

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

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

Registrar: Fidelma Donlon

Date: 16 April 2025

Filing Party: Counsel for Mr Pjetër Shala

Original language: English

Classification: Public

**Defence Request for an Extension of Time to file its Reply to Victims' Counsel
Response to Reparations Appeal**

Specialist Prosecutor's Office

Kimberly P. West

Counsel for Victims

Simon Laws KC

Maria Radziejowska

Specialist Counsel for the Accused

Jean-Louis Gilissen

Hédi Aouini

Leto Cariolou

I. INTRODUCTION

1. Pursuant to Rules 9(5)(a), 76 and 179(1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers ("Rules"), the Defence for Mr Pjetër Shala ("Defence") requests an eight-day extension of the time limit set by the Panel of the Court of Appeals Chamber for filing its Reply to the Victim's Counsel's Response to the Defence Appeal of the Reparation Order.¹

II. PROCEDURAL HISTORY

2. On 16 July 2024, Trial Panel I of the Kosovo Specialist Chambers found Mr Shala guilty of three counts of war crimes and sentenced him to eighteen years' imprisonment.²
3. On 29 November 2024, the Trial Panel issued the Reparation Order against Mr Shala and set the reparations award for which Mr Shala is liable at €208,000.³
4. On 28 January 2025, the Defence filed its Notice of Appeal of the Reparation Order, having been granted an extension of time to do so.⁴
5. On 14 March 2025, the Defence filed its Reparations Appeal Brief, having been granted an extension of time to file its appeal.⁵ On 19 March 2025, the Defence filed a Corrected Version of Defence Appeal Brief against the Reparation Order.⁶

¹ KSC-CA-2024-03, CRSPD11, Potential appeal(s) of the Reparation Order against Pjetër Shala, 29 November 2024 (confidential).

² KSC-BC-2020-04, F00847, Trial Judgment and Sentence, 16 July 2024 (confidential), paras. 1124, 1125.

³ KSC-BC-2020-04, F00866, Reparation Order against Pjetër Shala, 29 November 2024 (confidential).

⁴ KSC-CA-2024-03, F00038, Decision on Defence Request for Extension of Time to File its Notice of Appeal Against the Reparation Order, 14 January 2025 (confidential); KSC-CA-2024-03, F00042, Defence Notice of Appeal of the Reparation Order, 28 January 2025.

⁵ KSC-CA-2024-03, F00049, Defence Appeal Brief against the Reparation Order, 14 March 2025 (confidential).

⁶ KSC-CA-2024-03, F00049COR, Corrected Version of Defence Appeal Brief against the Reparation Order, 19 March 2025 (confidential).

6. On 4 April 2025, Victims' Counsel filed a response to the defence appeal, having obtained an extension to do so.⁷

III. SUBMISSIONS

7. The Defence requests the Appeals Panel to grant an eight-day extension of the time limit for submitting its reply to the response filed by Victims' Counsel and specifically for leave to have its Reply filed by 24 April 2025.
8. Good cause exists to grant the requested extension. The Defence understands that its request is filed at a late stage however it has done its utmost to meet the deadline as previously set by the Panel. Victim's Counsel has submitted an extensive response that explains his position on the law that the Appeals Panel should apply as to the standard of review, the law to be applied as to causation for the purposes of reparation proceedings and other fundamental and complex issues that require proper consideration and are raised for the first time before the Kosovo Specialist Chambers. Notably, Victims' Counsel response is considerably longer than the Defence Appeal. At present, the Defence is facing competing obligations given the forthcoming Appeals hearing which is scheduled on 15 and 16 of May 2025. In light of the significantly reduced working capacity of the team and the upcoming Easter holiday when access to available resources is limited,⁸ it is the Defence submission that the requested extension is necessary to prepare a meaningful reply to Victims' Counsel Response.

⁷ KSC-CA-2024-03, F00050, Victims' Counsel's Request for an extension of time to respond to the Defence Appeal Brief against the Reparation Order, 26 March 2025; KSC-CA-2024-03, F00051, Decision on Victims' Counsel's Request for an Extension of Time to Respond to the Defence Appeal Brief Against the Reparation Order, 27 March 2025.

⁸ The Defence team is currently conducting research into relevant literature and records held with the Peace Palace Library in The Hague in support of the preparation of its reply.

9. In the present circumstances, the Defence submits that the interests of justice require the Appeals Panel to grant additional time.

IV. CLASSIFICATION

10. Pursuant to Rules 82(3) of the Rules, the Request is filed as public as it does not contain confidential information.

V. RELIEF REQUESTED

11. For these reasons, the Defence respectfully requests the Appeals Panel to grant an extension of time and allow it to file its Reply to Victims' Counsel Response to the Defence Reparation Appeal by 24 April 2025.

Word count: 701

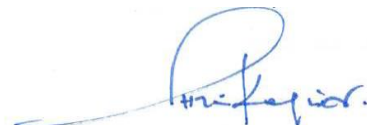
Respectfully submitted,



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Wednesday, 16 April 2025

The Hague, the Netherlands