



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

In: KSC-BC-2020-04
Specialist Prosecutor v. Pjetër Shala

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor

Date: 22 September 2021

Language: English

Classification: Public

Public Redacted Version of 'Notice to the Pre-Trial Judge regarding the disclosure of Rule 102(1)(b) materials and request for limited deferral of disclosure obligations for select items', filing KSC-BC-2020-04/F00057, dated 30 July 2021

Specialist Prosecutor's Office
Jack Smith

Counsel for Pjetër Shala
Jean-Louis Gilissen

I. SUBMISSIONS

1. Pursuant to the Pre-Trial Judge's Framework Decision,¹ Articles 21(6) and 35(2)(l) of the Law² and Rules 95(2)(b) and 102(1) of the Rules,³ the Specialist Prosecutor's Office ('SPO') disclosed its Rule 102(1)(b) materials today.

2. The SPO has identified a small number of Rule 102(1)(b) materials relevant to this case which are the subject of pending or forthcoming protective measures requests [REDACTED].⁴ For these items, the SPO requests a limited deferral of its disclosure obligations [REDACTED]. Such a deferral will give effect to previously granted or requested protective measures.

3. In addition, the SPO has identified 21 Rule 102(1)(b) items that are subject to Rule 107 restrictions. The SPO has been actively engaging with providers on these items for the purpose of securing their clearance for disclosure and use at trial, and is currently processing responses received from the providers, including responses that require the implementation of redactions required by the providers. For these items, the SPO also requests a limited deferral of its disclosure obligation to complete this process.

4. Finally, certain Albanian translations for prior witness statements are being processed and will be promptly disclosed upon completion. The English language versions have been disclosed.

¹ Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2020-04/F00033, 30 April 2021, Public ('Framework Decision'), para.92(c).

² Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law'). All references to 'Article' or 'Articles' herein refer to articles of the Law, unless otherwise specified.

³ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

⁴ These items are: [REDACTED]. [REDACTED]. [REDACTED]. [REDACTED].

II. CLASSIFICATION

5. This request is filed as strictly confidential and *ex parte* in accordance with Rule 80(3), as it contains sensitive witness-related information. A confidential redacted version of this filing will be submitted.

III. RELIEF REQUESTED

6. For the foregoing reasons, the SPO requests the Pre-Trial Judge to grant the relief specified above.

Word Count: 334



Jack Smith

Specialist Prosecutor

Wednesday, 22 September 2021
At The Hague, the Netherlands.