

**In:** KSC-BC-2023-10  
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:** 18 June 2024

**Language:** English

**Classification:** Public

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**Response to Januzi Filing to Extend Time for Filing a Pre-Trial Brief**

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**Specialist Prosecutor**

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Jonathan Elystan Rees KC

**Counsel for Ismet Bahtijari**

Dr. Felicity Gerry KC

**Counsel for Haxhi Shala**

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## I. INTRODUCTION

1. In the Decision Setting out the Calendar for the Remaining Procedural Steps of the Pre-Trial Phase (“Decision”),<sup>1</sup> the Pre-Trial Judge ordered the Defence teams of Sabit Januzi, Ismet Bahtijari and Haxhi Shala to submit a Pre-Trial Brief, if any, by Friday, 7 June 2024.<sup>2</sup>
2. On 31 May 2024, the Defence for Mr. Ismet Bahtijari submitted the ‘Bahtijari Filing to Extend Time for Filing a Pre-Trial Brief’ (“Bahtijari Filing”).<sup>3</sup>
3. On 31 May 2024 the Pre-Trial Judge instructed the Specialist Prosecutor’s Office, the Defence for Mr Januzi and the Defence for Mr Shala, should they wish to do so, to file a response to the Filing, by Tuesday, 4 June 2024 at 12h00.
4. On 2 June 2024, the Defence for Mr. Haxhi Shala responded to the Bahtijari Filing stating that it took a neutral position.<sup>4</sup>
5. On 4 June 2024, the Defence for Mr. Sabit Januzi responded to the Bahtijari Filing stating that it supported the application.<sup>5</sup>

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<sup>1</sup> KSC-BC-2023-10/F00233, 27 March 2024.

<sup>2</sup> Decision, para. 30(i).

<sup>3</sup> KSC-BC-2023-10/F00310, 31 May 2024.

<sup>4</sup> KSC-BC-2023-10/F00317, 4 June 2024.

<sup>5</sup> KSC-BC-2023-10/F00319, 4 June 2024.

6. On 5 June 2024, the Pre-Trial Judge granted the application and extended the deadline to 20 June 2024.<sup>6</sup>
7. On 17 June 2024, the Defence for Mr. Sabit Januzi made a further application seeking an extension of 7 days from the date of notification on whether a well-grounded suspicion has been established in relation to the amendments to the indictment against Sabit Januzi and Ismet Bahtijari.<sup>7</sup>
8. On 18 June 2024 the Pre-Trial Judge instructed the Specialist Prosecutor's Office, the Defence for Mr Bahtijari and the Defence for Mr Shala, should they wish to do so, to file a response to Request F00340, by Wednesday, 18 June 2024 at 12h00.
9. On 18 June 2024, the SPO indicated that it did not intend to file a response.

## II. SUBMISSIONS

10. In its previous response, the Shala Defence adopted a neutral position.<sup>8</sup>

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<sup>6</sup> KSC-BC-2023-10/F00324, 5 June 2024.

<sup>7</sup> KSC-BC-2023-10/F00340, 17 June 2024, para. 7.

<sup>8</sup> KSC-BC-2023-10/F00317, 4 June 2024.

11. The Defence for Mr. Januzi now seeks a further extension of the time for filing a Pre-Trial Brief, the date of which to be set 7 days from the date of notification on whether a well-grounded suspicion has been established in relation to the amendments to the indictment against Sabit Januzi and Ismet Bahtijari.<sup>9</sup>
12. The Defence for Mr Shala adopts a neutral position for the purpose of the present request. However, the Defence for Mr Shala must reiterate that it has already requested the convening of a Status Conference,<sup>10</sup> a matter for which a ruling is still awaited, to ensure this matter can progress to trial within a reasonable time period taking into account the accused remain remanded in custody.
13. At the Status Conference of 22 March 2024,<sup>11</sup> the Defence for Mr Shala set out its concern that these matters must proceed expeditiously being conscious of the amount of time Mr Shala has now been detained.
14. Whilst the Defence for Mr Shala remain neutral to the present application, it must express some concern that the matters raised in the request by the Defence for Mr Januzi remain largely unresolved, and should they not be

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<sup>9</sup> KSC-BC-2023-10/F00340, 17 June 2024, para. 7.

<sup>10</sup> KSC-BC-2023-10/F00292, 16 May 2024.

<sup>11</sup> Transcript of the Status Conference of 22 March 2024, p. 220, lines 20-25.

resolved expeditiously, an application for severance will need to be made in order to ensure that Mr Shala's trial proceeds without undue delay.

**III. CLASSIFICATION**

15. This filing is filed public and contains no information deemed confidential.

**Word Count: [596 words]**



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**Toby Cadman, Specialist Counsel**

**18 June 2024**

**At London, United Kingdom**