



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: **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 Prosecutor's Office

Date: 17 December 2024

Language: English

Classification: Confidential

Prosecution notice of withdrawal of filing F00621

Specialist Prosecutor's Office

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Felicity Gerry

Counsel for Haxhi Shala

Toby Cadman

1. The Specialist Prosecutor's Office ('SPO') hereby withdraws the Prosecution request for reconsideration and/or leave to appeal of Decision F00612.¹
2. Although the SPO has a different reading of the applicable law from the Panel and stands by its positions on Issues 1 through 4 as set forth in the Request, in this case, given the interest of all parties in closure and in advancing the proceedings, it has been possible to reach further agreement, including in relation to a revised indictment,² sentencing range and waivers of rights to appeal of sentences which reflect the parties' agreed ranges.³ As such, Issues 1 through 3 in the Request have become moot.⁴ Further, the SPO considers that immediate resolution of Issue 4 would no longer advance the proceedings, noting that the scope of any rights of appeal could, as relevant, be adjudicated following issuance of the Panel's judgment and sentencing decision(s).⁵
3. This filing is filed confidentially pursuant to Rule 82(4) of the Rules.⁶

Word count: 259



Kimberly P. West

Specialist Prosecutor

Tuesday, 17 December 2024

At The Hague, the Netherlands

¹ Prosecution request for reconsideration and/or leave to appeal of Decision F00612, KSC-BC-2023-10/F00621, 9 December 2024, Confidential ('Request'). *See also* Decision on Matters Related to Plea Proceedings, KSC-BC-2023-10/F00612, 29 November 2024, Confidential ('Decision F00612').

² Annex 1 to Submission of Further Revised Indictment, Prosecution request for reconsideration and/or leave to appeal of Decision F00612, KSC-BC-2023-10/F00630/A01, 17 December 2024, Confidential.

³ Annex 1 to URGENT Joint submission of Plea Agreement, KSC-BC-2023-10/F00628/A01, 16 December 2024, Confidential.

⁴ *See* Request, KSC-BC-2023-10/F00621, paras 5-14, 19-24.

⁵ *See* Request, KSC-BC-2023-10/F00621, paras 15-18.

⁶ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').