



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

**In:** **KSC-BC-2023-10**

**The Specialist Prosecutor v. Sabit Januzi, Ismet Bahtijari and Haxhi Shala**

**Before:** **Pre-Trial Judge**

Judge Nicolas Guillou

**Registrar:** Dr Fidelma Donlon

**Date:** 30 April 2024

**Language:** English

**Classification:** **Public**

---

**Decision on Third Request for Extension of Time**

---

**Specialist Prosecutor**

Kimberly P. West

**Counsel for Sabit Januzi**

Jonathan Elystan Rees

Huw Bowden

**Counsel for Ismet Bahtijari**

Felicity Gerry

James O'Keefe

**Counsel for Haxhi Shala**

Toby Cadman

John Cubbon

THE PRE-TRIAL JUDGE,<sup>1</sup> pursuant to Rules 9(5)(a) and 76 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (“Rules”) hereby renders this decision.

## I. PROCEDURAL BACKGROUND AND SUBMISSIONS

1. On 26 April 2024, having been granted two previous requests for an extension of time,<sup>2</sup> the Defence for Ismet Bahtijari (“Mr Bahtijari” and “Defence”) filed an application seeking a further extension of the time limit for the completion and the submission of the forms, including supporting documentation, required to request legal aid before the Registry (“Request”).<sup>3</sup>

2. In support of the Request, the Defence submits that all relevant documents have been provided by Mr Bahtijari and further documents have been supplied, but that one document remains outstanding for counsel, which should be available in the coming week.<sup>4</sup> On this basis, the Defence requests an extension of time to 3 May 2024 for the submission of the outstanding document.<sup>5</sup>

## II. APPLICABLE LAW

3. Pursuant to Rule 9(5)(a) of the Rules, the Panel may, *proprio motu*, or upon showing of good cause extend or reduce any time limit prescribed by the Rules or set by the Panel.

---

<sup>1</sup> KSC-BC-2023-10, F00001, President, *Decision Assigning a Pre-Trial Judge*, 11 September 2023, public. KSC-BC-2023-11, F00001, President, *Decision Assigning a Pre-Trial Judge*, 20 November 2023, public.

<sup>2</sup> See KSC-BC-2023-10, F00253, Pre-Trial Judge, *Decision on Request for Extension of Time*, 15 April 2024, public; F00259, Pre-Trial Judge, *Decision on Second Request for Extension of Time*, 19 April 2024, public.

<sup>3</sup> KSC-BC-2023-10, F00269, Defence for Mr Bahtijari, *Bahtijari Filing for Third Legal Aid Extension*, 26 April 2024, confidential.

<sup>4</sup> Request, paras 2-3, 6-8.

<sup>5</sup> Request, paras 1, 6.

4. Pursuant to Rule 76 of the Rules, applications for extension of time shall be filed sufficiently in advance to enable the Panel to rule on the application before the expiry of the relevant time limit.

### III. DISCUSSION

5. At the outset, the Pre-Trial Judge finds that the Request was submitted within the prescribed deadline.<sup>6</sup>

6. As regards the showing of good cause, the Pre-Trial Judge notes that, since the last submissions on the matter,<sup>7</sup> the Defence has made progress with the preparation of the application to request legal aid before the Registry. In particular, the Pre-Trial Judge notes that: (i) some outstanding supporting documentation has been obtained and submitted; and (ii) requests have been made to obtain missing information.<sup>8</sup> The Pre-Trial Judge further pays heed to the fact that the outstanding supporting document should be available in the coming week.<sup>9</sup> Accordingly, the Pre-Trial Judge finds that good cause has been shown, warranting the requested extension of time.

---

<sup>6</sup> See KSC-BC-2023-10, F00259, Pre-Trial Judge, *Decision on Second Request for Extension of Time*, 19 April 2024, public, para. 9(b).

<sup>7</sup> See KSC-BC-2023-10, F00256, Defence for Mr Bahtijari, *Bahtijari Amended Filing for Further Extension for Legal Aid*, 19 April 2024, confidential.


<sup>8</sup> Request, paras 3, 5, 7.

<sup>9</sup> Request, para. 6.

## IV. DISPOSITION

7. For the above-mentioned reasons, the Pre-Trial Judge hereby:

- a) **GRANTS** the Request;
- b) **ORDERS** the Defence to complete and submit the application seeking legal aid before the Registry, as well as to inform the Pre-Trial Judge thereof, by **Friday, 3 May 2024**; and
- c) **ORDERS** the Defence to submit public redacted versions of filings F00255, F00256 and F00269, by **Friday, 3 May 2024**.



**Judge Nicolas Guillou**  
**Pre-Trial Judge**

Dated this Tuesday, 30 April 2024  
At The Hague, the Netherlands.