page 42 Line 10 (time code 11:42:13) (First Transcript)

| | | |
|------|--|----------|
| 42:7 | other persons that you mentioned? | 11:41:48 |
| 8 | A. Yes. He also mentioned Mr. Shala. He said that he told him | 11:41:49 |
| 9 | these words, Do not blame anyone else. I was the one who shot at | 11:42:07 |
| 10 | [REDACTED], I was the one who was carrying the ^ grenade launcher at | 11:42:13 |
| 11 | your house and was prepared to shoot the Has where you live. | 11:42:19 |
| 12 | JUDGE BITTI: Thank you. I will try to frizz rephrase a little | 11:42:24 |

Hearing 29 March 2023, transcript reference Page 43 Line 8 (time code 11:44:26) to Page 43 Line 14 (time code 11:45:23) (First Transcript)

| | | |
|------|---|----------|
| 43:5 | through. | 11:44:05 |
| 6 | You said: "It affected our economic conditions." | 11:44:05 |
| 7 | Do you please develop what you meant by "economic conditions"? | 11:44:10 |
| 8 | [REDACTED] | 11:44:26 |
| 9 | [REDACTED] | 11:44:36 |
| 10 | [REDACTED] | 11:44:42 |
| 11 | [REDACTED] | 11:44:50 |
| 12 | [REDACTED] | 11:44:57 |
| 13 | [REDACTED] | 11:45:08 |
| 14 | [REDACTED] | 11:45:23 |
| 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 |

Hearing 29 March 2023, transcript reference Page 60 Line 16 (time code 12:26:08) to Page 60 Line 19 (time code 12:27:06) (First Transcript)

| | | |
|-------|--|----------|
| 60:14 | We went out, myself and my eldest brother, my mother, and my | 12:25:54 |
| 15 | youngest brother. We went out to the courtyard to talk to them. We | 12:26:02 |
| 16 | did not know them. [REDACTED] | 12:26:08 |
| 17 | [REDACTED] | 12:26:20 |
| 18 | [REDACTED] | 12:27:06 |
| 19 | [REDACTED] He replied, I am not | 12:27:06 |
| 20 | Hamez, I am a soldier. | 12:27:20 |

Hearing 29 March 2023, transcript reference Page 64 Line 12 (time code 12:37:58) to Page 64 Line 14 (time code 12:38:42) (First Transcript)

| | | |
|-------|---|----------|
| 64:10 | Q. What exactly did your father learn about Pjeter Shala's presence | 12:37:50 |
| 11 | on that day? | 12:37:57 |
| 12 | A. [REDACTED] | 12:37:58 |
| 13 | [REDACTED] | 12:38:19 |
| 14 | [REDACTED] why did you | 12:38:42 |
| 15 | not come out when I came to your house? | 12:38:43 |
| 16 | Q. And when he said "why didn't you come out when I came to your | 12:38:44 |

Hearing 29 March 2023, transcript reference Page 75 Line 19 (time code 14:10:54) (First Transcript)

| | | |
|-------|---|----------|
| 75:16 | who can testify of such a thing, then I will add TO mitt to | 14:10:35 |
| 17 | everything. This is what they told him. | 14:10:35 |
| 18 | Then Pjeter Shala told him, Why were you inquiring to find out | 14:10:36 |
| 19 | who fired shots at [REDACTED]? I was the one who did that. And why | 14:10:54 |
| 20 | didn't you come out of the house when we came there? | 14:10:54 |
| 21 | Q. Was your father ever told if he was accused of any crime or what | 14:10:59 |

Hearing 29 March 2023, transcript reference Page 95 Line 12 (time code 14:59:35) to Page 95 Line 13 (time code 14:59:39) (First Transcript)

| | | |
|-------|---|----------|
| 95:10 | the only source of this information. | 14:59:28 |
| 11 | A. In 1999, in Kukes, he learned himself when he himself told him, | 14:59:32 |
| 12 | I was the one who came to your house, I was the one who attacked [REDACTED] | 14:59:35 |
| 13 | [REDACTED] | 14:59:39 |
| 14 | Q. Mr. Witness don't get me wrong. Please listen very carefully to | 14:59:39 |
| 15 | my question. You have said this exchange, according to you, between | 14:59:44 |

Hearing 29 March 2023, transcript reference Page 96 Line 12 (time code 15:01:42) (First Transcript)

| | | |
|-------|---|----------|
| 96:10 | Because Pjeter Shala told him himself, Commander Ujku told him | 15:01:29 |
| 11 | himself, Why were you looking for someone else? I am the one who | 15:01:38 |
| 12 | shot at [REDACTED]. I am also the one who came to your house. Why | 15:01:42 |
| 13 | did you could the normal out when I was there? Referring to the | 15:01:46 |
| 14 | incident in 1998 where we used to live. | 15:01:52 |

Hearing 29 March 2023, transcript reference Page 3 Line 13 (time code 16:02:55) (Second Transcript)

| | | |
|------|--|----------|
| 3:11 | was asked about Xhemshit Krasniqi's whereabouts at that time. And | 16:02:45 |
| 12 | then there were other statements that I have given. | 16:02:52 |
| 13 | Q. Thank you, Mr. Witness. Do you confirm that on [REDACTED] 2003, | 16:02:55 |
| 14 | the investigators from ICTY questioned you and took a statement from | 16:03:02 |
| 15 | you about Xhemshit Krasniqi? | 16:03:08 |

Hearing 30 March 2023, transcript reference Page 28 Line 2 (time code 10:49:04) to Page 30 Line 14 (time code 10:55:36)

| | | |
|------|--|----------|
| 28:1 | A. Yes. Pjeter Shala opened this topic, initiated this discussion, | 10:48:49 |
| 2 | [REDACTED] | 10:49:04 |
| 3 | [REDACTED] | 10:49:08 |
| 4 | [REDACTED] | 10:49:15 |
| 5 | [REDACTED] | 10:49:20 |
| 6 | [REDACTED] | 10:49:27 |
| 7 | [REDACTED] | 10:49:56 |
| 8 | [REDACTED] | 10:49:56 |
| 9 | [REDACTED] | 10:49:56 |
| 10 | [REDACTED] | 10:49:56 |
| 11 | [REDACTED] | 10:50:03 |
| 12 | [REDACTED] | 10:50:08 |
| 13 | [REDACTED] | 10:50:13 |
| 14 | [REDACTED] | 10:50:19 |
| 15 | [REDACTED] | 10:50:29 |
| 16 | [REDACTED] | 10:50:35 |
| 17 | [REDACTED] | 10:50:41 |
| 18 | [REDACTED] | 10:50:47 |
| 19 | [REDACTED] | 10:51:00 |
| 20 | [REDACTED] | 10:51:06 |
| 21 | [REDACTED] | 10:51:21 |
| 22 | [REDACTED] | 10:51:22 |
| 23 | [REDACTED] | 10:51:22 |
| 24 | [REDACTED] | 10:51:35 |
| 25 | [REDACTED] | 10:51:39 |

| | | |
|------|------------|----------|
| 29:1 | [REDACTED] | 10:51:44 |
| 2 | [REDACTED] | 10:51:48 |
| 3 | [REDACTED] | 10:51:50 |
| 4 | [REDACTED] | 10:51:55 |
| 5 | [REDACTED] | 10:51:57 |
| 6 | [REDACTED] | 10:52:04 |
| 7 | [REDACTED] | 10:52:11 |

| | | |
|------|------------|----------|
| 29:8 | [REDACTED] | 10:52:19 |
| 9 | [REDACTED] | 10:52:27 |
| 10 | [REDACTED] | 10:52:28 |
| 11 | [REDACTED] | 10:52:29 |
| 12 | [REDACTED] | 10:52:47 |
| 13 | [REDACTED] | 10:52:58 |
| 14 | [REDACTED] | 10:53:01 |
| 15 | [REDACTED] | 10:53:03 |
| 16 | [REDACTED] | 10:53:10 |
| 17 | [REDACTED] | 10:53:20 |
| 18 | [REDACTED] | 10:53:22 |
| 19 | [REDACTED] | 10:53:23 |
| 20 | [REDACTED] | 10:53:29 |
| 21 | [REDACTED] | 10:53:53 |
| 22 | [REDACTED] | 10:53:53 |
| 23 | [REDACTED] | 10:53:54 |
| 24 | [REDACTED] | 10:54:01 |
| 25 | [REDACTED] | 10:54:07 |

| | | |
|------|---|----------|
| 30:1 | [REDACTED] | 10:54:15 |
| 2 | [REDACTED] | 10:54:20 |
| 3 | [REDACTED] | 10:54:23 |
| 4 | [REDACTED] | 10:54:26 |
| 5 | [REDACTED] | 10:54:44 |
| 6 | [REDACTED] | 10:54:54 |
| 7 | [REDACTED] | 10:55:13 |
| 8 | [REDACTED] | 10:55:13 |
| 9 | [REDACTED] | 10:55:13 |
| 10 | [REDACTED] | 10:55:13 |
| 11 | [REDACTED] | 10:55:17 |
| 12 | [REDACTED] | 10:55:29 |
| 13 | [REDACTED] | 10:55:33 |
| 14 | [REDACTED] | 10:55:36 |
| 15 | Q. How did you learn about your father's release? | 10:55:40 |
| 16 | A. I learned about the release of my father from my mother. She | 10:55:49 |

Hearing 30 March 2023, transcript reference Page 42 Line 12 (time code 11:58:46) to Page 42 Line 17 (time code 11:59:15)

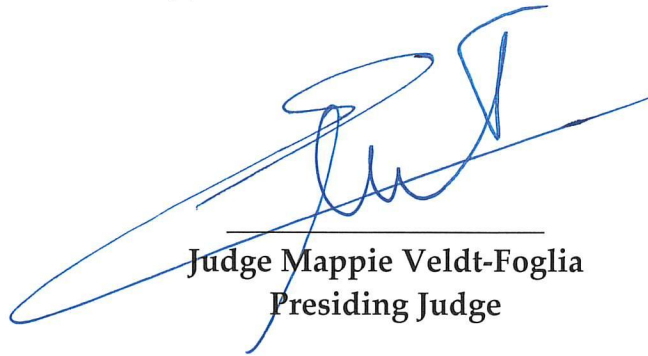
| | | |
|------|--|----------|
| 42:9 | A. Yes. | 11:58:30 |
| 10 | Q. The extra reference to the direct source from Pjeter Shala is at | 11:58:31 |
| 11 | page 19, line 15. But we received the confirmation from the witness. | 11:58:38 |
| 12 | [REDACTED] | 11:58:46 |
| 13 | [REDACTED] | 11:58:51 |
| 14 | [REDACTED] | 11:59:06 |
| 15 | [REDACTED] | 11:59:06 |
| 16 | [REDACTED] | 11:59:07 |
| 17 | [REDACTED] | 11:59:15 |
| 18 | Q. Thank you, Mr. Witness. Do you remember giving a statement to | 11:59:20 |
| 19 | the SPO investigators around this time of the year last year? | 11:59:24 |
| 20 | A. I certainly don't remember having stated that. | 11:59:40 |

Hearing 30 March 2023, transcript reference Page 55 Line 21 (time code 12:29:43) to Page 55 Line 23 (time code 12:29:54)

| | | |
|-------|---|----------|
| 55:19 | personnel prior to meeting them for an interview? | 12:29:21 |
| 20 | A. In what period of time, if I may ask? | 12:29:38 |
| 21 | Q. [REDACTED] | 12:29:43 |
| 22 | [REDACTED] | 12:29:51 |
| 23 | [REDACTED] | 12:29:54 |
| 24 | PRESIDING JUDGE VELDT-FOGLIA: No, I -- | 12:29:59 |
| 25 | THE WITNESS: [Interpretation] That's enough. | 12:30:01 |

ORDERS any person or organization, including media organizations, which has possession of the PUBLIC recording of all or the relevant portion of the proceeding containing the confidential information to refrain from disclosing it to any other person(s) or organization(s) as of the date and time this order is published; and

NOTING that the failure to comply with this order may result in the initiation of proceedings in accordance with Article 15(2) of the Law.



Judge Mappie Veldt-Foglia
Presiding Judge