

In: KSC-BC-2023-10
The Prosecutor v. Sabit Januzi and Ismet Bahtijari
Before: Pre-Trial Judge
Judge Nicolas Guillou
Registrar: Fidelma Donlon
Filing Participant: Specialist Counsel for Sabit Januzi
Date: 29 January 2024
Language: English
Classification: Public

Submissions on Detention on behalf of Sabit Januzi

Specialist Prosecutor

Kimberly P. West

Counsel for Sabit Januzi

Jonathan Elystan Rees KC

Huw Bowden

Counsel for Ismet Bahtijari

Dr Felicity Gerry KC

I. SUBMISSIONS

1. On 8 December 2023, the Pre-Trial Judge pronounced his decision on the Accused's request for interim release dated 10 November 2023¹.
2. That decision is presently subject to an outstanding appeal before the Court of Appeals Panel². A decision from the Court of Appeals Panel is awaited.
3. At paragraph 77(iv) of his decision dated 8 December 2023, the Pre-Trial Judge provided for any Defence submissions in response to further submissions from the Prosecution as to ongoing detention³ by today's date.
4. In the absence of a decision from the Court of Appeals Panel in relation to the appeal against the Pre-Trial Judge's decision of 8 December 2023 refusing the Accused's request for interim release, the Accused makes no additional submissions at this stage. The Court of Appeals Panel is seized of his appeal, which if successful may result in his interim release. The Accused awaits the decision of the Court of Appeals Panel.
5. The Accused retains the right pursuant to Rule 57(2) of the Rules⁴ to make a further request for a review of the decision of detention, if necessary, after the decision of the Court of Appeals Panel has been pronounced.

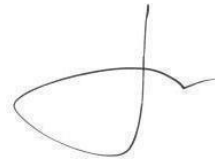
¹ KSC-BC-2023-10/F00123, *Decision on Sabit Januzi's Request for Interim Release*, Pre-Trial Judge, 8 December 2023, Public

² KSC-BC-2023-10/IA001/F00001, *Appeal Against the Decision on Interim Release on Behalf of Sabit Januzi*, Januzi, 20 December 2023, Confidential

³ KSC-BC-2023-10/F00149, *Prosecution submission pertaining to periodic detention review of Sabit Januzi*, Prosecution, 22 January 2024, Confidential

⁴ KSC-BD-03/Rev3/2020

Word count: 247 words

A handwritten signature in black ink, appearing to be 'J. E. Rees', written in a cursive style.

JONATHAN ELYSTAN REES KC

Specialist Counsel for Mr Januzi

HUW BOWDEN

Specialist Co-Counsel for Mr Januzi

29 January 2024

Reading, UK