

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

Before: Pre-Trial Judge
Judge Marjorie Masselot

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Haxhi Shala

Date: 10 June 2024

Language: English

Classification: Public

Request for Reclassification of F00286 and F00311

Specialist Prosecutor

Kimberly P. West

Counsel for Sabit Januzi

Jonathan Elystan Rees KC

Huw Bowden

Counsel for Ismet Bahtijari

Dr. Felicity Gerry KC

Counsel for Haxhi Shala

Toby Cadman

John Cubbon

1. The Defence for Mr. Haxhi Shala (“Defence”) requests that Haxhi Shala Submissions for Review of Detention (“F00286”)¹ and Haxhi Shala Reply to Prosecution Submission Pertaining to Periodic Detention Review (“F00311”)² be reclassified.
2. On 5 June 2024, in the Third Decision on Review of Detention of Haxhi Shala³ the Pre-Trial Judge ordered the Defence to file public redacted versions of F00286 and F00311 or to indicate whether these filings may be reclassified as public by Wednesday, 12 June 2024.⁴
3. F00286 and F00311 were classified as confidential pursuant to Rule 82(4) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”).⁵ The Defence submits that neither filing contains material that should be confidential.
4. Therefore, having due regard for the need for proceedings to be public in nature, for confidential filings to be properly justified and for any redactions

¹ KSC-BC-2023-10/F00286, 13 May 2024, confidential.

² KSC-BC-2023-10/F00311, 31 May 2024, confidential.

³ KSC-BC-2023-10/F00325.

⁴ F00325, para. 51(d).

⁵ KSC-BD-03/Rev3/2020.

to be strictly necessary, the Defence requests that the Pre-Trial Judge order that F00286 and F00311 be classified as public without any redactions.

Word Count: [185 words]



Toby Cadman

Specialist Counsel

10 June 2024

At London, United Kingdom