

In: KSC-CA-2024-03
The Specialist Prosecutor v. Pjetër Shala

Before: Court of Appeals Panel
Judge Michèle Picard
Judge Kai Ambos
Judge Nina Jørgensen

Registrar: Dr Fidelma Donlon

Filing Participant: Victims’ Counsel

Date: 12 November 2024

Language: English

Classification: Public

Victims’ Counsel’s Request for Extension of Time for Response Brief

Specialist Prosecutor
Kimberly P. West

Counsel for Pjetër Shala
Jean-Louis Gilissen

Counsel for Victims
Simon Laws

I. INTRODUCTION

1. Pursuant to Rule 9(5)(a) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers ("Rules"),¹ Victims' Counsel requests an extension of the deadline to file its Response Brief to 27 January 2025 ("Request").

II. CLASSIFICATION OF FILING

2. Pursuant to Rule 82(3) of the Rules, this Request is classified as public as it contains no confidential information.

III. PROCEDURAL HISTORY

3. On 14 October 2024, the Defence filed a motion requesting a one-month extension of the time limit for filing its Appeal Brief against the Trial Judgment issued in KSC-BC-2020-04.²
4. On 30 October 2024, the Panel granted the Defence's motion to file its Appeal Brief by 25 November 2024.³
5. On 6 November 2024, the Specialist Prosecutor's Office ("SPO") requested an extension of time to file its Response Brief by 27 January 2025.⁴
6. On 8 November 2024, the Defence filed a response stating it did not object to the SPO's requested extension of time to file its Response Brief by 27 January 2025.⁵

¹ KSC-BD-03/Rev3/2020, 2 June 2020.

² KSC-CA-2024-03/F00018, Defence Motion for Variation of Time and Word Limits to File Appeal Brief, 14 October 2024, Public.

³ KSC-CA-2024-03/F00021, Decision on Defence Motion for Variation of Time and Word Limits to File Appeal Brief, 30 October 2024, Public, para. 16.

⁴ KSC-CA-2024-03/F00022, Prosecution request for extension of time to file its Response Brief, 6 November 2024, Public ("SPO Request").

⁵ KSC-CA-2024-03/F00023, Defence Response to Prosecution Request for Extension of Time to File its Response Brief, 8 November 2024, Public ("Defence Response"), para. 5.

IV. SUBMISSIONS

7. Noting that Victims' Counsel's Response Brief is currently to be filed on 27 December 2024,⁶ during the judicial recess and holiday period, Victims' Counsel submits that the upcoming judicial recess and attendant staffing shortages justify an extension of time to file the Response Brief.⁷
8. Victims' Counsel notes that the Defence did not object to a similar request from the SPO and agreed that the "extension would be reasonable in the circumstances due to the upcoming winter judicial recess" and "would not unduly delay the overall expeditiousness of the proceedings."⁸
9. Victims' Counsel submits that in the light of the fourteen grounds of appeal raised by the Defence, especially in areas that impact the rights of participating victims, the requested short extension is reasonable and proportionate.

V. RELIEF SOUGHT

10. Victims' Counsel requests an extension of the deadline to file the Response Brief to 27 January 2025.

Word count: 470



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Co-Counsel for Victims

12 November 2024
At The Hague, the Netherlands.

⁶ Victims' Counsel notes that the 30-day deadline falls on Christmas Day, 25 December 2024. Rule 9(4) provides that the 'last day of the time limit prescribed under the Rules or set by a Panel, which falls on a weekend or a Specialist Chambers' official holiday, shall be considered to be the next working day.'

⁷ SPO Request, paras 2-3 and references therein.

⁸ Defence Response, para. 5.