



SPECIALIST PROSECUTOR'S OFFICE  
ZYRA E PROKURORIT TË SPECIALIZUAR  
SPECIJALIZOVANO TUŽILAŠTVO

**In:** KSC-BC-2023-10  
**Specialist Prosecutor v. Sabit Januzi and Ismet Bahtijari**

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

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Specialist Prosecutor's Office

**Date:** 6 November 2023

**Language:** English

**Classification:** Confidential

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**Confidential redacted version of 'Prosecution submissions on reclassification of  
filings'**

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## I. INTRODUCTION

1. Pursuant to the Reclassification Order,<sup>1</sup> Articles 21(2) and 39(6) of the Law,<sup>2</sup> and Rules 82(3), (5), and 88(2) of the Rules,<sup>3</sup> the Specialist Prosecutor's Office ('SPO') hereby provides written submissions on the reclassification of previous filings in case KSC-BC-2023-10,<sup>4</sup> and submit its reasons for maintaining the current classifications for twelve of the filings in the case.<sup>5</sup>

2. This filing is submitted as strictly confidential and *ex parte* as it describes the basis for maintaining certain *ex parte* classifications. A confidential redacted version will be filed.

## II. SUBMISSIONS

### A. PUBLIC AND CONFIDENTIAL REDACTED VERSIONS OF FILINGS

3. The SPO hereby informs the Pre-Trial Judge that, pursuant to the Reclassification Order,<sup>6</sup> the SPO will file confidential and/or public versions on a rolling basis until 13 November and 27 November 2023, respectively, of the following filings:

- F00004
- F00013
- F00023
- F00024
- F00040
- F00042, F00042/A01

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<sup>1</sup> Order Regarding (Re)classification of Filings, KSC-BC-2023-10/F00083, 31 October 2023, Confidential ('Reclassification Order').

<sup>2</sup> Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law'). All references to 'Article' or 'Articles' herein refer to articles of the Law, unless otherwise specified.

<sup>3</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

<sup>4</sup> See paras 3-5 below.

<sup>5</sup> See paras 6-9 below.

<sup>6</sup> Reclassification Order, KSC-BC-2023-10/F00083, para.17(a).

- F00047, F00047/A01, F00047/A02
- F00049, F00049/A01, F00049/A02, F00049/A03, F00049/A04
- F00052, F00052/A01
- F00057, F00057/A01
- F00059
- F00060
- F00061

4. The limited redactions that the SPO intends to apply to these filings pertain to names and identifying details of victims and witnesses, personal details of the Accused and/or matters which could prejudice ongoing SPO investigations and are in accordance with the redaction regime set out in the Framework Decision.<sup>7</sup>

5. Having reviewed filings F00036 and F00044, the SPO respectfully requests the Pre-Trial Judge to direct the Registrar to reclassify them as confidential (and available to the Defence) by 13 November 2023, which is the deadline for the confidential redacted versions of related filings.

#### B. STRICTLY CONFIDENTIAL AND EX PARTE

6. The currently strictly confidential and *ex parte* classification for the filings listed in paragraphs 7 and 8 below remains necessary in order to protect the integrity, security, and confidentiality of the SPO investigations.

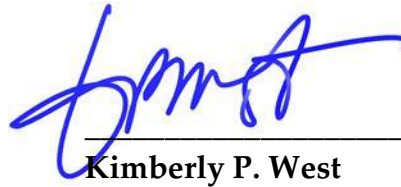
7. [REDACTED].

8. [REDACTED].

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<sup>7</sup> Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2023-10/F00076, 24 October 2023, Confidential, ('Framework Decision').

**Word count: 548**



**Kimberly P. West**

**Specialist Prosecutor**

Monday, 6 November 2023

At The Hague, the Netherlands.