

**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:** 15 November 2024

**Language:** English

**Classification:** Public

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**(lesser redacted version of F00604RED) BAHTIJARI application for short timetable for sentencing**

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**Specialist Prosecutor's Office**

Kimberley P. West

**Counsel for Sabit Januzi**

Jonathan Rees KC

Huw Bowden

**Counsel for Ismet Bahtija**

Felicity Gerry KC

Marion Carrin

**Counsel for Haxhi Shala**

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## I. INTRODUCTION

1. Pursuant to Rule 75(1) of the Rules of Procedure and Evidence ('the Rules'), the Defence for Ismet Bahtijari ('the Defence') hereby requests the scheduling of the sentencing proceedings in the present case with shortened deadlines in the interest of justice and of the Parties.

## II. PROCEDURAL HISTORY

2. The Trial Chamber has kindly suspended previous time limits (F00600).

## III. APPLICABLE LAW

4. These submissions are filed under Rule 75 of the *Rules*.
5. Pursuant to Rule 93(3) of the Rules, Trial Panel I ('the Panel') may 'set a date for the sentencing hearing, as soon as practicable'.
6. A sentence shall be determined on the basis of written submissions, unless otherwise decided by the Panel, pursuant to Rule 162(4) of the Rules.
7. Finally, pursuant to Rule 164 of the Rules, the Panel shall pronounce the Sentencing Judgment within thirty (30) days of the last submission from the Parties, which enables the Panel to shorten the deadlines if appropriate, given the circumstances of the case.

## IV. SUBMISSIONS

8. The Defence hereby submits that the circumstances of the present case warrant a shortening of the deadlines applying to the sentencing procedure.

9. Mr Bahtijari has admitted guilt and engaged in a guilty plea agreement. It is noted that such a significant step has been taken prior to the commencement of the trial.
10. The plea is detailed and sets out that Mr Bahtijari was acting under direction.
11. Mr Bahtijari has already spent more than a year in detention and the Panel is aware that his health is of concern. [REDACTED].
12. These concerns will be further substantiated in the written submissions to be presented to the Panel for the purpose of the sentence determination.
13. The Defence will obtain statements [REDACTED] for sentence as a matter of urgency.
14. It is noted that the week commencing 9 December 2024 was an allocated time period for trial. Specialist Counsel for Mr Bahtijari is not available 9 December.
15. For the fore going reasons, the Defence hereby respectfully requests the Panel to schedule the sentencing procedure on **10 December 2024** during which the Accused can be heard by the Panel regarding their respective admission of guilt and the Sentencing Judgment can be delivered pursuant to Rule 93 of the Rules.

## V. CONCLUSION

16. For all the above reasons, it is submitted that a shortened calendar for the sentencing procedure could be adopted by the Panel and it is respectfully requested that 10 December is a suitable date.

## VI. CLASSIFICATION

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

**Word count: 534**

A handwritten signature in dark ink, appearing to read 'Felicity Gerry', with a long, sweeping horizontal stroke underneath.

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**Dr Felicity Gerry KC**

**Counsel for Mr Bahtijari**

15 November 2024

At The Hague, The Netherlands