

Case No.: KSC-CC-2026-34
Specialist Prosecutor v. Pjetër Shala

Before: The President of the Specialist Chambers
Judge Ekaterina Trendafilova

Registrar: Dr Fidelma Donlon

Date: 1 July 2026

Filing Party: Specialist Defence Counsel

Original Language: English

Classification: Public

THE SPECIALIST PROSECUTOR

v.

PJETËR SHALA

Defence Request for an Extension of Time to File a Referral to the Constitutional Court

Specialist Prosecutor's Office

Kimberly P. West

Specialist Defence Counsel

Jean-Louis Gilissen

Hédi Aouini

Counsel for Victims

Simon Laws KC

Maria Radziejowska

I. INTRODUCTION

1. Pursuant to Rules 6(4) and of the Rules of Procedure for the Specialist Chamber of the Constitutional Court (“SCCC Rules”), the Defence for Mr Pjetër Shala (“Defence”) respectfully requests a thirty-seven-day extension of the time limit to file its referral to the Specialist Chamber of the Constitutional Court (“Constitutional Court”) following the Supreme Court Decision dated 25 June 2026.¹

II. SUBMISSIONS

2. Rule 6(4) of the SCCC Rules provides that a Panel may use its discretion to vary from any of the time limits that are established by the Rules, provided there is good cause. The Defence seeks an alteration of the applicable time limit and requests permission to file the referral by 2 October 2026. The Defence considers that the extension requested is required to enable the presentation of effective submissions as part of Mr Shala’s case.
3. Good cause exists to grant the requested extension of time. The Defence is facing legally significant and procedurally demanding obligations that renders it unable to formulate its referral within the compressed timeframe. Specifically, following the Defence's referral to the Constitutional Court submitted on 1 June 2026,² the Defence received responses from both the Specialist Prosecutor's Office³ and the Victims' Counsel⁴ on 26 June 2026. The Defence requires adequate time to carefully review and address these

¹ KSC-SC-2025-06, PL002-F00009, Decision on Pjetër Shala’s Request for Protection of Legality, 25 June 2026.

² KSC-CC-2026-32, F00004, Referral to the Constitutional Court Panel concerning the violation of Mr Shala’s fundamental rights guaranteed by Articles 30, 31 and 33 of the Kosovo Constitution, Articles 6 and 7 of the ECHR and Articles 14, 15 and 26 of the ICCPR, 1 June 2026.

³ KSC-CC-2026-32, F00011, Prosecution submissions on referral of Pjetër SHALA (KSC-CC-2026-32/F00004) with public Annex 1, 26 June 2026.

⁴ KSC-CC-2026-32, F00010, Victims’ Counsel’s submissions in relation to referral KSC-CC-2026-32/F00004, 26 June 2026.

submissions and must formulate its reply by 10 July 2026. This reply will involve complex issues of law and demand a thorough review of the relevant law and jurisprudence, as well as careful consideration of the positions advanced by the Prosecutor and Victims' Counsel.


4. At present, the Defence is required to mobilise all its resources towards preparing the Reply to the Specialist Prosecutor's Office and the Victims' Counsel, leading to inadequate time and resources to prepare its referral. Considering that a constitutional referral is a significant procedural step, taken after extensive and exhaustive litigation of the issues in question at the lower levels, the Defence should be afforded adequate opportunity to prepare and present its referral.
5. In addition, the Court's summer recess period from 27 July to 14 August 2026 will substantially impact the Defence team's capacity to function effectively. During this recess period, Defence team members will be subject to family and other personal obligations that necessitate their absence from the office, inevitably resulting in a limited team composition and significantly reduced operational capacity. This eighteen-day recess period falls directly within the critical window for preparing the referral, during which continuous substantive progress on this complex matter would otherwise be essential.
6. The cumulative impact of the overlapping deadlines in the present proceedings, the limitations imposed upon the Defence's resources, and the number of team members not able to work due to the Court's summer recess from 27 July to 14 August 2026 establishes good cause for granting the Defence's request for an extension of the time limit until 2 October 2026, pursuant to Rule 6(4) of the SCCC Rules. Such an extension ensures respect for Mr Shala's right to present his case in full and effective manner.

III. RELIEF REQUESTED

7. For these reasons, the Defence respectfully requests the Constitutional Court to grant its request and allow the filing of its referral by 2 October 2026.

Word count: 537

Respectfully submitted,



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Specialist Defence Counsel



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Defence Co-Counsel

Wednesday, 1 July 2026

The Hague, the Netherlands