



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: 17 May 2024

Language: English

Classification: Public

**Notification of agreed facts and points of law
with confidential Annexes 1 and 2**

Specialist Prosecutor's Office
Kimberly 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 and to Rule 95(3) of the Rules,² the Specialist Prosecutor's Office ('SPO') hereby notifies the Pre-Trial Judge of the outcome of its *inter partes* discussions with the Defence for Sabit Januzi, Haxhi Shala and Ismet Bahtijari (collectively, the 'Defence') on points of agreement on matters of law and fact.
2. On 5 February 2024, the SPO provided the Defence with a proposal containing 92 proposed facts.
3. On 13 May 2024, the SPO provided the Defence with a proposal containing 17 proposed points of law.
4. On 14 May 2024, the Januzi Defence indicated that they were not willing to agree to matters of law and fact at this stage.
5. On 15 May 2024, the Shala Defence and Bahtijari Defence indicated their agreement to certain facts specified in Annex 1 to this notification.
6. On 15 May 2024, the Bahtijari Defence indicated their agreement to the proposed points of law provided by the SPO subject to issues and/or defences that may arise. Those proposed points of law are specified in Annex 2 to this notification.
7. On 17 May 2024, the Januzi Defence proposed one point of law.
8. A draft of this filing was provided to each of the Defence teams for their advance review.

Word count: 247



Kimberly P. West

Specialist Prosecutor

Friday, 17 May 2024

At The Hague, the Netherlands.

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'), para.30(h).

² Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').