



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

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

Before: Pre-Trial Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor's Office

Date: 18 April 2024

Language: English

Classification: Public

Public redacted version of 'Prosecution request for Rule 102(1)(b) disclosure and to amend exhibit list with strictly confidential and *ex parte* Annex 1'

Specialist Prosecutor's Office

Kimberly P. West

Counsel for Sabit Januzi

Jonathan Elystan Rees

Counsel for Ismet Bahtijari

Felicity Gerry

Counsel for Haxhi Shala

Toby Cadman

1. Pursuant to the Decision,¹ on 5 April 2024, the Specialist Prosecutor's Office ('SPO') submitted a request for authorisation to disclose certain limited additional evidentiary materials pursuant to Rule 102(1)(b) of the Rules² and to amend its Exhibit List³ accordingly.⁴
2. The SPO hereby makes a supplementary request to disclose one new item pursuant to Rule 102(1)(b) and to include it in the Exhibit List.
3. Specifically, the SPO seeks to disclose an official note [REDACTED].⁵
4. Pursuant to Article 39(1) of the Law⁶ and Rules 9(5), 95(2), and 95(4)(c), the SPO seeks authorisation to add the official note to the Exhibit List. Its addition would not cause any undue prejudice to the Defence and would be in the interests of justice, in particular given the limited nature of the addition and the pre-trial stage of the proceedings.

¹ Decision Setting out the Calendar for the Remaining Procedural Steps of the Pre-Trial Phase, KSC-BC-2023-10/F00233, 27 March 2024 ('Decision'), paras 23, 30(e).

² 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.

³ Annex 3 to Prosecution submission of Rule 109(c) chart and witness and exhibit lists and related request for Rule 102(1)(b) disclosure, KSC-BC-2023-10/F00164/A03, 9 February 2024, Confidential ('Exhibit List').

⁴ Prosecution request for Rule 102(1)(b) disclosure and to amend exhibit list, KSC-BC-2023-10/F00242, 5 April 2024, Confidential ('Prosecution Request').

⁵ Annex 1. See [REDACTED].

⁶ Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law').

5. This filing is submitted confidentially pursuant to Rule 82(4). A public redacted version will be filed.

Word count: 283



Kimberly P. West

Specialist Prosecutor

Thursday, 18 April 2024

At The Hague, the Netherlands