

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: 28 November 2022

Filing Party: Specialist Defence Counsel

Original Language: English

Classification: Confidential

THE SPECIALIST PROSECUTOR

v.

PJETËR SHALA

Defence Notice Related to Filing F00358

Specialist Prosecutor's Office:

Alex Whiting

Specialist Counsel for the Accused:

Jean-Louis Gilissen

Hédi Aouini

Leto Cariolou

Counsel for Victims:

Simon Laws KC

Maria Radziejowska

1. The Defence for Mr Pjetër Shala (“Defence”) files the present Notice further to the “Defence Response to Prosecution Motion for Admission of Accused’s Statements”.¹
2. The Defence notes that the said Response was filed on 24 November 2022 at 4:39 p.m. following a prior unsuccessful attempt to file the said document which had to be aborted.
3. The Defence apologises for filing its Response outside the time-limit set by the Trial Panel in its “Decision on the Defence Request for an Extension of Time”.² The Defence notes that on the filing date it faced exceptional circumstances that regrettably led to the delay in filing.
4. The Defence reiterates its sincere apologies for the delay and assures the Trial Panel that it has taken all necessary and appropriate measures to ensure that this will not be repeated.
5. In light of the importance of the matters at stake that affect in a profound manner the fairness of these proceedings and Mr Shala’s fundamental rights, the Defence respectfully requests the Trial Panel to accept its Response as validly filed. The Defence adds that, to its knowledge, the Prosecution has not suffered any prejudice caused as a result of the delay in filing.
6. The present notice is being filed confidentially pursuant to Rules 82(3) and 82(4) because it relates to previous filings that are currently classified as confidential.

¹ KSC-BC-2020-04, F00358, Defence Response to Prosecution Motion for Admission of Accused’s Statements, 24 November 2022 (confidential)(“Response”).

² KSC-BC-2020-04, F00346, Decision on the Defence Request for an Extension of Time (F00342), 11 November 2022 (confidential), para. 13(b).

The Defence does not object to the reclassification of the present notice as public in due course.

Word count: 279

Respectfully submitted,



Jean-Louis Gilissen
Specialist Defence Counsel

Monday, 28 November 2022

The Hague, the Netherlands