



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2023-10

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

Filed by: Registrar

Date: 23 January 2025

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File Name: Specialist Prosecutor v. Sabit Januzi, Ismet Bahtijari and
Haxhi Shala

Classification: Public

Public Redacted Version of "Registrar's Submissions on Bahtijari's New Arguments Related to Detention Conditions in Reply F00650" (filing F00656)

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1. On 22 January 2025, the Defence for Mr Ismet Bahtijari ('Mr Bahtijari' or 'the Accused') filed a reply to the submissions of the Registry and the Specialist Prosecutor's Office ('SPO') on the Accused's request for humanitarian release ('Reply').¹ In the Reply, the Defence presents additional, new arguments related to Mr Bahtijari's detention conditions, which were not included in the initial request for humanitarian release.²

2. Pursuant to Rule 23(1) of the Rules,³ the Registry makes the following brief submissions in relation to Mr Bahtijari's new arguments, to ensure the accuracy of the record before the Panel.

3. Firstly, in relation to the Defence's additional submissions related to whether [REDACTED] is planned,⁴ the Registrar clarifies that [REDACTED].⁵

4. Secondly, regarding Mr Bahtijari's request for an allowance for special food,⁶ the Registrar recalls that, in line with the Detention Rules, meals are provided regularly to all Detainees. Specifically, Detainees are provided with three (3) meals of food at appropriate times each day, "which shall be varied, well-prepared and -served, and satisfying in quality and quantity as regards standards of nutrition".⁷ The quantity, quality, preparation, and serving of meals are regularly monitored by the Chief Detention Officer and the Medical Officer, to ensure that, among other things, nutritional requirements are met.⁸ In addition to nutritional requirements, the meals provided to the Detainees also take into account, as far as practicable, the age, health,

¹ KSC-BC-2023-10, F00650, Bahtijari Reply to Registry and SPO on Review of Detention and Humanitarian Release, 22 January 2025, confidential; *see also* [REDACTED]; F00643, Registrar's Submissions on Bahtijari Request for Release on Humanitarian Grounds, 16 January 2025, confidential ('Registrar's Submissions'); F00649, Prosecution response to Bahtijari humanitarian release request, 21 January 2025, confidential.

² F00637, Bahtijari Submissions on detention review and request for release on humanitarian grounds, 10 January 2025, confidential.

³ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020, public ('Rules').

⁴ Reply, para. 13(c).

⁵ Rules of Detention, KSC-BD-08-Rev1, 23 September 2020, Detention Rule 30(4), 34(1).

⁶ Reply, para. 13(h).

⁷ Detention Rule 23(1).

⁸ Detention Rule 23(2), 30(5)(a).

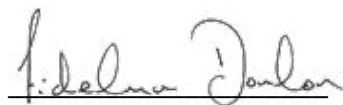
religious, and cultural requirements of the Detainees, the season and the climatic conditions.⁹ [REDACTED]. [REDACTED].¹⁰ [REDACTED].

5. Thirdly, in relation to Mr Bahtijari's use of the Secure Electronic Data Sharing ('SEDS') system, the Registry again¹¹ notes that [REDACTED].

6. Finally, the Defence suggests in its Reply that the Registry has indicated that it would fund [REDACTED].¹² By contrast, in the Registrar's Submissions, the Registry clarified that [REDACTED].¹³ In the interest of accuracy, however, the Registry noted that [REDACTED].¹⁴ The Registry will address any matters raised by the Defence in relation to this issue in line with the Legal Aid Regulations.¹⁵

7. Pursuant to Rule 82(3) and (4) of the Rules, this filing is classified as confidential.

Word count: 673



Dr Fidelma Donlon

Registrar

Thursday, 23 January 2025

At The Hague, the Netherlands

⁹ Detention Rule 23(1).

¹⁰ [REDACTED].

¹¹ [REDACTED].

¹² Reply, para. 12.

¹³ [REDACTED].

¹⁴ [REDACTED].

¹⁵ Legal Aid Regulations, KSC-BD-25-Rev1, 22 February 2024, public