



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TE KOSOVES
SPECIJALIZOVANA VEÇA KOSOVA

In: KSC-BC-2023-10 ✓

Name: 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


Date: 18 December 2024 ✓

Classification: PUBLIC REDACTED

[IN COURT REDACTION ORDER]

The Trial Panel I FINDS that the following blacked-out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 18 December 2024, transcript reference Page 77 Line 10 to Page 77 Line 12, (time code from 13:15:22 to 13:15:34).

76:25	The Defence has referenced the weight that should be placed on	13:14:26
77:1	character evidence in this case. And Mr. Shala has provided	13:14:34
2	sentencing submissions from friends and family. The Panel is free to	13:14:47
3	give those submissions the weight it deems appropriate. However, the	13:14:52
4	SPO asserts that the more appropriate and relevant metric of	13:14:56
5	Mr. Shala's relationship with the rule of law and willingness to	13:15:00
6	engage in the type of intimidation and obstructive conducts present	13:15:04
7	in this case is his criminal history. This has been submitted to the	13:15:08
8	Panel.	13:15:16
9	And, as such, Mr. Shala's prior criminal conduct serves as an	13:15:17
10	aggravating factor justifying the sentence in this case. [REDACTED]	13:15:22
11	[REDACTED]	13:15:27
12	[REDACTED]	13:15:34
13	PRESIDING JUDGE VELDT-FOGLIA: I would prefer to go into private	13:15:36
14	if you want to go into that, and that was the purpose of my question	13:15:40
15	before when I discussed it with the Defence counsel.	13:15:45
16	MR. DEVANEY: I understand, Your Honour. And we have no	13:15:52
17	objection with that.	13:15:54
18	PRESIDING JUDGE VELDT-FOGLIA: No? Thank you.	13:15:54
19	Madam Court Officer, can you bring us, please, into private	13:15:56
20	session.	13:15:59
21	[Private session].	13:16:19



Judge Mappie Veldt-Foglia
 Presiding Judge

Registry implementation: Yes No Feed Terminated Time From _____ to _____
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78:18	[Open session]	13:18:01
19	THE COURT OFFICER: Your Honours, we are now in public session.	13:18:01
20	PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.	13:18:03
21	Mr. Prosecutor, you have the floor.	13:18:04
22	MR. DEVANEY: Yes, Your Honour.	13:18:05
23	[REDACTED]	13:18:07
24	[REDACTED]	13:18:14
25	[REDACTED]	13:18:18
79:1	The last remaining thing I would like to respond to Your Honour	13:18:22
2	is the comments made by the Defence on the issue of cooperation.	13:18:25
3	To correct the record, Mr. Shala was given a chance to cooperate	13:18:33
4	and give an interview early in the process, which he declined. The	13:18:37
5	further cooperation in this case has been last-minute and on the eve	13:18:43
6	of trial and extremely reluctant and the bare minimum. We saw in	13:18:46
7	court today Mr. Shala declining to personally express remorse in this	13:18:55
8	case.	13:18:59
9	Those are all the submissions I have, Your Honour. I think the	13:18:59
10	important thing, again, to emphasize, is that the parties are in	13:19:04
11	agreement on the three-year sentence in this case, and it is just and	13:19:08
12	appropriate considering the actions of Mr. Shala, the potential and	13:19:11
13	actual harm to the victims, and more broadly the potential harm to	13:19:18



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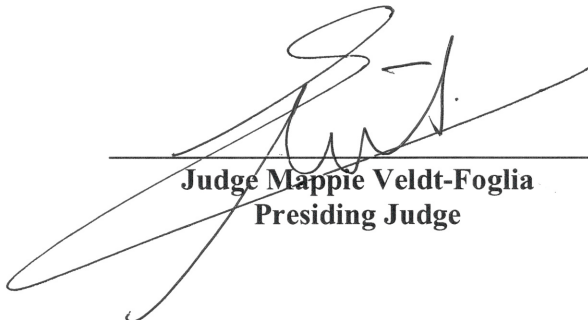
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122:12	rejected. There was no further attempt to induce the witness.	16:30:47
13	It was suggested this morning by Mr. Devaney that this was a	16:30:52
14	case in which the agreement was to stop Witness 1 from giving	16:30:57
15	evidence at all costs. That palpably is not correct because it was	16:31:01
16	the offer that he made to withdraw if he received 200.000 euros was	16:31:11
17	rejected and there was no further attempt.	16:31:16
18	[REDACTED]	16:31:25
19	[REDACTED] He did not receive the 200.000 euros	16:31:27
20	either, which perhaps that has left him aggrieved, but that does not	16:31:34
21	amount to harm for the purposes of reparations or, indeed, for	16:31:39
22	sentencing.	16:31:43
23	PRESIDING JUDGE VELDT-FOGLIA: Defence counsel, allow me to	16:31:43
24	interrupt you.	16:31:45
25	Madam Court Officer, can we go into private session.	16:31:46
123:1	[Private session].	16:32:10



Judge Mappie Veldt-Foglia
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