

**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

**Filing Participant:** Victims' Counsel

**Date:** 5 December 2023

**Language:** English

**Classification:** Public with confidential annex 1

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**Public Redacted Version of Victims' Counsel's Request for admission of an exhibit for the examination of Defence expert André De Villiers Horne**

**with confidential annex 1**

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**Specialist Prosecutor**  
Kimberly P. West

**Counsel for the Accused**  
Jean-Louis Gilissen

**Counsel for Victims**  
Simon Laws

## I. INTRODUCTION

1. Pursuant to the Decision on the submission and admissibility of non-oral evidence<sup>1</sup> and Rules 138(1) and 149(4) of the Rules of Procedure and Evidence,<sup>2</sup> Victims' Counsel requests the admission of one document listed in Annex 1 of this request ("the Document") which was used during his questioning of Defence expert André De Villiers Horne on 27 November 2023.<sup>3</sup>

2. The Document is relevant, authentic, has probative value, and its admission would cause no undue prejudice to the Accused.

## II. CLASSIFICATION

3. This submission and its annex are classified as confidential as they contain reference to information that is not yet publicly available and to give effect to existing protective measures.

## III. SUBMISSIONS

4. Victims' Counsel tenders the Document used in his examination of Mr André De Villiers Horne.

5. The Document consists of [REDACTED]. [REDACTED].<sup>4</sup> Victims' Counsel submits that the Document (and associated testimony) should be considered by the Trial Panel in assessing the evidence of the expert.

6. The Document is therefore relevant, authentic, has probative value, that is not outweighed by its prejudicial effect.

## IV. RELIEF

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<sup>1</sup> *Prosecutor v. Shala*, KSC-BC-2020-04/F00461, Decision on the submission and admissibility of non-oral evidence, 17 March 2023, paras 55-65, esp. paras 56 and 58.

<sup>2</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (Rev. 3), Rule 138(1) ("Rules of Procedure and Evidence").

<sup>3</sup> Annex 1.

<sup>4</sup> KSC-BC-2020-04, Transcript, 27 November 2023, T. 3709:8 - T. 3712:24, T. 3716:8 – T. 3717:6.

7. For the foregoing reasons, Victims' Counsel respectfully requests that the Document listed in Annex 1 be admitted in evidence.

**Word count: 308**



**Simon Laws KC**  
**Counsel for Victims**



**Maria Radziejowska**  
**Co-Counsel for Victims**

5 December 2023

At The Hague, the Netherlands.