



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

**In:** **KSC-BC-2020-07**  
**The Prosecutor v. Hysni Gucati and Nasim Haradinaj**

**Before:** **Trial Panel II**  
Judge Charles L. Smith, III, Presiding Judge  
Judge Christoph Barthe  
Judge Guénaél Mettraux  
Judge Fergal Gaynor, Reserve Judge

**Registrar:** Fidelma Donlon

**Date:** 20 September 2021

**Language:** English

**Classification:** **Public**

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**Decision on Request for an Extension of Time**

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**Specialist Prosecutor**

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**TRIAL PANEL II** (“Panel”), pursuant to Article 40(2) of the Law on Specialist Chambers and Specialist Prosecutor’s Office (“Law”) and Rule 9(5) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), hereby renders this decision.

## **I. PROCEDURAL BACKGROUND**

1. On 8 September 2021, during the Specialist Prosecutor’s Office (“SPO”) Preparation Conference, the Panel ordered the Parties to discuss the issues pertaining to the classification of exhibits in the SPO bar table request to endeavour to reach an agreement regarding the nature and the scope of the proposed redactions, and to inform the Panel of any agreement reached on this issue and of unresolved matters, if any, by 20 September 2021 (“Order”).<sup>1</sup>

2. On 17 September 2021, the SPO requested that the Parties be granted an extension of time until 24 September 2021 to inform the Panel as per the Order (“Request”).<sup>2</sup>

## **II. SUBMISSIONS**

3. The SPO submits that there is good cause to grant the requested time extension due to the volume of relevant material and the time required by the SPO to apply the proposed redactions and by the Defence to review the SPO’s proposal.<sup>3</sup>

## **III. APPLICABLE LAW**

4. Pursuant to Article 40(2) of the Law, the Panel may adopt such procedures and modalities as are necessary to facilitate fair and expeditious conduct of proceedings.

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<sup>1</sup> Oral Order to Parties Regarding Classification of SPO Bar Table Exhibits, p. 709, line 25 to p. 710, line 7 *in relation to* F00298, Specialist Prosecutor, *Prosecution Submissions on Classification of Exhibits in Bar Table Request*, 6 September 2021.

<sup>2</sup> F00315, Specialist Prosecutor, *Request for an Extension of Time* (“Request”), 17 September 2021.

<sup>3</sup> Request, para. 2.

5. Pursuant to Rule 9(5) of the Rules, the Panel may, upon showing of good cause, extend any time limit prescribed by the Panel.

#### IV. DISCUSSION

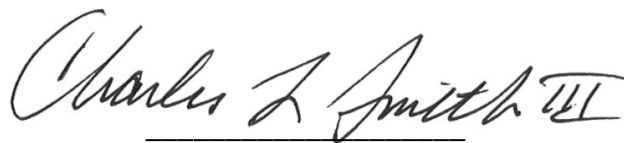
6. At the outset, the Panel observes that the SPO transmitted its proposed redactions to the Defence on 15 September 2021 and that the Defence informed the SPO that it will require until 22 September 2021 to provide its feedback.<sup>4</sup>

7. In that light and considering, on the one hand, the volume of relevant material, and on the other hand, the time required by the SPO to apply the proposed redactions and by the Defence to review the SPO's proposal, the Panel considers that the SPO demonstrated good cause for the Request.

#### V. DISPOSITION

8. For the foregoing reasons, the Panel hereby:

- a. **GRANTS** the Request; and therefore
- b. **ORDERS** the Parties to inform the Panel, by 24 September 2021, of any agreement and of unresolved matters, if any, as to the proposed redactions to the exhibits listed in the SPO bar table request.



**Judge Charles L. Smith, III**

**Presiding Judge**

Dated this Monday, 20 September 2021  
At The Hague, the Netherlands

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<sup>4</sup> Request, para. 2, fn. 4.