

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: 26 January 2024

Filing Party: Specialist Defence Counsel

Original Language: English

Classification: Public

THE SPECIALIST PROSECUTOR
v.
PJETËR SHALA

Public Redacted Version of Defence Submission of its Amended Witness and Exhibit Lists and Witness Summaries
with Confidential Annexes I–III

Specialist Prosecutor’s Office:

Kimberly P. West

Specialist Defence Counsel

Jean-Louis Gilissen

Hédi Aouini

Leto Cariolou

Counsel for Victims

Simon Laws KC

Maria Radziejowska

I. INTRODUCTION

1. Pursuant to the Trial Panel's "Decision on Defence requests for admission of evidence (F00770/COR and F00771) and on evidence called by the Panel" and Rules 119(2) and 119(5) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"),¹ the Defence for Mr Pjetër Shala ("Defence") hereby files its amended Witness List, Witness Summaries, and Exhibit List, which are attached as Annexes I, II, and III, respectively.

II. PROCEDURAL BACKGROUND

2. On 17 March 2023, the Panel issued the "Decision on the submission and admissibility of non-oral evidence", setting the principles which govern the admission of non-oral evidence in the case.²
3. On 15 January 2024, the Defence requested to admit into evidence the written statements of [REDACTED], pursuant to Rule 155 of the Rules and to amend its Witness and Exhibit Lists to add him as a witness and his statement as exhibits.³
4. On the same date, the Defence requested to admit into evidence 15 items consisting of documentary and audio-video material and to amend its Exhibit List to add these items.⁴

¹ KSC-BC-2020-04, F00784, Decision on Defence requests for admission of evidence (F00770/COR and F00771) and on evidence called by the Panel, 24 January 2024 (confidential), para. 29(f). All further references to filings in this Submission concern Case No. KSC-BC-2020-04 unless otherwise indicated.

² F00461, Decision on the submission and admissibility of non-oral evidence, 17 March 2023.

³ F00770COR, Corrected Version of Defence Request to Admit Evidence Pursuant to Rule 155 of the Rules, 18 January 2024 (confidential) ("Defence First Request"). The original version was filed on 15 January 2024, F00770.

⁴ F00771, Defence Request for the Admission of Evidentiary Material with Confidential Annex 1, 15 January 2024 (confidential) ("Defence Second Request").

5. On 18 January 2024, the Prosecution filed a consolidated response to the Defence First and Second Requests.⁵
6. On 24 January 2024, the Panel: i) granted the Defence First Request; and ii) granted the Defence Second Request in relation to items 4-10 and rejected the remainder of the Defence Second Request.⁶ In addition, the Panel ordered the Defence to file its amended lists of witnesses and exhibits accordingly by 26 January 2024.⁷

III. SUBMISSIONS

7. The Defence submits its amended Witness List, Witness Summaries, and Exhibit List, which are presented as an attachment to this filing as Annexes I, II, and III, respectively, adding [REDACTED] as a witness and his statements and items 4-10 listed in the Defence Second Request as exhibits.⁸
8. In addition, the Defence hereby notifies the Panel, the Registry, the Parties, and participants that the witness code attributed to [REDACTED] is DW4-09.

IV. CLASSIFICATION

9. Pursuant to Rule 82(3) of the Rules, this Submission and the Annexes are filed as confidential as they contain confidential information. The Defence will file a public redacted version of the Submission in due course.

Word count: 554

Respectfully submitted,

⁵ F00775, Prosecution consolidated response to Defence requests for admission of non-oral evidence (F00770 and F00771), 18 January 2024 (confidential).

⁶ F00784, Decision on Defence requests for admission of evidence (F00770/COR and F00771) and on evidence called by the Panel, 24 January 2024 (confidential), paras 18, 23, 29(a)-(d).

⁷ F00784, Decision on Defence requests for admission of evidence (F00770/COR and F00771) and on evidence called by the Panel, 24 January 2024 (confidential), para. 29(f).

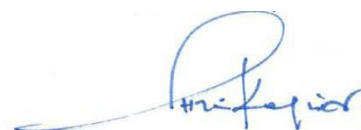
⁸ Annex 1 to Defence Second Request.



Jean-Louis Gilissen
Specialist Defence Counsel



Hédi Aouini
Defence Co-Counsel



Leto Cariolou
Defence Co-Counsel

Friday, 26 January 2024

The Hague, the Netherlands