

In: KSC-BC-2020-05
The Specialist Prosecutor v. Mr. Salih Mustafa

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: Defence

Date: 29 June 2021

Language: English

Classification: Public

Defence submissions on

Adjudicated facts

Specialist Prosecutor

Mr. Jack Smith

Counsel for the Accused

Mr. Julius von Bóné

Victims' Counsel

Anni Pues

I. Introduction

1. Pursuant to the Order of the trial Panel as laid down in paragraph 8 of the decision of 18 June, 2021, the defence hereby provides the Trial Panel with its submissions.

II. No joint submissions on adjudicated facts

2. The defense submits that no agreement has been reached with the SPO on a joint proposal requesting the Panel to take judicial notice of adjudicated facts.

III. No separate submissions regarding adjudicated facts

3. The defense submits at this point no request to the Panel to take judicial notice of adjudicated facts.

IV. Ongoing investigations

4. As to the nature of the conflict, the forces acting therein, and the legitimacy of the aggressive forces operating on the territory of Kosovo, the defense has the intention to present (expert) evidence which it believes to lead to a re-assessment and re-qualification of these issues and events. As the defense investigations have not reached its conclusion, it is premature at this point to detail these out.

V. Conclusion

5. The defence has at this point no further submissions.

Word count: 177



Julius von Bóné

Defence Counsel

29 June 2021

At The Hague, the Netherlands