

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

**Before:** **Trial Panel I**  
Judge Mappie Veldt-Foglia, Presiding Judge  
Judge Roland Dekkers  
Judge Gilbert Bitti  
Judge Vladimir Mikula, Reserve Judge

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** **Specialist Counsel for Ismet Bahtijari**

**Date:** 5 December 2024

**Language:** English

**Classification:** Public

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**(publicly redacted version) BAHTIJARI Application for reclassification of filings [REDACTED]**

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**Specialist Prosecutor's Office**

Kimberley P. West

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Jonathan Rees KC

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I. INTRODUCTION

1. This is an application for reclassification of various filings relating to [REDACTED]
2. The application is to change the classification to confidential.
3. The application relates to the following filings:

[REDACTED]

II. PROCEDURAL BACKGROUND

4. On 22 March 2024, at the status conference, the Defence for Mr Bahtijari was invited by the Pre-Trial Judge to file a written and ex parte request for any necessary medical assessments, after various possible health issues were raised by Counsel.<sup>1</sup>
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]

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<sup>1</sup> KSC-BC-2023-10, Transcript, 22 March 2024, p. 201, line 16 to p. 202, line 9.

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

11. On 4 September 2024, the Pre-Trial judge transmitted the case file to the Trial Panel  
[REDACTED]

12. [REDACTED]

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

### III. APPLICABLE LAW

16. Rule 84 of the Rules,<sup>2</sup> provides the Panel with the power to review the classification of records of proceedings and evidence and, where applicable, order their reclassification.

### IV. SUBMISSIONS

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<sup>2</sup> *Rules of Procedure and Evidence Before the Kosovo Specialist Chambers*, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

17. The defence for Mr Bahtijari will rely on medical evidence in sentencing submissions and it is in the interests of justice and efficiency that all parties are able to have sight of the medical filings and history of these issues in this case.

1. This filing does not reveal any [REDACTED] but enables submissions from all parties from all parties, if necessary.

V. CLASSIFICATION

18. This document is filed as confidential at this stage. A publicly redacted version will be prepared and filed.

Word count: 910

A handwritten signature in black ink, appearing to read 'Felicity Gerry', with a long horizontal flourish extending to the right.

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**Dr Felicity Gerry KC**

**Counsel for Mr Bahtijari**

5 December 2024

At London, UK.