

Case No.: KSC-BC-2020-04
Specialist Prosecutor v. Pjetër Shala

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Date: 29 August 2022

Filing Party: Specialist Defence Counsel

Original Language: English

Classification: Public

THE SPECIALIST PROSECUTOR
v.
PJETËR SHALA

**Defence Request for Variation of Time Limit for Submission of
its Rule 109(c) Chart**

Specialist Prosecutor's Office:
Jack Smith

Specialist Counsel for the Accused:
Jean-Louis Gilissen
Hédi Aouini
Leto Cariolou

Counsel for Victims
Simon Laws QC
Maria Radziejowska

1. Pursuant to Rule 9(5) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), the Defence for Mr Pjetër Shala (“Defence”) files the present Request for variation of the time limit set by the Pre-Trial Judge for submitting the Defence Rule 109(c) chart.
2. On 30 April 2021, the Pre-Trial Judge ordered the Specialist Prosecutor’s Office (“SPO”) and the Defence to file their respective Rule 109(c) charts “within one week of the filing of their respective pre-trial briefs.”¹
3. On 23 September 2021, the Pre-Trial Judge granted the SPO an extension of the applicable deadline to submit its Pre-Trial Brief and Rule 109(c) chart.² The Defence had not opposed the SPO request but noted that it should be able to benefit from an equivalent amount of time for submitting its Pre-Trial Brief and Rule 109(c) chart.³
4. On 28 January 2022, the SPO filed its Pre-Trial Brief and Witness and Exhibit Lists, the confidential redacted versions of which were made available to the Defence on 31 January 2022.⁴ On 11 February 2022, the SPO submitted its Rule 109(c) chart.⁵
5. On 14 April 2022, the Pre-Trial Judge ordered the Defence to file its Pre-Trial Brief by 15 August 2022.⁶ On 20 July 2022, considering the late additions to the

¹ KSC-BC-2020-04, F00033, Framework Decision on Disclosure of Evidence and Related Matters, 30 April 2021, paras. 73, 74, 92(n). All further references to filings in this Request concern Case No. KSC-BC-2020-04 unless otherwise indicated.

² T. 23 September 2021 p. 92.

³ T. 23 September 2021 p. 91.

⁴ F00136, Submission of the confidential redacted version of the Pre-Trial Brief, Witness List, and Exhibit List, 31 January 2022 (public, with confidential annexes).

⁵ F00144, Prosecution submission of Rule 109(c) chart with strictly confidential and *ex parte* Annex 1 and confidential Annex 2, 11 February 2022.

⁶ T. 14 April 2022 p. 299.

SPO's Witness and Exhibit Lists, the Pre-Trial Judge ordered that the Defence Pre-Trial Brief be filed by 5 September 2022.⁷

6. The Defence requests an extension of time to submit its Rule 109(c) chart by 19 September 2022. The Defence notes that the extension requested is equivalent to the amount of additional time the SPO was allowed to submit its respective chart, namely 14 days following submission of the SPO's Pre-Trial Brief.⁸ Good cause exists for the variation requested, as the Defence is currently facing a number of competing deadlines while granting the requested extension would not delay the proceedings and anticipated transmission of the case file to a trial chamber.

Word count: 443

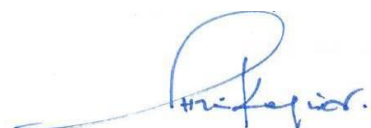
Respectfully submitted,



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Monday, 29 August 2022

The Hague, the Netherlands

⁷ F00234, Decision on Specialist Prosecutor's Rule 102(2) and Related Requests, 20 July 2022 (confidential), paras. 31, 46(e),(f).

⁸ T. 23 September 2021 p. 92.