

**Case No.:** KSC-BC-2020-04

**Before:** Trial Panel I

Judge Mappie Veldt-Foglia, Presiding Judge

Judge Roland Dekkers

Judge Gilbert Bitti

Judge Vladimir Mikula, Reserve Judge

**Registrar:** Dr Fidelma Donlon

**Date:** 14 November 2022

**Filing Party:** Specialist Defence Counsel

**Original Language:** English

**Classification:** Confidential

**THE SPECIALIST PROSECUTOR**

v.

**PJETËR SHALA**

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**Defence Request for Variation of the Time Limit for its Response to  
the Prosecution Request for Restrictions of the Accused's Communications**

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**Specialist Prosecutor's Office:**

Jack Smith

**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 Rule 9(5) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”), the Defence for Mr Pjetër Shala (“Defence”) submits the present request for variation of the time limit to file its response to Prosecution Request for Restrictions of the Accused’s Communications.<sup>1</sup>

## II. PROCEDURAL BACKGROUND

2. On 4 November 2022, the Prosecution filed its Request seeking that the Accused’s communications with persons outside the KSC Detention Facilities be actively monitored, his oral communications be limited to contact with family members and other individuals previously approved by the Trial Panel, and that he be ordered not to share confidential material and information with anyone outside his defence team<sup>2</sup>
3. On 9 November 2022, Mr Shala requested the Chief Detention Officer to provide the records available on his communications and visits during his time in detention, which would enable the Defence to respond to the Request.<sup>3</sup>
4. On 10 November 2022, the Trial Panel issued the “Order for submissions on the ‘Prosecution request for restrictions of the Accused’s communications’” instructing the Registry to file submissions as specified therein, by 24 November 2022.<sup>4</sup>
5. On 11 November 2022, the Defence received an inventory on Mr Shala’s telephone communications and log of visits during his time in detention at the

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<sup>1</sup> KSC-BC-2020-04, F00336, Prosecution request for restrictions of the Accused’s communications, 4 November 2022 (confidential)(“Request”).

<sup>2</sup> Request, paras. 1, 14.

<sup>3</sup> The submission took place further to an email to Detention Management Unit Legal Communication by Defence Counsel, 9 November 2022, at 11:40 am.

<sup>4</sup> KSC-BC-2020-04, F00344, Order for submissions on the “Prosecution request for restrictions of the Accused’s communications” (KSC-BC-2020-04/F00336), 10 November 2022 (confidential), para. 6.

KSC Detention Facilities. The latter indicate the number of Mr Shala's monthly telephone calls and visits as well as the category of such visits.<sup>5</sup>

6. On 14 November 2022, the Defence requested the Detention Management Unit of the Registry to provide additional information on the requested records.<sup>6</sup>

### III. SUBMISSIONS

7. The Defence requests additional time to provide its Response to the Request so that it can consider and, if necessary, respond to the Registry's submissions that are expected to be filed on 24 November 2022.
8. In addition, additional time is required for the Defence to obtain from the Registry the information sought for the purposes of its response and have the opportunity to seek proper instructions from the Accused on the data provided by the Registry.
9. In light of the above, good cause exists for allowing the Defence to submit its Response within ten days after the filing of the Registry's submissions.

### IV. RELIEF REQUESTED

10. For the above reasons, the Defence requests variation of the relevant time limit so that it can file its Response by 5 December 2022.

**Word count: 491**

Respectfully submitted,

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<sup>5</sup> Email to Defence Counsel by Detention Management Unit Legal Communication, 11 November 2022, at 5:04 pm.

<sup>6</sup> Email to Detention Management Unit Legal Communication by Defence Counsel, 14 November 2022, at 9:02 am.



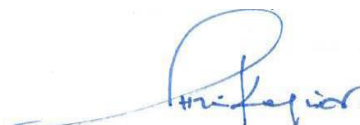
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**Jean-Louis Gilissen**  
**Specialist Defence Counsel**



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



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

Monday, 14 November 2022

The Hague, the Netherlands