

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

**Before:** Pre-Trial Judge  
Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Date:** 8 September 2022

**Filing Party:** Specialist Defence Counsel

**Original Language:** English

**Classification:** Public

**THE SPECIALIST PROSECUTOR**  
**v.**  
**PJETËR SHALA**

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**Defence Request for Variation of Time Limit for  
its Response to F00261**

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**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 concerning the Defence response to additional submissions of the Specialist Prosecutor’s Office (“SPO”) on Rule 81(1)(a) protective measures.<sup>1</sup>
2. On 21 July 2022, the Pre-Trial Judge ordered the SPO to file additional submissions and clarifications related to protective measures in this case by 2 September 2022.<sup>2</sup> He also instructed the Defence to respond to such submissions by 9 September 2022.<sup>3</sup>
3. While the SPO submissions appear to have been filed on 2 September 2022, a confidential redacted version of such submissions was made available to the Defence only on 5 September 2022.<sup>4</sup> This is despite the fact that the Pre-Trial Judge had allowed the Defence seven days to respond to the SPO’ submissions.
4. In light of the above, and in view of the fact that the Defence faces a number of competing deadlines, it requests ten days to respond to the SPO’s submissions starting from the date that these were communicated to the Defence. Good cause exists for the variation requested, which would allow the Defence to perform its duties without unnecessarily delaying the proceedings. In addition, the SPO should not be allowed to obstruct the work of the Defence by failing to communicate its filings to the Defence within the time limit provided by the Pre-Trial Judge.

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<sup>1</sup> KSC-BC-2020-04, F00235, Confidential Redacted Version of Decision on the Specialist Prosecutor’s Third Request for Protective Measures for Rule 102(3) Materials Requested by the Defence, 21 July 2022 (confidential)(“Decision dated 21 July 2022”), para. 55(c).

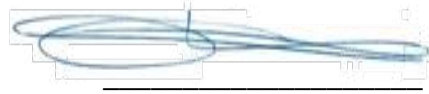
<sup>2</sup> Decision dated 21 July 2022, para. 55(c).

<sup>3</sup> Decision dated 21 July 2022, para. 55(c).

<sup>4</sup> KSC-BC-2020-04, F00261, Confidential Redacted Version of ‘Prosecution submissions concerning items subject to Rule 81(1)(a) protective measures with strictly confidential and *ex parte* Annexes 1-3’, KSC-BC-2020-04/F00261, 2 September 2022, 5 September 2022 (confidential).

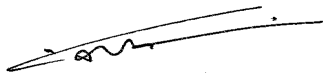
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Respectfully submitted,



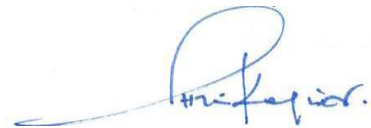
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**Jean-Louis Gilissen**  
**Specialist Defence Counsel**



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**Hédi Aouini**  
**Defence Co-Counsel**



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**Leto Cariolou**  
**Defence Co-Counsel**

Thursday, 8 September 2022

The Hague, the Netherlands