



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:** 3 June 2024

**Language:** English

**Classification:** Public

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**Prosecution response to F00310**

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**Specialist Prosecutor's Office**

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Jonathan Elystan Rees

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Felicity Gerry

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1. In its Application,<sup>1</sup> the Defence for Ismet Bahtijari seeks an extension of time until 20 June 2024 to file a Pre-Trial Brief. The Pre-Trial Judge previously ordered the Defence to submit a Pre-Trial Brief, if any, by 7 June 2024, and decided to set the date for transmitting the case file to the Trial Panel to 21 June 2024.<sup>2</sup>
2. The Defence for Haxhi Shala responded to the Application, noting that the deadline sought by the Bahtijari Defence is one day prior to the submission of the case to the Trial Panel, and asserting that it faces similar challenges to the Bahtijari Defence related to legal aid and defence funding, defence investigations, and challenging the amended indictment.<sup>3</sup> However, the Shala Defence committed to timely filing its own Pre-Trial Brief by 7 June 2024 and expressed a neutral stance with regard to whether the Application should be granted.<sup>4</sup>
3. It is the assessment of the Specialist Prosecutor's Office ('SPO') that the Bahtijari Defence has not demonstrated good cause for its Application. However, the SPO defers to the Pre-Trial Judge as to whether a reasonable, limited extension of the deadline for the Bahtijari Defence to file a Pre-Trial Brief is justified, provided that any such extension does not prevent the timely transmission of the case file to the Trial Panel by 21 June 2024.

**Word count: 291**



**Kimberly P. West**

**Specialist Prosecutor**

Monday, 3 June 2024

At The Hague, the Netherlands

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<sup>1</sup> Bahtijari Filing to Extend Time for Filing a Pre-Trial Brief, KSC-BC-2023/10/F00310, 31 May 2024 ('Application'), para.3.

<sup>2</sup> Decision Setting out the Calendar for the Remaining Procedural Steps of the Pre-Trial Phase, KSC-BC-2023/10/F00233, 27 March 2024, para.30(i).

<sup>3</sup> See Response to Bahtijari Filing to Extend Time for Filing a Pre-Trial Brief, KSC-BC-2023/10/F00317, 2 June 2024, paras 5-7.

<sup>4</sup> Response to Bahtijari Filing to Extend Time for Filing a Pre-Trial Brief, KSC-BC-2023/10/F00317, para.9.