



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

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

Filed by: Registrar

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Registrar's Update on Defence Team Funding

Specialist Prosecutor

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Felicity Gerry

Counsel for Haxhi Shala

Toby Cadman

I. BACKGROUND

1. On 27 February 2024, the Pre-Trial Judge instructed the Registrar to file weekly updates, starting on 1 March 2024, on the situation concerning the funding of the Defence teams for Mr Sabit Januzi ('Mr Januzi'), Mr Ismet Bahtijari ('Mr Bahtijari') and Mr Haxhi Shala ('Mr Shala') by the Ministry of Justice of Kosovo pursuant to Law No. 05/L-054.¹ The Registrar hereby provides her twenty-third update.

2. On 27 March 2024, the Pre-Trial Judge instructed the Defence teams, should they (still) intend to request legal aid from the Specialist Chambers, to submit the required forms and any necessary supporting documentation to the Registry, and inform the Pre-Trial Judge thereof by Friday, 12 April 2024.² Should the Defence teams encounter any obstacle that impedes them from filling out the required forms or submitting any supporting documentation within the prescribed time limit, the Pre-Trial Judge instructed them to file written submissions on the matter without delay.³

3. Following requests for legal aid by Mr Shala and Mr Bahtijari, on 17 May 2024, the Registrar informed the Pre-Trial Judge that Mr Toby Cadman had been conditionally assigned as Counsel to Mr Shala and that Dr Felicity Gerry had been conditionally assigned as Counsel to Mr Bahtijari.⁴ As a result, no further updates are anticipated at this time concerning the funding of those two Defence Teams. The Defence Office is in regular contact with Counsel to ensure that they have all of the necessary information and assistance that may be required under the Legal Aid Regulations.⁵

4. With respect to Mr Januzi, an update on the status of Defence funding is provided below.

¹ KSC-BC-2023-10, CRSPD27, Email from the Pre-Trial Judge to CMU on Message to the Deputy Registrar regarding F00175 and F0181, 27 February 2024, confidential.

² F00233, Decision Setting out the Calendar for the Remaining Procedural Steps of the Pre-Trial Phase, 27 March 2024, public ('Decision'), para. 14.

³ Decision, para. 16.

⁴ F00297, Registrar's Update on Defence Team Funding with 5 confidential and *ex parte* Annexes, confidential, paras 5-6.

⁵ Legal Aid Regulations, KSC-BD-25-Rev1, 22 February 2024, public.

II. REGISTRAR'S UPDATE CONCERNING FUNDING

5. Following the Registrar's twenty-second update on 26 July 2024, no progress has been made in completing the contracting process with Counsel for Mr Januzi, Mr Jonathan Rees ('Mr Rees').

6. On 26 July 2024, the Registrar has filed a response to Mr Rees's "Update on Funding",⁶ providing information to assist the Pre-Trial Judge in considering the issues raised.⁷

III. CLASSIFICATION

7. Pursuant to Rule 82(3) and (4) of the Rules,⁸ the Registrar submits this filing as confidential, as it refers to other filings with the same classification.

Word count: 481



Dr Fidelma Donlon
Registrar

Friday, 2 August 2024
At The Hague, the Netherlands

⁶ F00398, Januzi Update on Funding, 19 July 2024, public.

⁷ F00412, Registrar's Response to Januzi Update on Funding, public, with one confidential and *ex parte* Annex, 26 July 2024.

⁸ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020, public ('Rules').